

Gender & Racial Discrimination & American Law

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BRIEF BIO

Dean Adrien K. Wing joined the University of Iowa Law school faculty in 1987, and is the Bessie Dutton Murray Distinguished Professor. Wing also serves as the Associate Dean for International and Comparative Law Programs and is Director of the UI Center for Human Rights. Author of over 140 publications, she teaches Critical Race Theory, Sex Discrimination, and Law in the Muslim World. She holds her Bachelor's degree from Princeton with high honors, MA degree from UCLA in African Studies, and her JD from Stanford.

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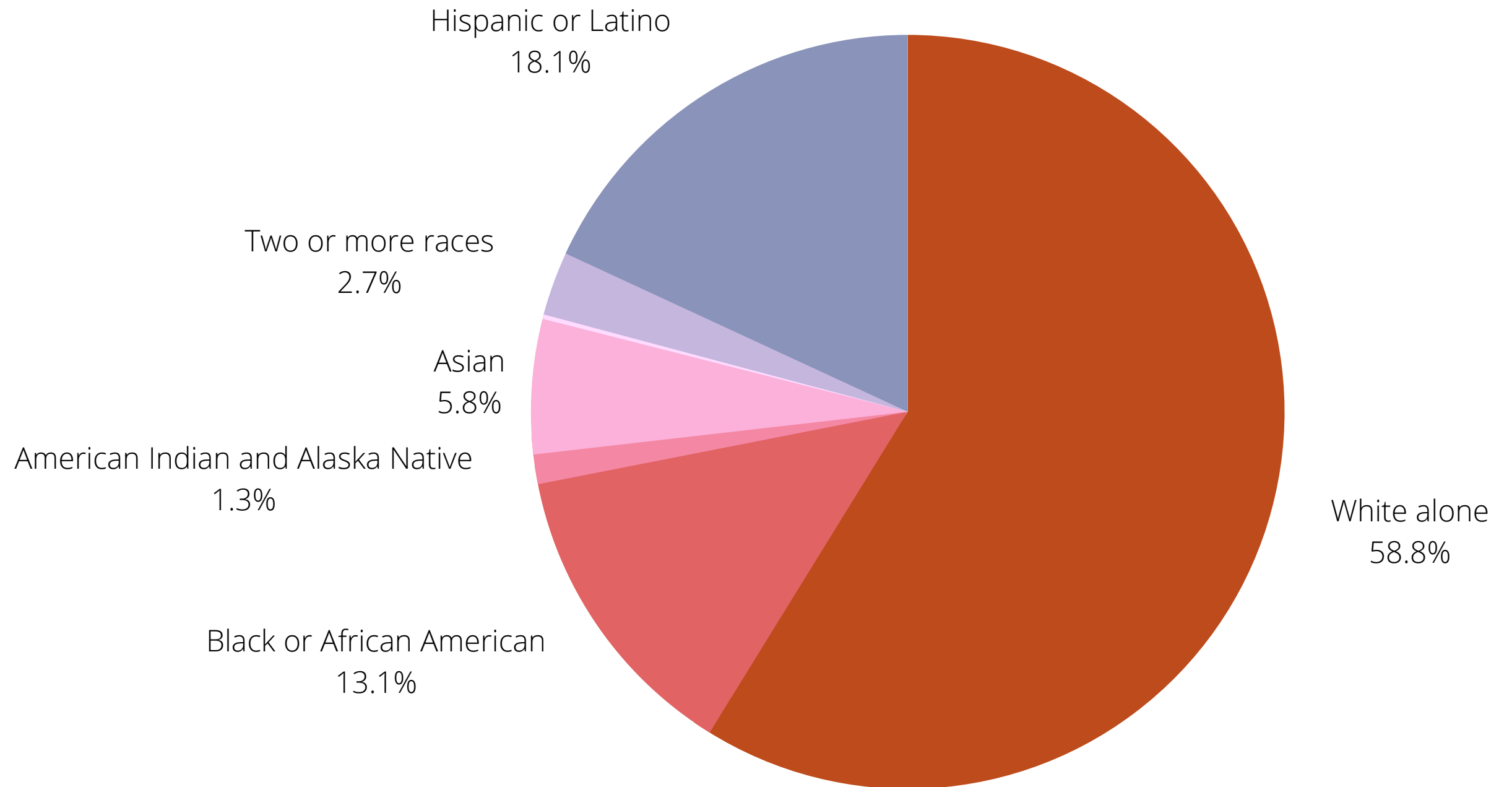
PART 3: Gender Discrimination

PART 4: Looking forward

U.S. Demographics

Female 50.8

Male 49.2



What is race?

- Race is a social construct
- A human-invented classification system created to define physical differences between people.
- What races are in this picture?



RACISM





NO
DOGS
NEGROES
MEXICANS
LONESTAR RESTAURANT ASSN.
Dallas, Texas



TRAIL OF TEARS
CHEROKEE
"Walk in their Footsteps"
The area surrounding the Cedartown Big Spring was first inhabited by the Cherokee Indians. The land was prized for its abundance of sparkling spring water and shade-providing cedar trees. The Cherokee people lived here peacefully until May 26, 1838 when militiamen began their forced round up as part of the 1830 Indian Removal Act. Eighty soldiers set up a military post here, on the...

WE SERVE
WHITE'S *only*
NO
SPANISH *or* **MEXICANS**

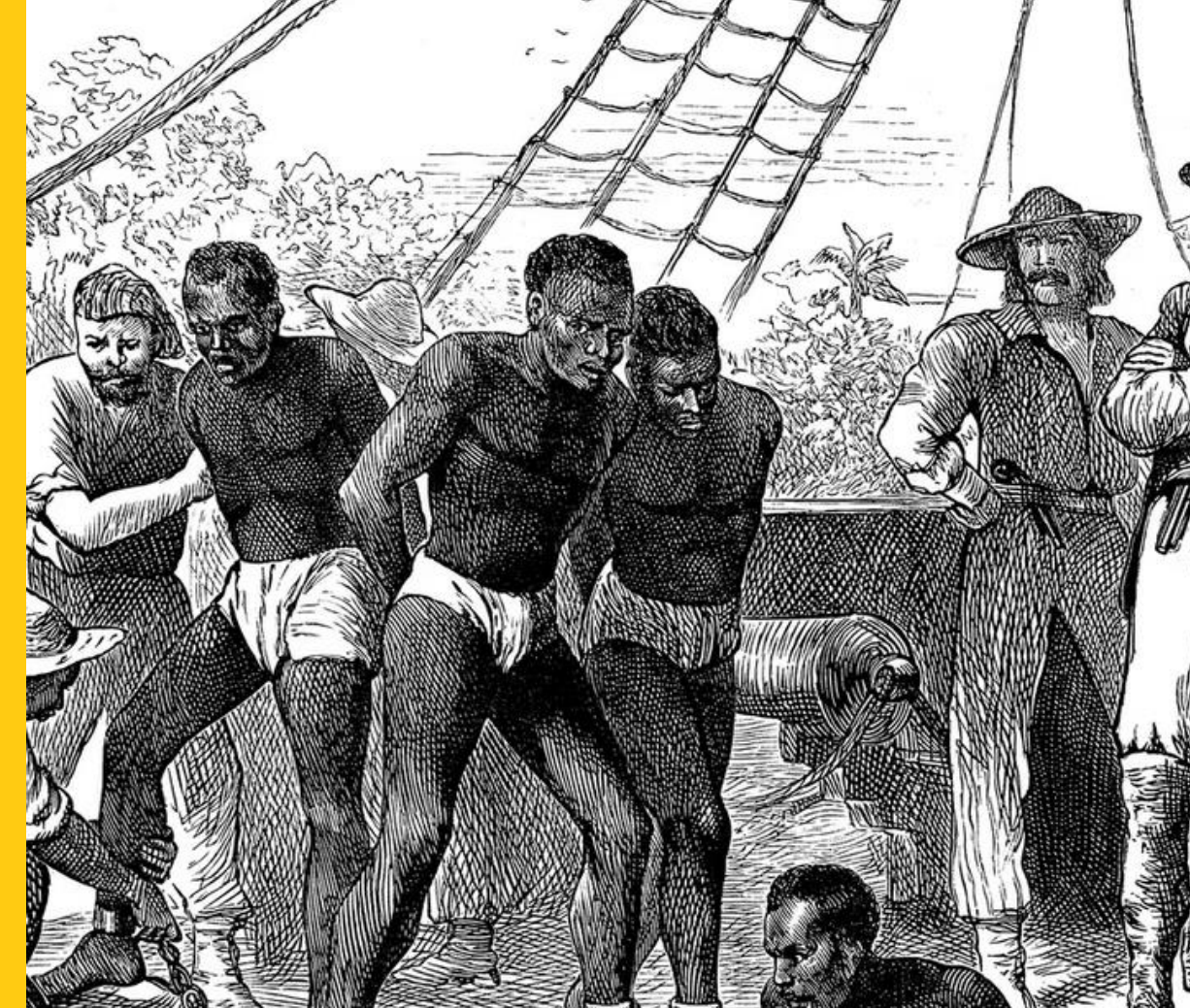


Race in the U.S.

