

Black Lives Matter:

Review of a selection of Socio-legal Journals Conducted by the Centre for Socio-Legal Studies, Oxford

Staff and students at the Centre for Socio-Legal Studies were saddened and upset by the tragic circumstances in which George Floyd died and the persistent structural inequality and embedded racist attitudes that it once again revealed. Regrettably, such racism is not confined to the United States and we are aware of the importance of us all taking responsibility for confronting the part that we, and the institution we work for, have played in facilitating discrimination and benefiting from a legacy of imperialism. We would like to take this opportunity to re-assert our commitment to confronting racism through education, research, discussion, and peaceful protest.

Interrogating the interface between the rhetoric of formal rights and the lived reality of legal process is the heart of everything we do but we encourage you to read about our work, share your thoughts, and challenge us. See further: <https://www.law.ox.ac.uk/centres-institutes/centre-socio-legal-studies>

Resources for lecturer and students

In the hope that it will be of value to colleagues within the socio-legal community the Oxford Centre for Socio-Legal Studies (CSLS) has recently undertaken a review of six major socio-legal journals from 2005-2020. The goal of the exercise was to identify socio-legal scholarship that touches upon issues of ethnicity, discrimination, race, colour, intersectionality, colonialism, diversity and critical race theory. This is intended as a resource for lecturers, researchers and students. The journals are: *Journal of Law and Society*; *Journal of Social and Legal Studies*; *Law and Society Review*; *International Journal of Law in Context*; *Journal of Empirical Legal Studies*; and *Law and Social Inquiry*

Our thanks go to Ivo Gruev for his help in compiling this resource.

If you would like to contribute to this resource please contact Linda Mulcahy, the Director of CSLS.

Journal of Law and Society 2005-2020

BOOKS (based on book reviews in the journal)

1. Slavery and the Death Penalty: A Study in Abolition by Bharat Malkani (London: Routledge, 2018)
2. Inter National Courts and the African Woman Judge: Unveiled Narratives. Edited by Josephine Jarpa Dawuni and Akua Kuenyehia (Abingdon: Routledge, 2017)
3. Shubhankar Dam, A People's Constitution: The Everyday Life of Law in the Indian Republic by Rohit de (Princeton: Princeton University Press, 2018, £38.00, 296 pp.)
4. Colonial Lives of Property: Law, Land and Racial Regimes of Property. By Brenna Bhandar. (Durham NC: Duke University Press, 2018)
5. Dawuni, J.J. and Kuenyehia, H.A. eds., 2017. *International Courts and the African Woman Judge: Unveiled Narratives*. Routledge.
6. Land Law Reform in Eastern Africa: Traditional or Transformative? A Critical Review of 50 Years of Land Law Reform in Eastern Africa 1961-2011. By Patrick McAuslan (London: Routledge, 2013)
7. Pills for the Poorest: An Exploration of TRIPS and Access to Medication in Sub-Saharan Africa. By Emilie Cloatre (Basingstoke: Palgrave Macmillan, 2013)
8. Gover, K., 2010. *Tribal constitutionalism: States, tribes, and the governance of membership*. OUP Oxford.
9. Fictions of Justice: The International Criminal Court and the Challenge of Legal Pluralism in Sub-Saharan Africa. By Kamari Maxine Clarke (Cambridge: Cambridge University Press, 2009)
10. Bills of Rights and Decolonization. The Emergence of Domestic Human Rights Instruments in Britain's Overseas Territories. By Charles O.H. Parkinson (Oxford: Oxford University Press, 2007)
11. Rehman, J., 2005. *Islamic state practices, international law and the threat from terrorism: a critique of the 'clash of civilizations' in the new world order* (Vol. 7). Hart Publishing.
12. Race, Law, Resistance. By Patricia Tuitt (London: The GlassHouse Press, 2004)
13. Chamallas, M. and Wriggins, J.B., 2010. *The measure of injury: Race, gender, and tort law*. NYU Press.

