

# RACE AND LAW

**LAWYERS CANNOT FULLY UNDERSTAND** the American legal landscape without studying the impact of race. The Law School founded the Center for the Study of Race and Law in 2003 to provide opportunities for students, scholars, practitioners and community members to examine and exchange ideas related to race and law through lectures, symposia and scholarship. The center also coordinates with the Law School to offer a concentration of courses on race and law, including 15 core courses and more than 10 related offerings, and serves as a resource for faculty whose teaching or scholarship addresses subjects related to race.

**CURRICULUM** Virginia offers courses in civil rights and anti-discrimination law, but equally important is a wide array of courses in constitutional law and history. These offerings reflect the ways in which the struggle for civil rights shaped — and continues to shape — our country and institutions. Each year the Center for the Study of Race and Law brings a visiting professor to teach a short course. Past visitors include:

- DEVON CARBADO**, professor of law and former vice dean of the faculty, UCLA School of Law
- RICHARD BANKS**, Jackson Eli Reynolds Professor of Law, Stanford Law School
- GUY-URIEL CHARLES**, Russell M. and Elizabeth M. Bennett Professor of Law, University of Minnesota Law School



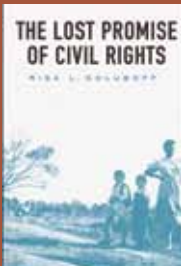
**PROFESSOR ALEX M. JOHNSON JR.** leads the Center for the Study of Race and Law. An expert in critical race theory, property, trusts and estates, and real estate transactions, Johnson's recent research has examined the social construction of race and ethnicity and its impact on law and legal issues. He formerly served as dean of the University of Minnesota Law School and vice provost for faculty recruitment and retention at the University of Virginia.



**BEFORE BROWN v. BOARD OF EDUCATION**, the early civil rights movement explored avenues to create equality for African-Americans that have mostly been abandoned today, argues Professor **RISA GOLUBOFF** in her groundbreaking book on the history of civil rights law. "The Lost Promise of Civil Rights" explores the

fight for black economic and labor rights from the 1930s until the 1954 U.S. Supreme Court decision outlawing "separate but equal" schools set the stage for looking at race through the lens of integration in education. The result of abandoning this path to civil rights, Goluboff claims, is an inability to resolve the troubling legacy of racial

economic inequality that remains today. "Brown isn't only the end of segregation, it's the end of an era of experimentation. In pushing us in that one direction, we lose the other possible directions that had existed before Brown. And in particular we lose images of civil rights and civil rights claims that were more concerned with economics, that were more concerned with material inequality than with stigma or classifications on their own."





University of Virginia Professor **JULIAN BOND**, chairman of the National Association for the Advancement of Colored People, described the origins of the sit-in movement at a two-day conference co-sponsored by the Center for the Study of Race and Law in 2010.

**FOSTERING SCHOLARSHIP** The Scholarly Paper Competition encourages and recognizes outstanding scholarship pertaining to race and law by law students in the Commonwealth of Virginia. The top three winning papers' authors are invited to present an oral summary of their work at a special program held at the Law School. Recognized papers have covered topics such as affirmative action, the Insular Cases and the 14th Amendment, and the response to the crisis in Darfur. Recent winning submissions were accepted for publication in the Virginia Law Review, the Virginia Journal of Social Policy and Law, and the Virginia Journal of International Law.

**TAKING ACTION** The Center for the Study of Race and Law promotes projects that advance racial justice in the legal system. In 2008 the center partnered with The Sentencing Project to submit a brief in the U.S. Supreme Court case *Kimbrough v. United States*, which challenged the idea of mandatory sentencing guidelines for the manufacture and distribution of crack cocaine. Sentencing guidelines for powder cocaine recommend a much shorter sentence, suggesting that crack cocaine guidelines are in part motivated by race because they disproportionately affect African-American defendants. The Supreme Court sided with Kimbrough (and the center) and ruled that the sentencing guidelines were not mandatory. As a result of this partnership, the Law School is offering the course Advanced Race and Law Projects so students may address a host of similar race-related public policy issues.



**RICHARD COHEN '79**, president of the Southern Poverty Law Center, spoke at Law Alumni Weekend about the state of race relations following the election of President Barack Obama.

Changing demographics in the country and the furor over immigration may be fueling hate groups, which have grown 50 percent since 2000, Cohen said.

While 17 percent of the country was nonwhite in 1970, today that figure has doubled.

"There are a lot of people, or some people, who feel threatened by that change," Cohen said.

But Obama's election could be a turning point in the state of race relations.

"It's an important opportunity that we as lawyers have a special obligation not to squander."

## COURSES AND SEMINARS

### CORE COURSES

Advanced Race and Law Projects  
American Social and Legal History  
Civil Rights History from *Plessy to Brown*  
Civil Rights Litigation  
Constitutional History I: American Revolution to 1896  
Constitutional History II: The 20th Century

Employment Discrimination  
Immigration Law  
Indian Law  
International Human Rights Law  
Lawyers and the Civil Rights Movement  
Race and Law  
Race and Politics  
Refugee Law and Policy  
Urban Law and Policy

### RELATED COURSES

American Legal History  
Colloquium in American Legal History

Criminal Adjudication  
Criminal Investigation  
Education Law and Policy  
Family Law  
Judicial Role in American History  
Land Use Law  
Rule of Law: Controlling Government  
Social Science in Law  
Special Education Law

## EVENTS

The Center for the Study of Race and Law coordinates and promotes the substantial array of existing Law School programs on race and law, and enhances these offerings by sponsoring additional programs, often in partnership with interested student organizations. Recent center-sponsored events include:

**YES WE CAN? RACE, POVERTY AND PROGRESS IN AMERICA**, with Stephen Black, founder of Impact Alabama and grandson of U.S. Supreme Court Justice Hugo Black, and Professor Daniel Nagin, director of the Family Resource Clinic

**RACE, EMPLOYMENT AND THE CHARLOTTESVILLE COMMUNITY**, a discussion of how the racial history of Charlottesville and UVA impacted the employment disparities between black and white residents

**REPRESENTING CHILDREN: DEALING WITH RACIAL INEQUALITIES IN SCHOOLS AND IN THE JUVENILE JUSTICE SYSTEM**, with Robert Schwartz, co-founder and executive director of the Juvenile Law Center

**FRONTLASH: RACE AND THE TRANSFORMATION OF AMERICAN CRIME POLICY AND POLITICS**, with University of

Virginia Professor of Politics Velsa Weaver

**50 YEARS AFTER THE SIT-INS: REFLECTING ON THE ROLE OF PROTEST IN SOCIAL MOVEMENTS AND LAW REFORM**, a two-day conference featuring civil rights leader Julian Bond



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[www.law.virginia.edu/race](http://www.law.virginia.edu/race)

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