Racially diverse country because of the indigenous population, slavery and different waves of immigration

Racism a systemic problem

Upsurge today in white nationalism, Nazis

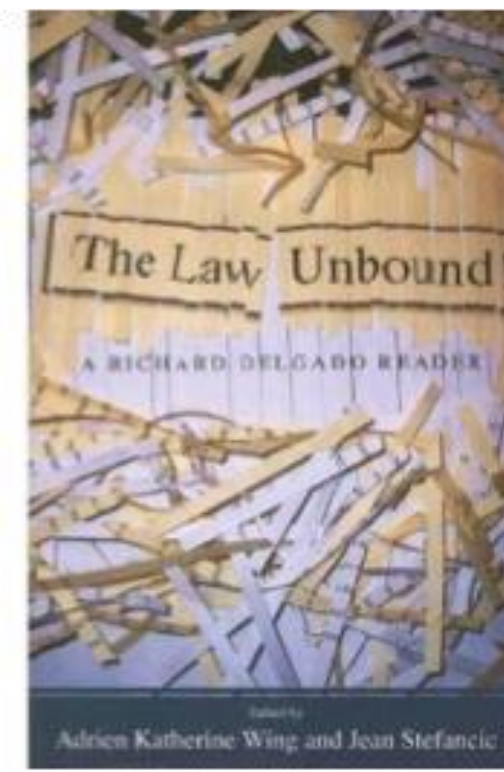
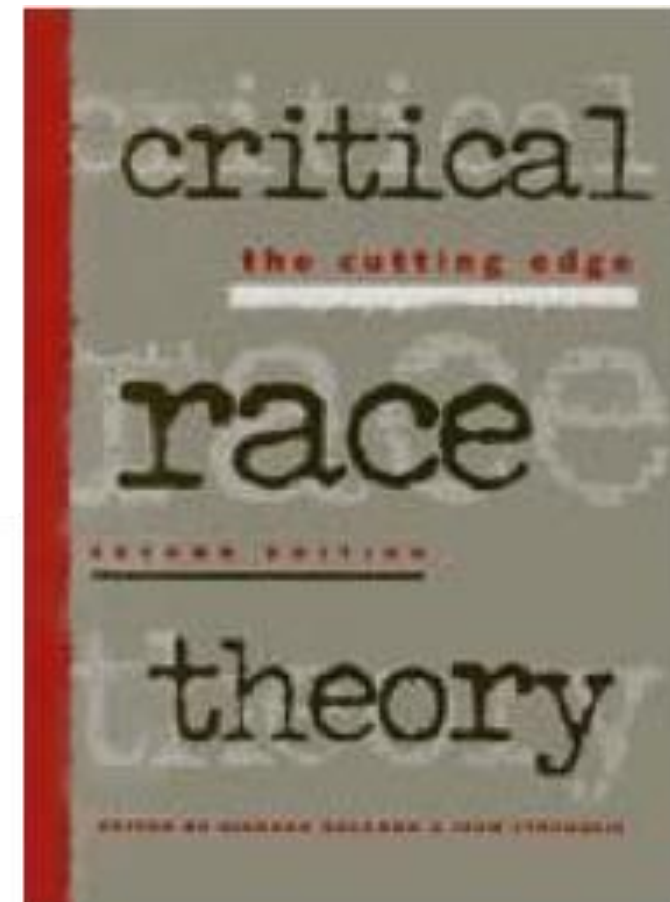
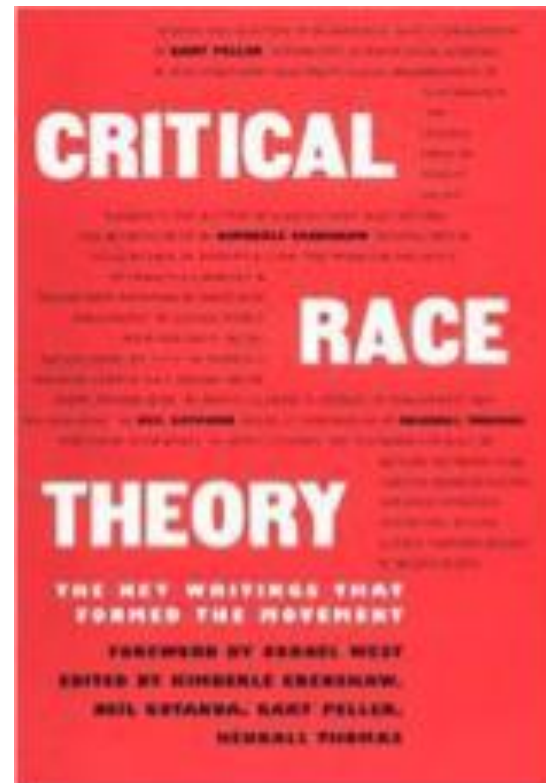


Studying the History and trying to squash it: White House Executive Order on Combatting Race and Sex Stereotyping vs. 1619 Project--
Pulitzer prize winning author Nikole Hannah-Jones, NY Times

*The 1619
Project*



Studying Racism in Law: Critical Race Theory (CRT)



CRT Related areas:



Critical White Studies: Richard Delgado,
Latinx Crit, QueerRaceCrit: Frank Valdez

Indian Crit: Robert Williams

Asian Crit: Robert Chang

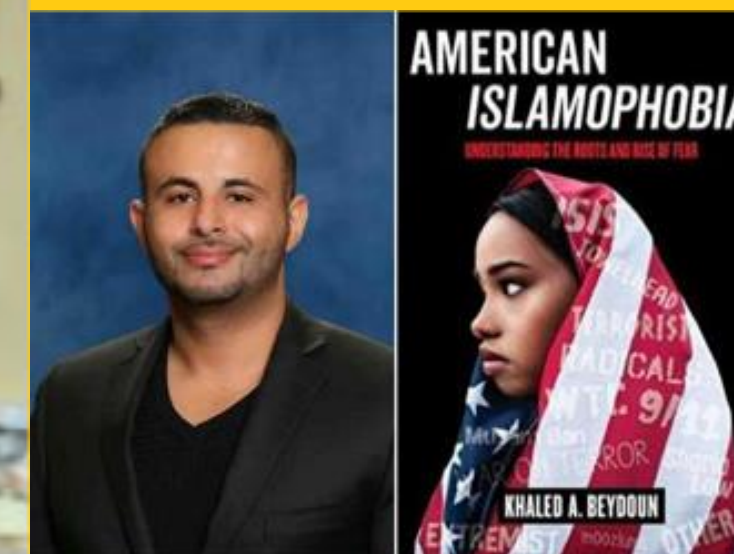
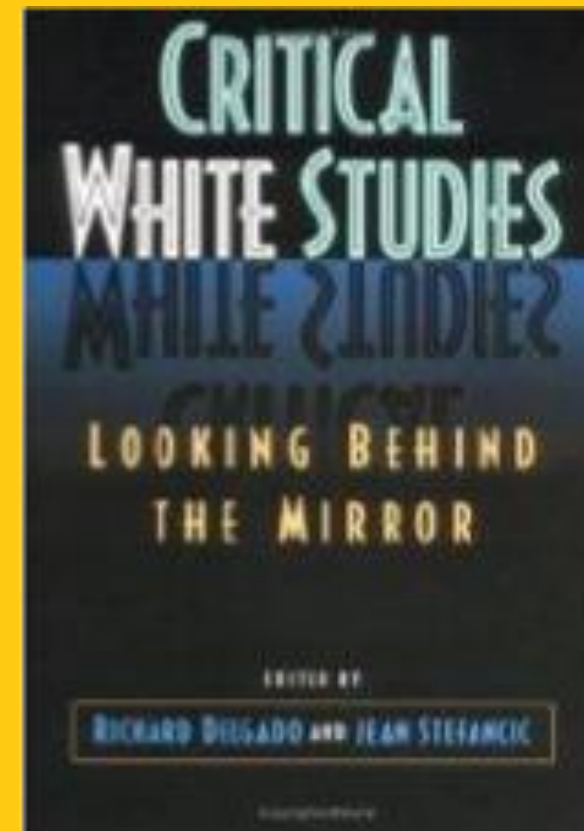
E-Crit: Osagie Obasogie