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1. Martinez-Cola, M. (2018), Sympathetic Symbols, Social Movements, and School Desegregation. *Journal of Law and Society*, 45: 177-204.
2. McCrossan, M. (2018), Eviscerating Historic Treaties: Judicial Reasoning, Settler Colonialism, and 'Legal' Exercises of Exclusion. *Journal of Law and Society*, 45: 589-616.
3. Brayson, K., 2019. Of bodies and burkinis: Institutional Islamophobia, Islamic dress, and the colonial condition. *Journal of Law and Society*, 46(1), pp.55-82.
4. Bhandar, B. (2015). Title by registration: Instituting modern property law and creating racial value in the settler colony. *Journal of Law and Society*, 42(2), 253-282.
5. Mantouvalou, V., 2015. 'Am I Free Now?' Overseas Domestic Workers in Slavery. *Journal of law and society*, 42(3), pp.329-357
6. Wandall, R. H. (2015). Trust and legal governance: case study of ethiopian criminal justice. *Journal of Law and Society*, 42(2), 283-307.
7. Birla, R. (2013). Maine (and weber) against the grain: Towards postcolonial genealogy of the corporate person. *Journal of Law and Society*, 40(1), 92-114.
8. Johnson, P. (2013). Homosexuality and the African charter on human and peoples' rights: What can be learned from the history of the European convention on human rights. *Journal of Law and Society*, 40(2), 249-279.
9. Home, R. (2013). Culturally unsuited to property rights: Colonial land laws and african societies. *Journal of Law and Society*, 40(3), 403-419.
10. Zimdars, A.K., 2011. The Competition for Pupillages at the Bar of England and Wales (2000–2004) 1. *Journal of Law and Society*, 38(4), pp.575-603.
11. McCallum, D. (2011). Liberal forms of governing Australian indigenous peoples. *Journal of Law and Society*, 38(4), 604-630.
12. Bhandar, B., 2009. The ties that bind: Multiculturalism and secularism reconsidered. *Journal of Law and Society*, 36(3), pp.301-326.
13. Malleeson, K., 2009. Diversity in the judiciary: the case for positive action. *Journal of Law and Society*, 36(3), pp.376-402.
14. Brophy, J., 2008. Child maltreatment in diverse households: challenges to law, theory, and practice. *Journal of law and society*, 35(1), pp.75-94.
15. Pieterse, M. (2008). Health, social movements, and rights-based litigation in South Africa. *Journal of Law and Society*, 35(3), 364-388.
16. Madlingozi, T. (2007). Post-apartheid social movements and the quest for the elusive new south africa. *Journal of Law and Society*, 34(1), 77-98.
17. Sommerlad, H., 2007. Researching and theorizing the processes of professional identity formation. *Journal of Law and Society*, 34(2), pp.190-217.
18. Motha, S., 2007. Veiled women and the affect of religion in democracy. *Journal of law and Society*, 34(1), pp.139-162.
19. Bibbings, L. S. (2006). Widening participation and higher education. *Journal of Law and Society*, 33(1), 74-91.
20. Nicolson, D., 2006. Affirmative action in the legal profession. *Journal of Law and Society*, 33(1), pp.109-125.
21. McHarg, A., & Nicolson, D. (2006). Justifying affirmative action: Perception and reality. *Journal of Law and Society*, 33(1), 1-23.

22. Sweet, M. J. (2006). Minority business enterprise programmes in the united states of america: An empirical investigation. *Journal of Law and Society*, 33(1), 160-180.
23. Marchetti, E. (2006). The deep colonizing practices of the australian royal commission into aboriginal deaths in custody. *Journal of Law and Society*, 33(3), 451-474.