Dis-Crit (Disability): Rabia Belt

Desi-Crit (South Asian): Vinay Harpalani

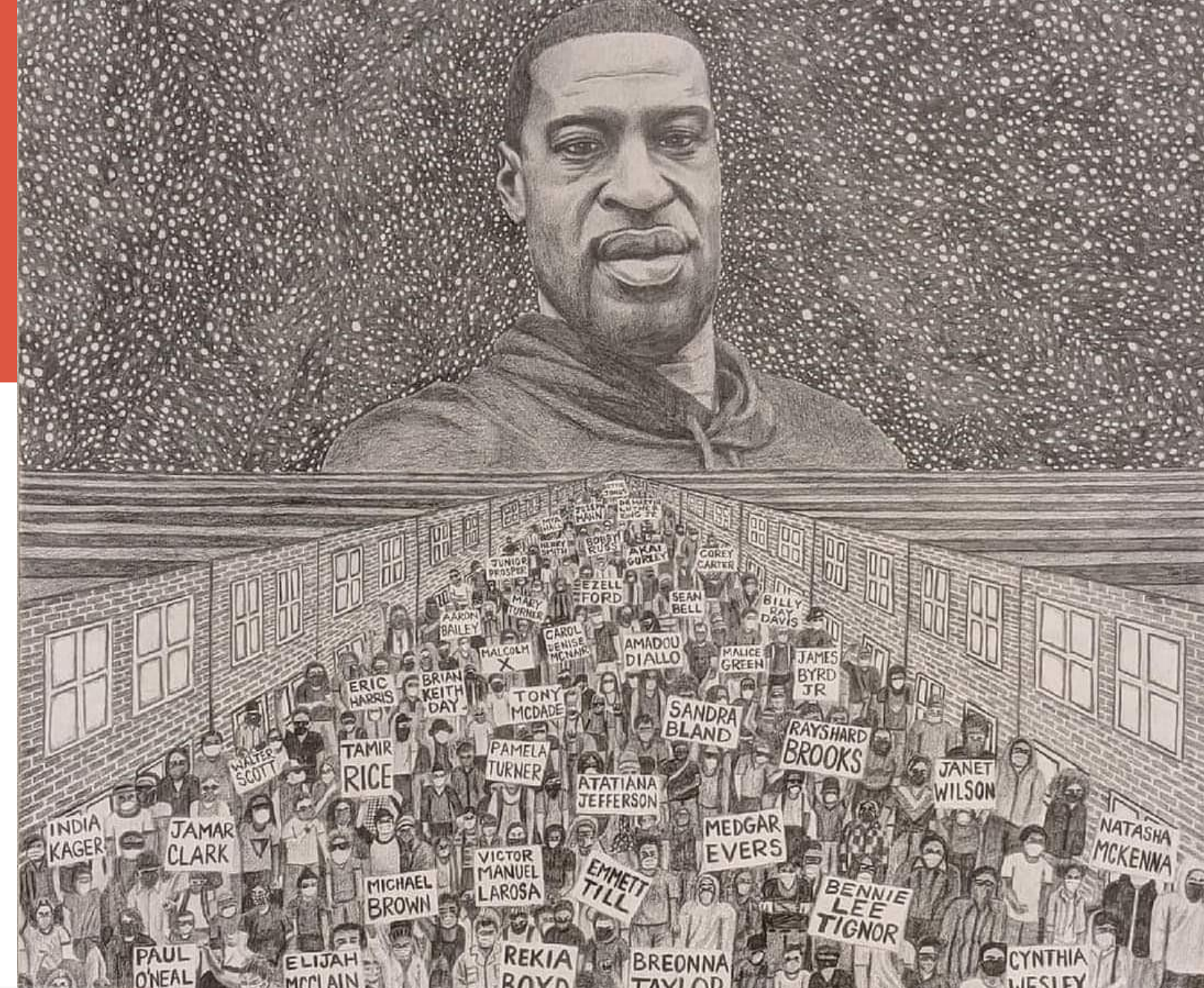
Critical Masculinity: Devon Carbado

Global Crit: Khaled Beydoun



Criminal Justice:

occasionally a victory!!



Police accountability

99% of killings by police from 2013-2019 have not resulted in officers being charged with a crime



Source: Mapping Police Violence



BLM founders: Alicia Garza, Patrice Cullors, Opal Tometi

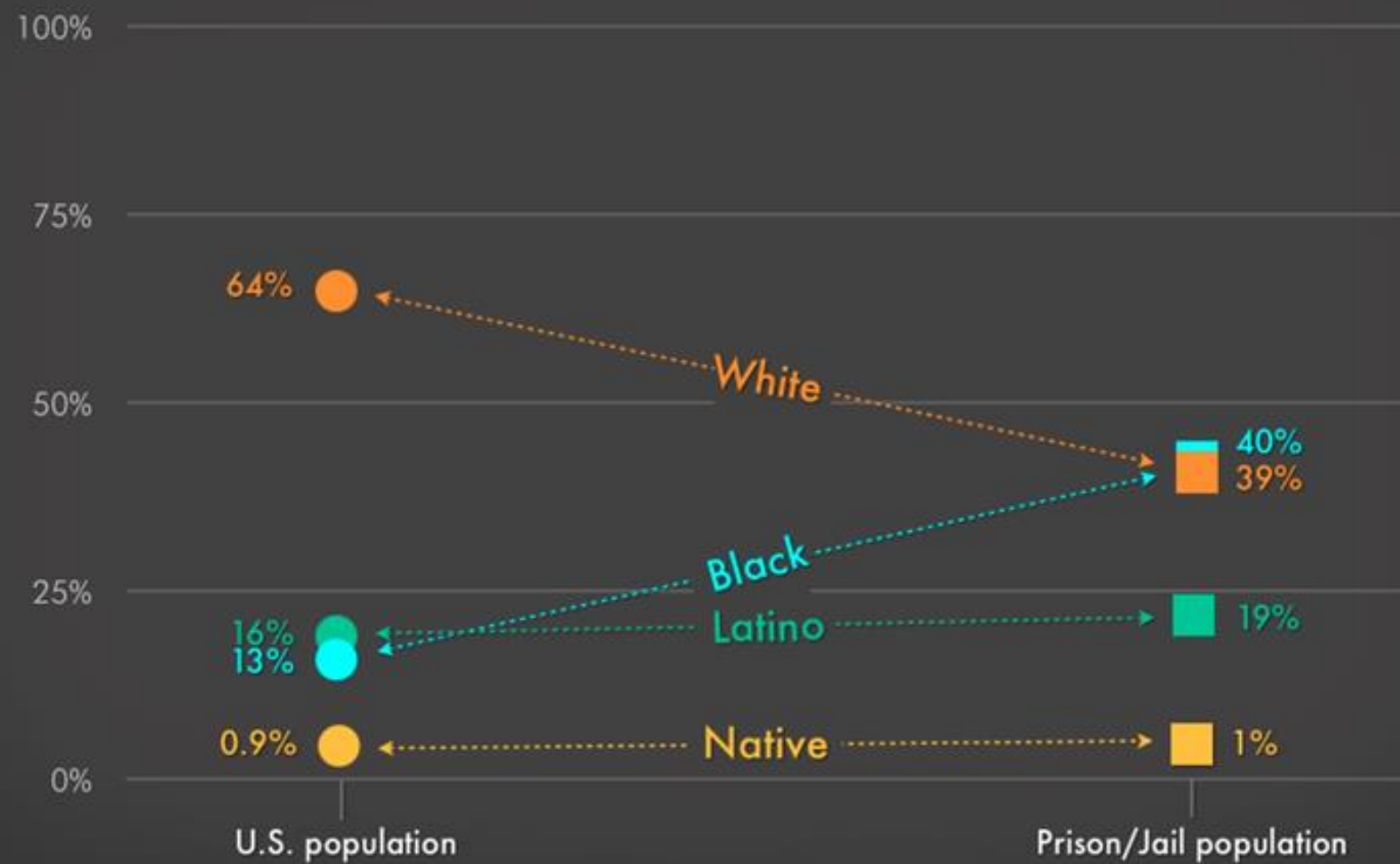
YES, ALL LIVES MATTER
MATTER
BUT WE'RE FOCUSED ON THE
BLACK ONES RIGHT NOW, OK?
— BECAUSE IT IS VERY —
APPARENT
THAT OUR JUDICIAL SYSTEM
DOESN'T KNOW THAT.
PLUS, IF YOU CAN'T SEE WHY WE'RE EXCLAIMING
#BLACKLIVESMATTER
YOU ARE PART OF THE PROBLEM.



Criminal Legal System

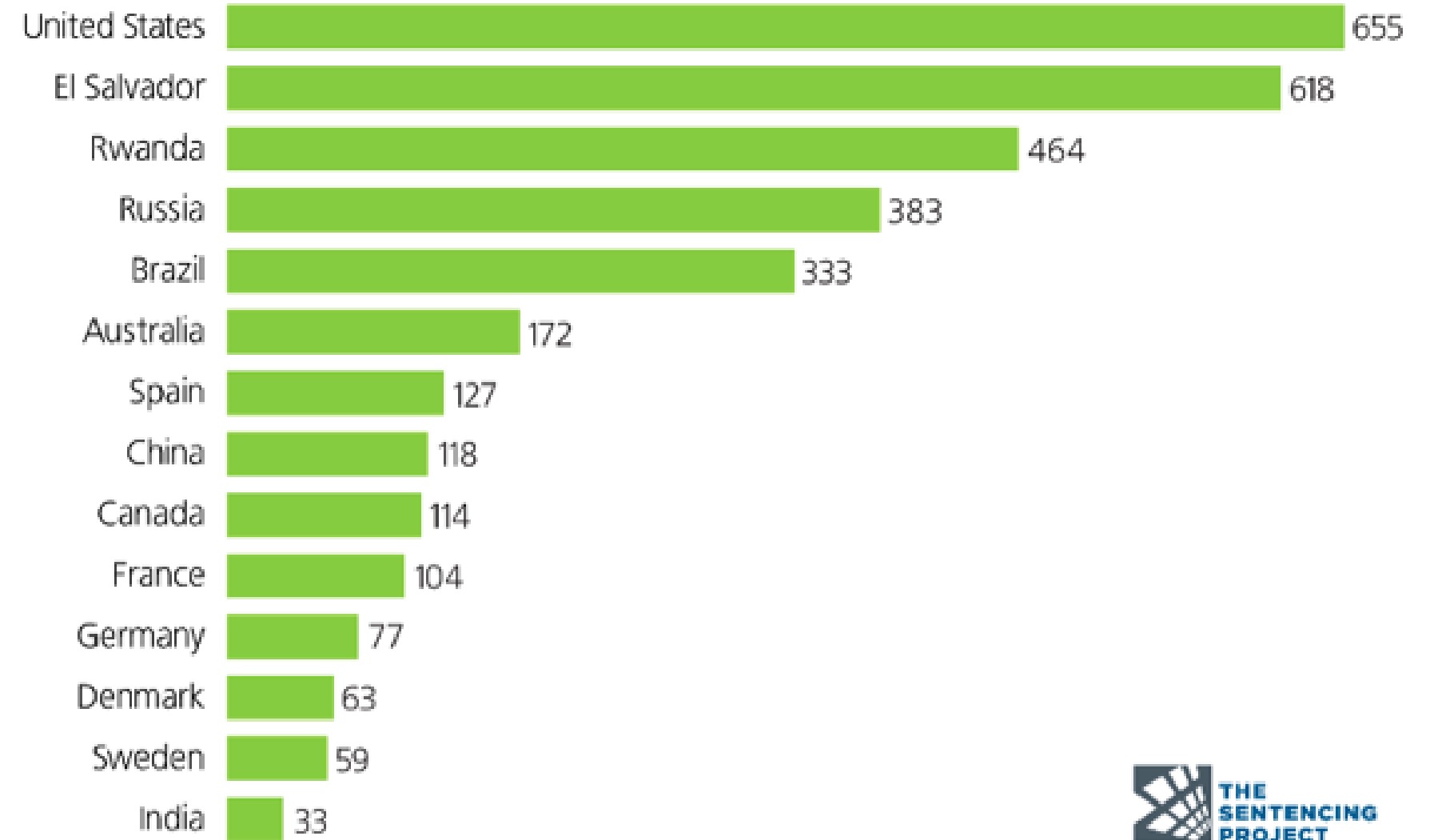
Racial and ethnic disparities in prisons and jails

Whites are underrepresented in the incarcerated population while Blacks are overrepresented.



Compiled from 2010 Census, Summary File 1.

International Rates of Incarceration per 100,000



Police violence

Nearly 1 million people in the U.S. experience the threat or use of force by police annually, and they are disproportionately Black and Latino

Most policing has little to do with real threats to public safety

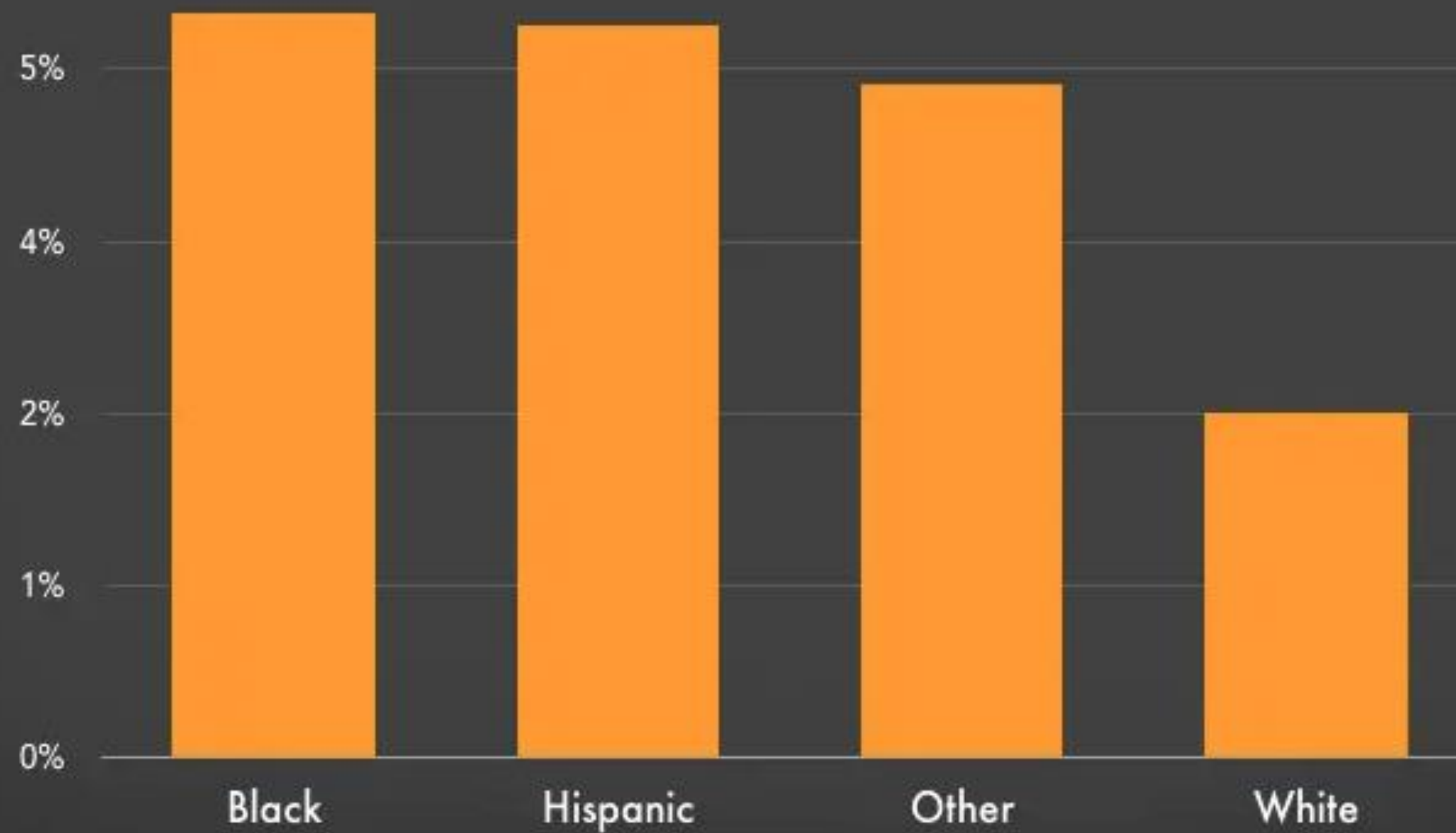
Police kill far more people than do police in other advanced industrial democracies



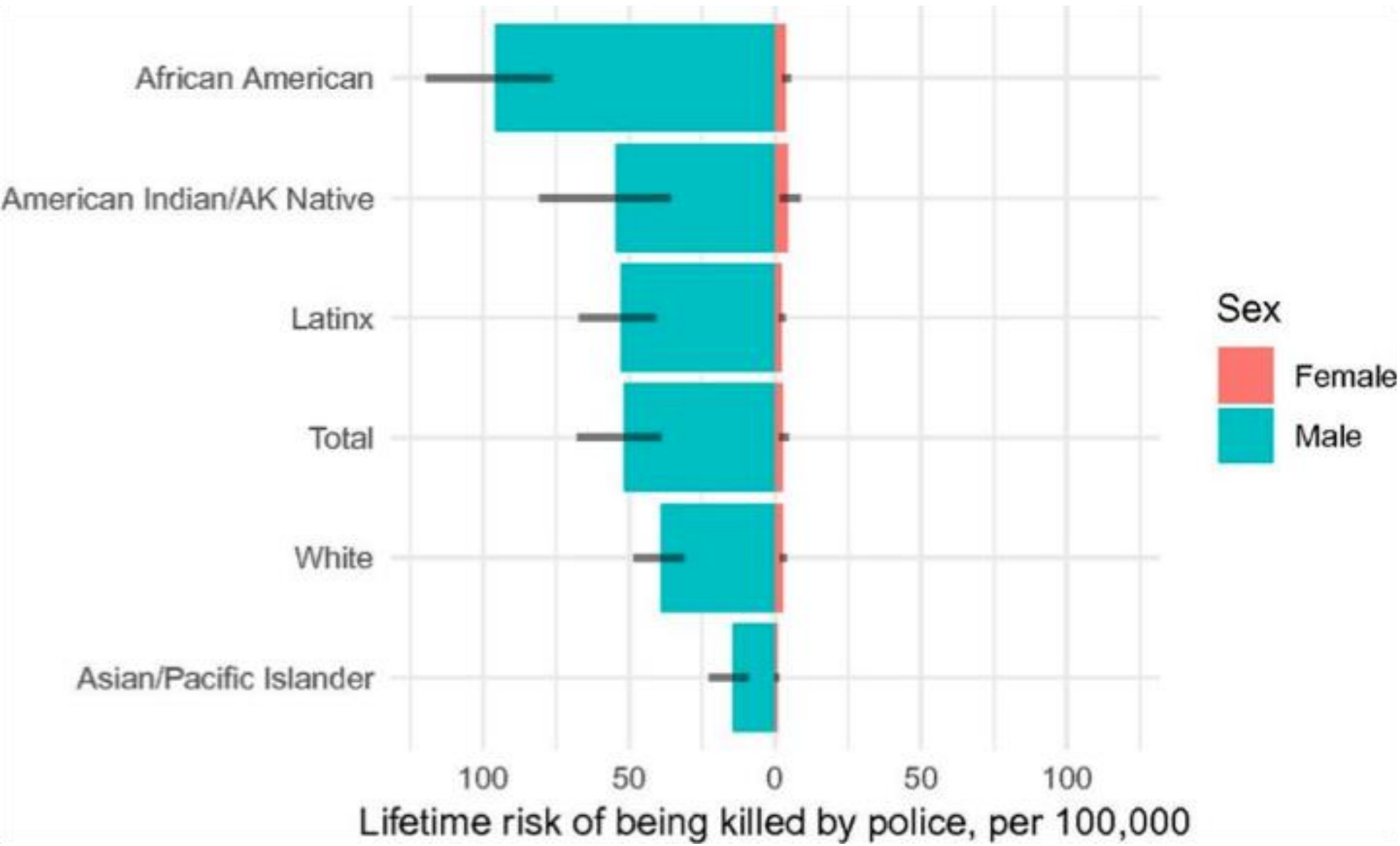
Police are twice as likely to use force against people of color

Percentage of respondents, by race, who reported that (a) their most recent police contact in 2015 was initiated by police and (b) police threatened or used force against them during that interaction

People who experienced the threat or use of force when they were most recently approached by police



POLICING IN THE U.S.



Women & Policing



PROPOSED RESOLUTIONS



- Police force abolition
- Defunding the police force
- End qualified immunity

What is a Hate Crime?



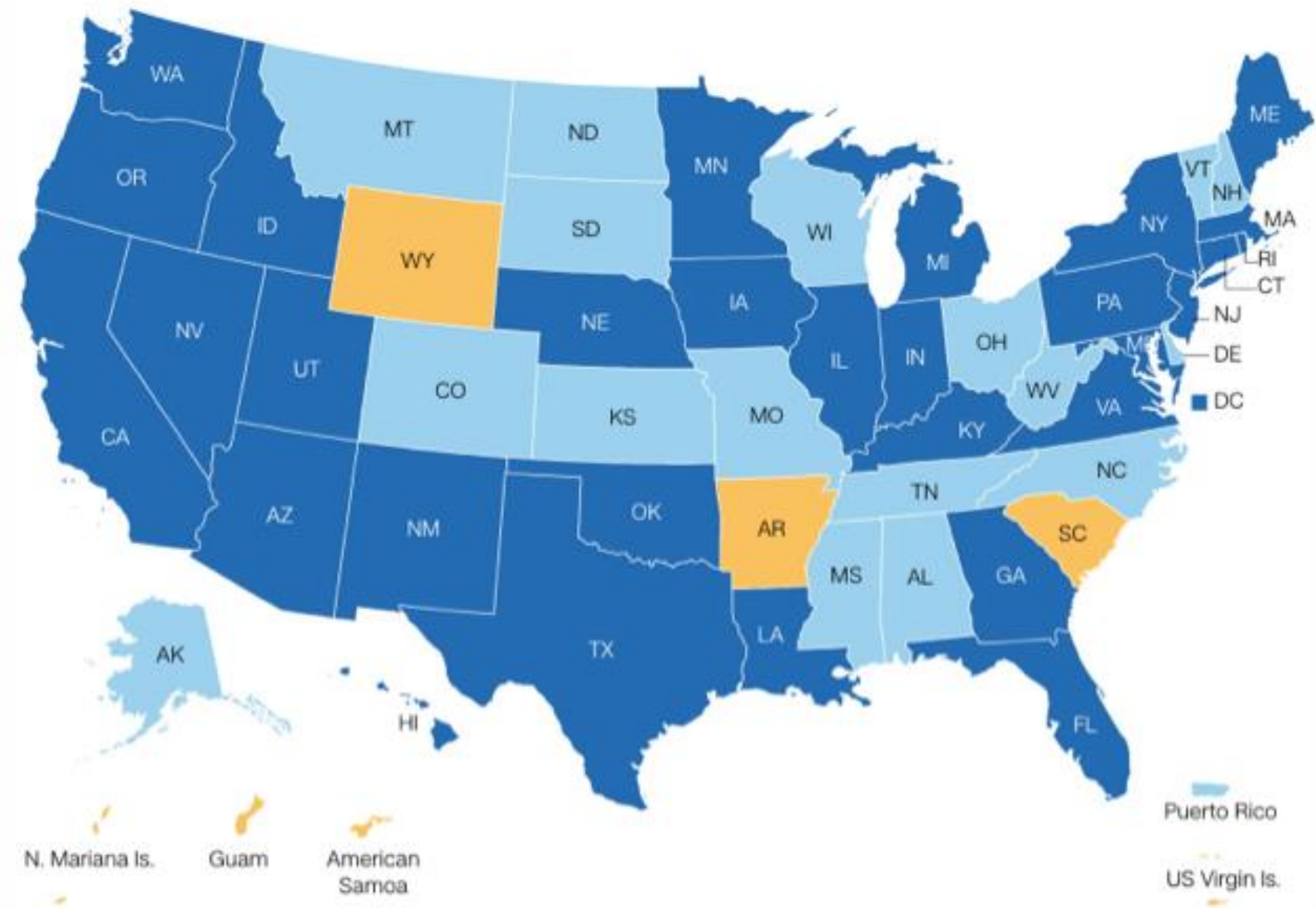


Hate Crimes in the U.S.

- Atlanta spa shooting of Asian-American women
- Anti-Asian hate incidents following COVID-19
- Murder of Black trans women
- Charleston church shooting

Has hate crime laws

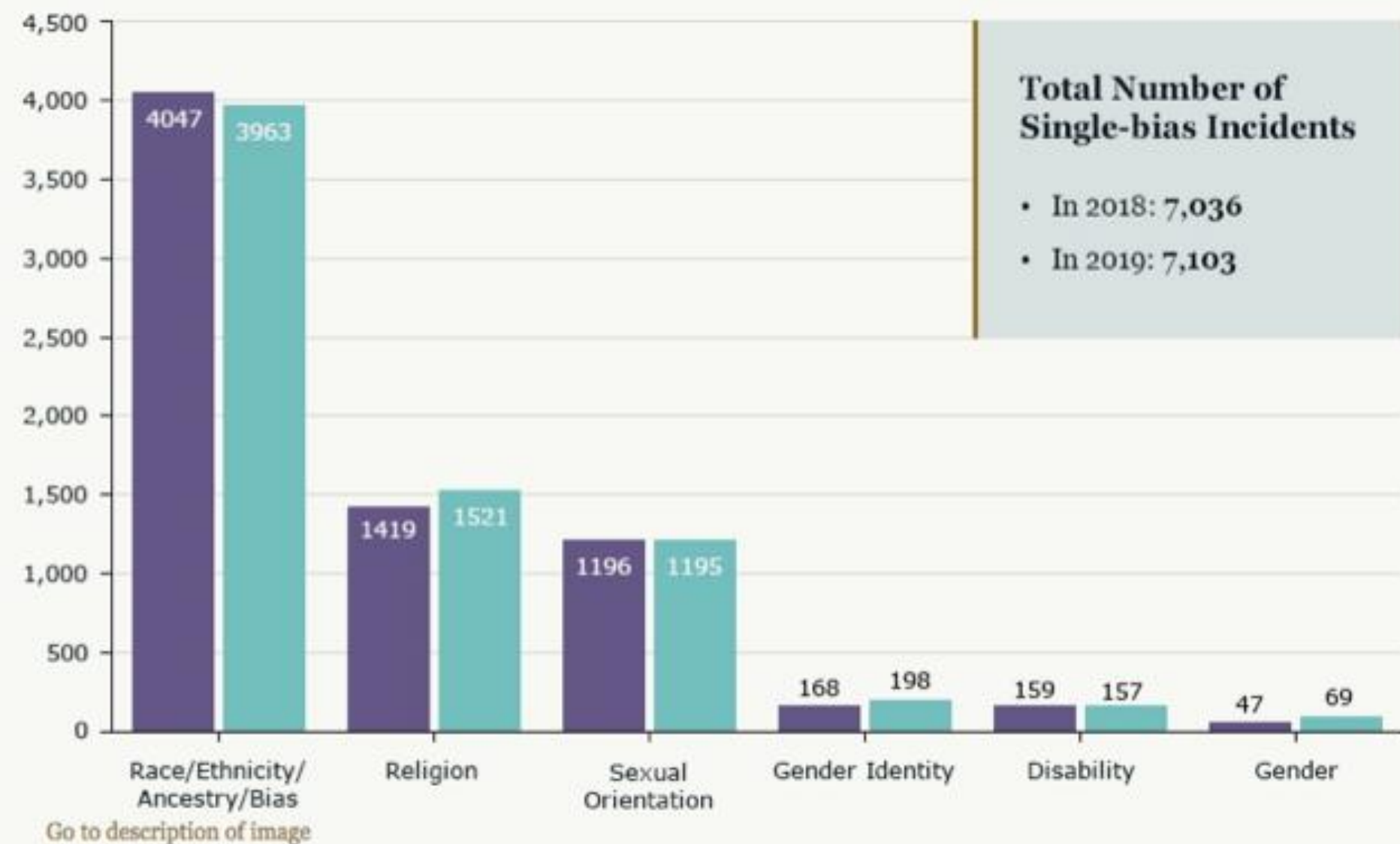
- Requires data collection
- Does not have hate crime laws or require data collection
- Does not require data collection



Source: US Department of Justice
Graphic: Renée Rigdon, CNN

Bias Motivation Categories for Victims of Single-bias Incidents in 2019

KEY: 2018 (purple), 2019 (teal)



Recent Rise in Hate Crimes



- In 2020 hate crimes rose to the highest level in more than a decade
- FBI reported the highest number of hate-motivated killings since data collection began in the early 1990s
- 2019: 51 hate crime murders occurred
 - 22 people were killed in a mass shooting in a Walmart in El Paso, Texas
 - Perpetrator attempted “to scare Hispanics out of the state”

Coronavirus

Anti-Asian Hate Crimes Increased 2019-2020

Last updated: March 1

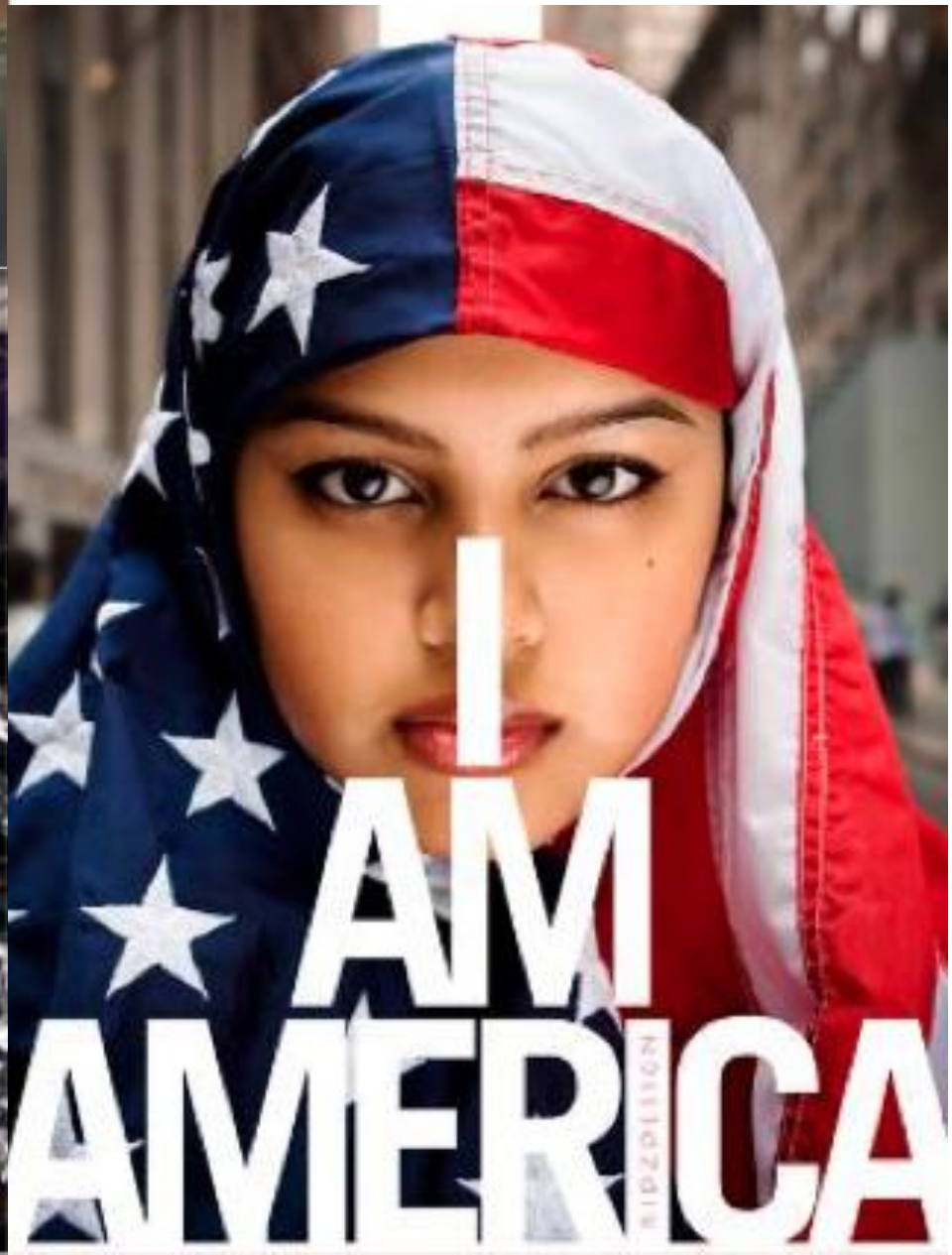
City	Number of Incidents			City Population And % of population that is Asian American or Pacific Islander
	2019	2020	% change	
New York NY	3	28	833%	8,336,817 --- 14.5%
Los Angeles CA	7	15	114%	3,979,537 --- 11.6%
Boston MA	6	14	133%	694,295 --- 9.7%
Seattle WA	9	12	33%	753,655 --- 16.9%
San Jose CA	4	10	150%	1,021,786 --- 38%
San Francisco CA	6	9	50%	881,549 --- 35%
Philadelphia PA	2	6	200%	1,584,064 --- 7.5%
Cleveland OH	2	6	200%	380,989 --- 2.4%



Moving Towards Better Protection

- The Senate voted (92-6) to move forward with consideration of hate crimes legislation aimed at combating violence toward Asian Americans.
- The COVID-19 Hate Crimes Act could require Attorney General Merrick Garland to appoint a Department of Justice official to expedite a review of reported hate crimes during the coronavirus pandemic.
- The bill would also direct AG Garland to provide guidance for state and local law enforcement agencies for establishing online reporting, culturally appropriate public education campaigns, and data collection.

Immigration/Crimmigration



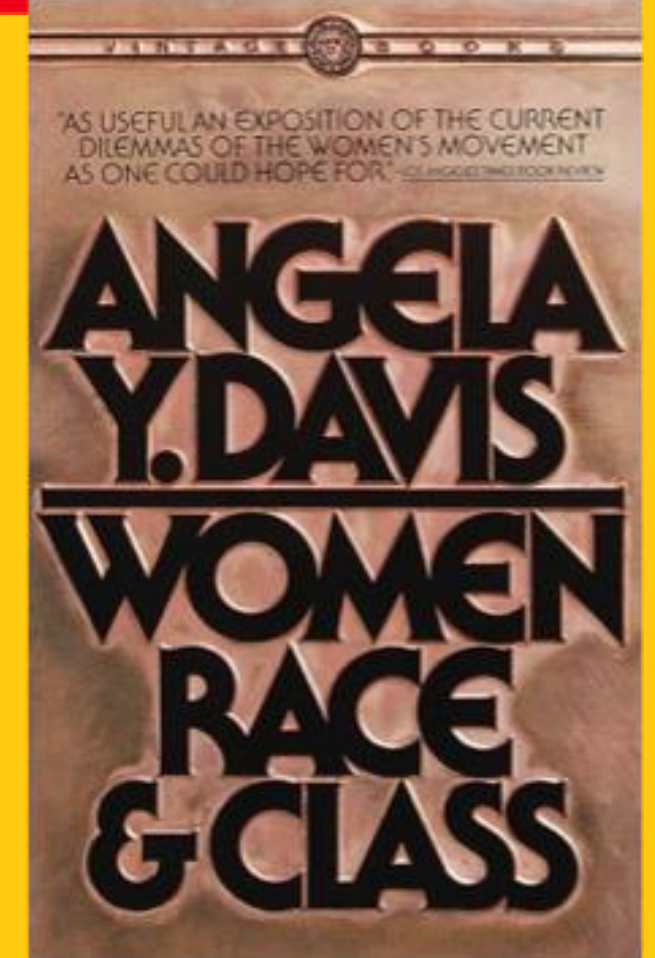
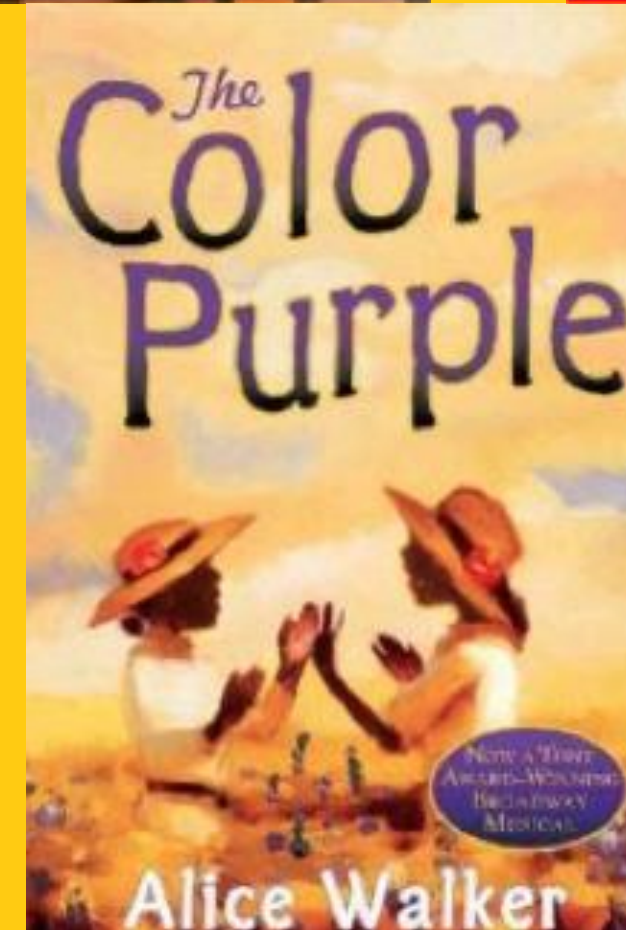
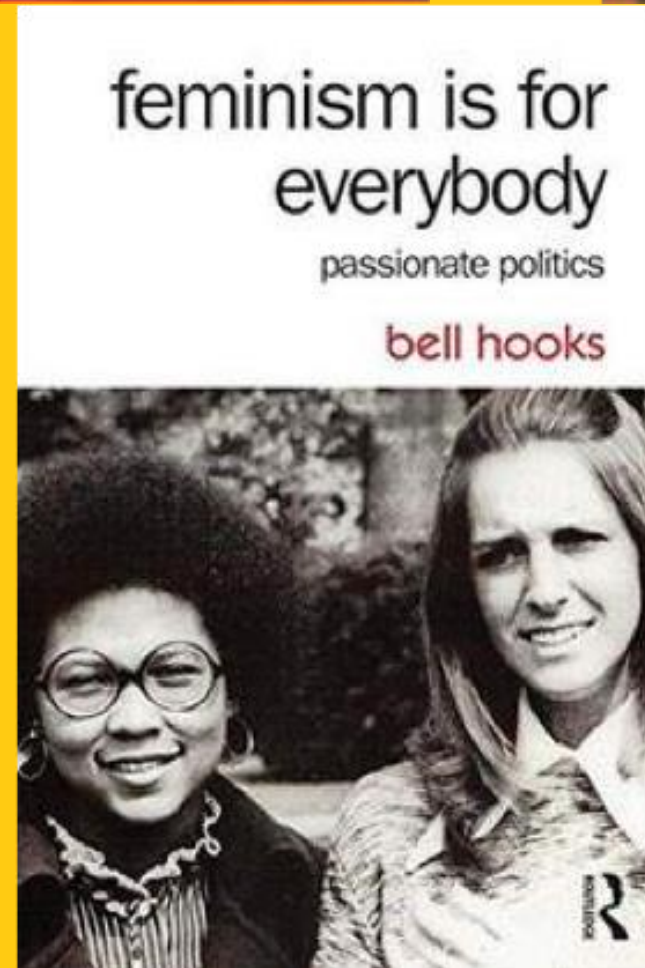
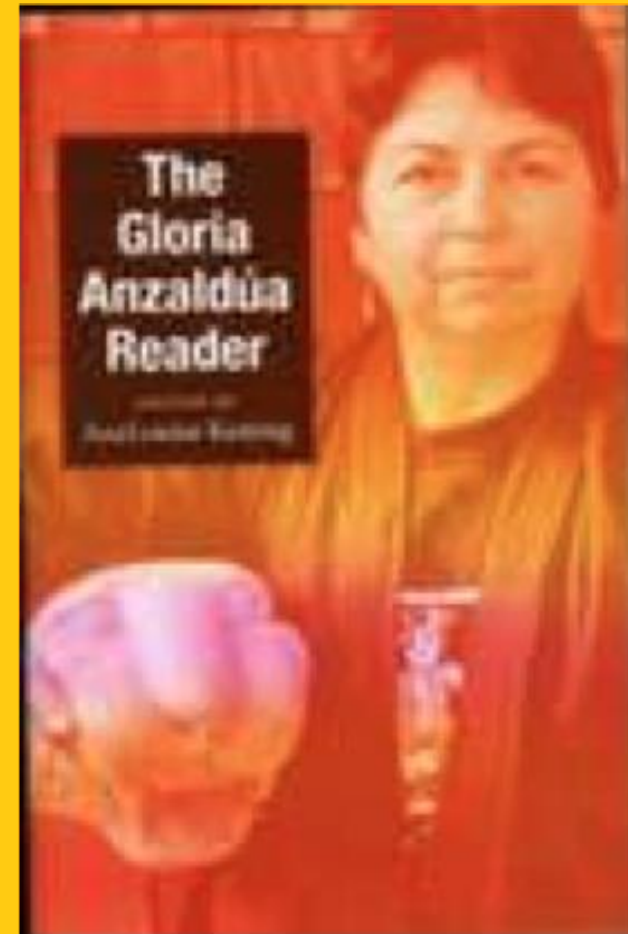
Economic Disadvantage: Unemployment, Underemployment, wealth disparities



“What’s the matter?
It’s the same distance!”

WOMANISM:

bell hooks,
Gloria Anzaldua
Audre Lorde,
Alice Walker,
Toni Morrison,
Angela Davis



Toward a
Feminist
Theory
of the
State

Catharine A.
MacKinnon

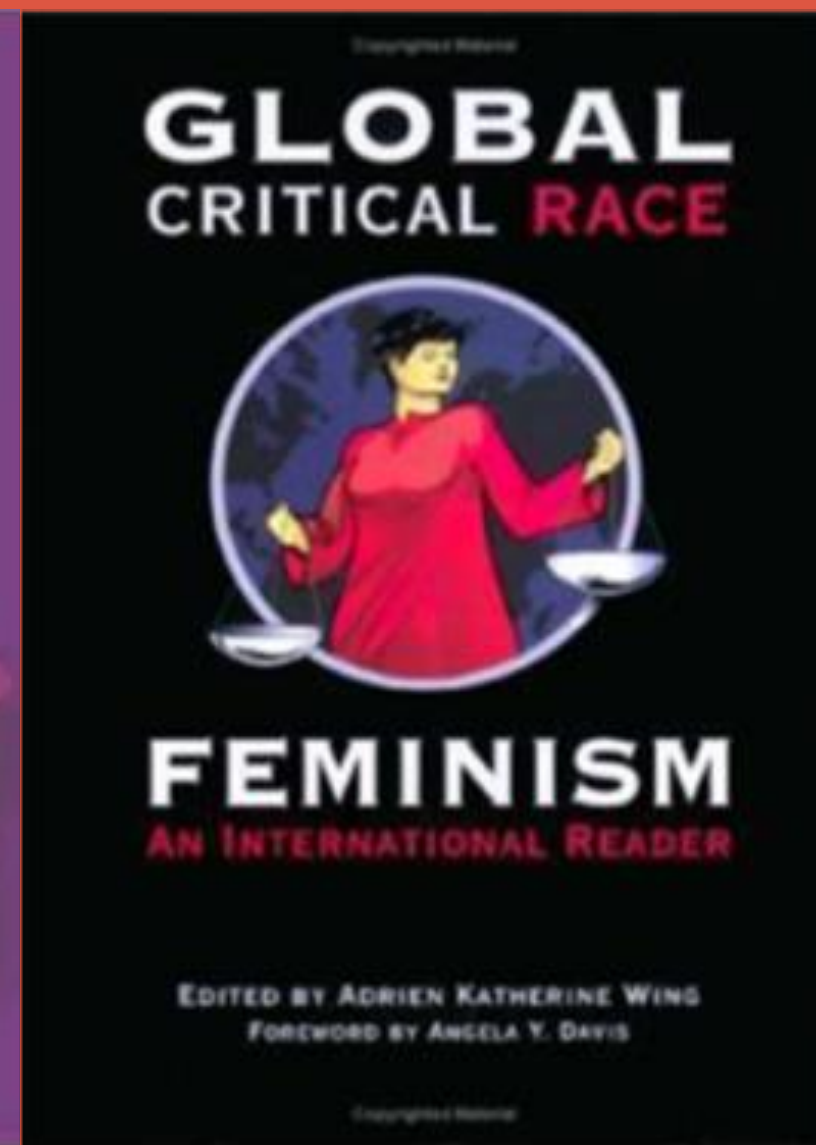
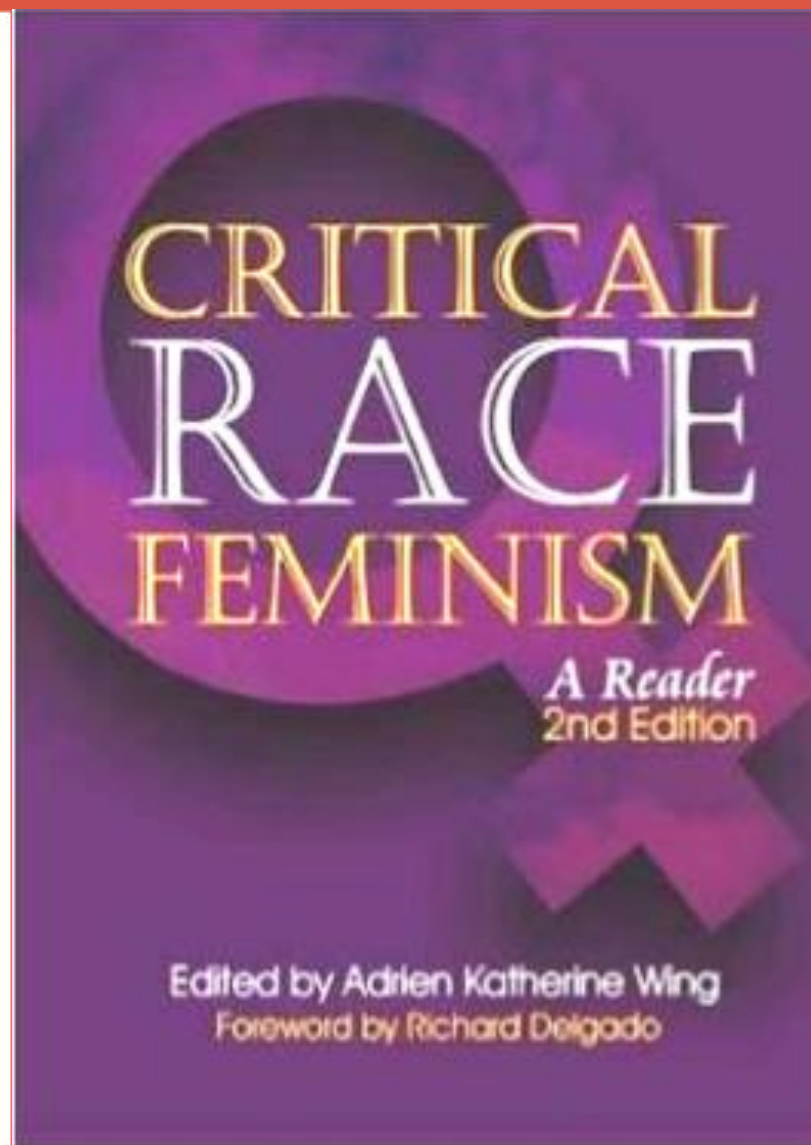
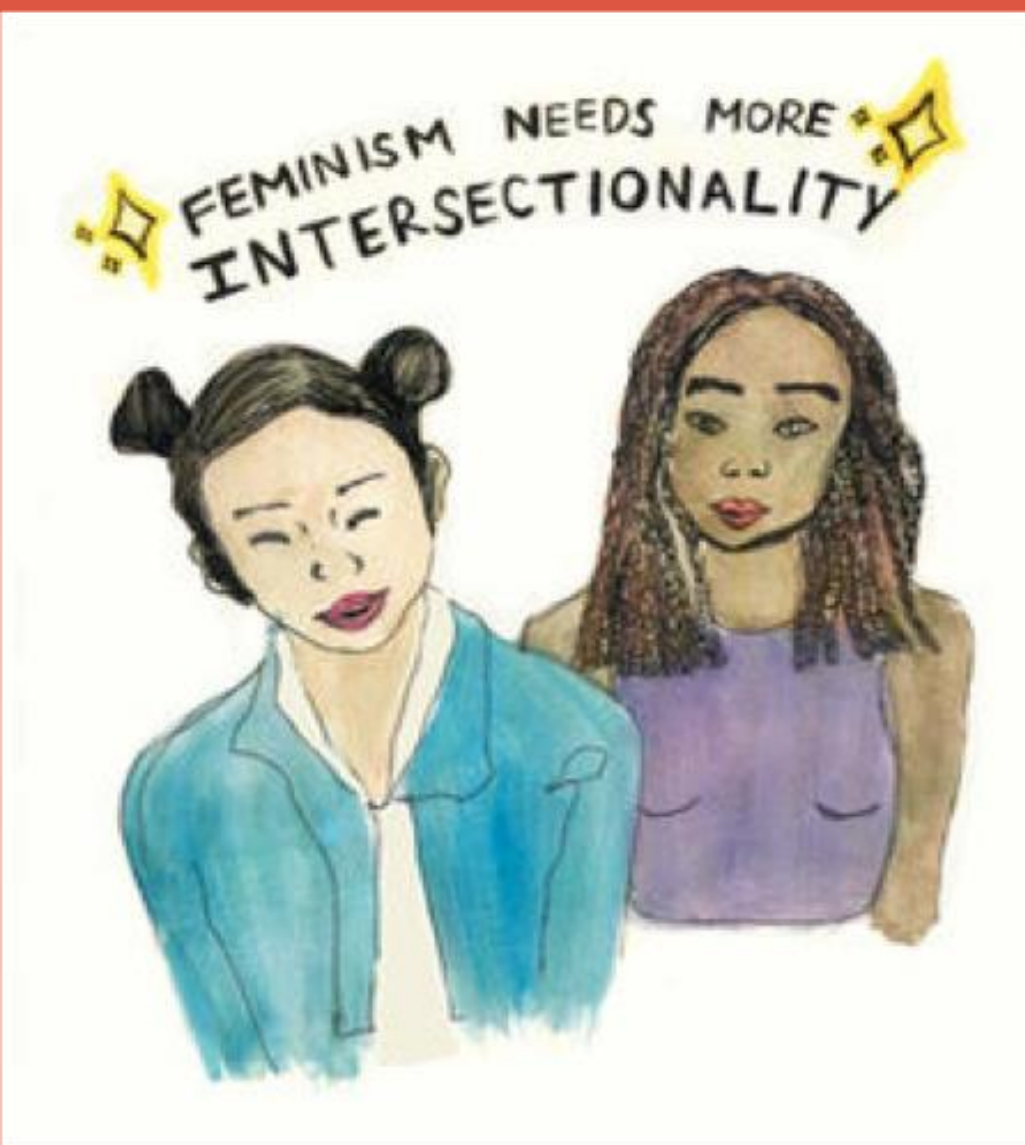


**FEMINIST
JURISPRUDENCE:**

Catherine
MacKinnon,
Robin West,
Deborah Rhode



CRITICAL RACE FEMINISM



Looking forward



What are or should be among priorities of the new Administration that will affect race and gender areas? How would you rank them?

How to rank these items?

- **COVID relief**
- **Voter suppression**
- **Stimulus payments**
- **Raise minimum wage to \$15**
- **Lessen wage and unemployment gaps**
- **Reform immigration system including refugees and asylees**
- **Forgive student loan debt**
- **Eviction moratorium**
- **Improve our health care options**
- **Lessen maternal mortality gaps**
- **More affordable child care**
- **Endorse Paycheck Fairness Act**
- **Strengthen diversity and inclusion**
- **Expand focus on sexual harassment**
- **Support the Equal Rights Amendment (ERA)**
- **Put Harriett Tubman on the \$20 bill**
- **Enforce the Violence against Women Act (VAWA and IVAWA)**
- **Ratify the international treaties CEDAW and CRC**

**IOWA
LAW**

Questions?

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