Journal of Social and Legal studies 2005-2020

BOOKS (based on book reviews in the journal)

1. Indigeneity Before and Beyond the Law Kathleen Birrell, *Indigeneity Before and Beyond the Law*. Abingdon: Routledge, 2016
2. Marjorie Mayo, Gerald Koessler, Matthew Scott and Imogen Slater. *Access to Justice For Disadvantaged Communities*. Bristol: Policy Press, 2015
3. Mike Shiner & Rebekah Delsol (eds), *Stop and Search: Anatomy of a Police Power*. Basingstoke: Palgrave Macmillan, 2015
4. Lisa Ford & Tim Rowse (eds) *Between Indigenous and Settler Governance*, New York, NY: Routledge, 2013
5. Thalia Anthony, *Indigenous People, Crime and Punishment*. Abingdon, Oxon: Routledge, 2013
6. Aileen McHarg and Donald Nicolson (eds), *Debating Affirmative Action: Conceptual, Contextual and Comparative Perspectives* (Blackwell, 2006).
7. Antje Dubois-Pedain. *Transitional Amnesty in South Africa*. Cambridge: Cambridge University Press, 2007.
8. Francois Dubois and Antje Dubois-Pedain(eds), *Justice and Reconciliation in Post-Apartheid South Africa*. Cambridge: Cambridge University Press, 2008.
9. Paul Gomberg. *How to Make Opportunity Equal: Race and Contributive Justice*. Oxford: Blackwell, 2007
10. Davina Cooper. *Challenging Diversity: Rethinking Equality and the Value of Difference*. Cambridge: Cambridge University Press, 2004
11. Robert Home and Hilary Lim (eds). *Demystifying the Mystery of Capital: Land Tenure and Poverty in Africa and the Caribbean*. London: Glasshouse Press, 2004
12. Francisco Valdes, Jerome McCristal Culp and Angela P. Harris (eds). *Crossroads, Directions, and a New Critical Race Theory*. Philadelphia, PA: Temple University Press, 2002,

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1. Schulz, P. (2020) 'Examining Male Wartime Rape Survivors' Perspectives on Justice in Northern Uganda', *Social & Legal Studies*, 29(1), pp. 19–40.
2. Bowsher, J. (2020) 'The South African TRC as Neoliberal Reconciliation: Victim Subjectivities and the Synchronization of Affects', *Social & Legal Studies*, 29(1), pp. 41–64.
3. Loader, I. (2020) 'A Question of Sacrifice: The Deep Structure of Deaths in Police Custody', *Social & Legal Studies*, 29(3), pp. 401–420.

4. Evans, M. and Wilkins, D. (2019) 'Transformative Justice, Reparations and Transatlantic Slavery', *Social & Legal Studies*, 28(2), pp. 137–157.
5. Goldblatt, B. and Rai, S. M. (2018) 'Recognizing the Full Costs of Care? Compensation for Families in South Africa's Silicosis Class Action', *Social & Legal Studies*, 27(6), pp. 671–694.
6. Klippmark, P. and Crawley, K. (2018) 'Justice for Ms Dhu: Accounting for Indigenous Deaths in Custody in Australia', *Social & Legal Studies*, 27(6), pp. 695–715.
7. Aliverti, A. (2019) 'Law, Nation and Race: Exploring Law's Cultural Power in Delimiting Belonging in English Courtrooms', *Social & Legal Studies*, 28(3), pp. 281–302.
8. Huizenga, D. (2018) 'Articulations of Aboriginal Title, Indigenous Rights, and Living Customary Law in South Africa', *Social & Legal Studies*, 27(1), pp. 3–24.
9. Dancer, H. (2017) 'An Equal Right to Inherit? Women's Land Rights, Customary Law and Constitutional Reform in Tanzania', *Social & Legal Studies*, 26(3), pp. 291–310.
10. Blagg, H., Tulich, T. and Bush, Z. (2017) 'Indefinite Detention Meets Colonial Dispossession: Indigenous Youths With Foetal Alcohol Spectrum Disorders in a White Settler Justice System', *Social & Legal Studies*, 26(3), pp. 333–358.
11. Harrington, J. and Manji, A. (2017) 'The Limits of Socio-Legal Radicalism: Social and Legal Studies and Third World Scholarship', *Social & Legal Studies*, 26(6), pp. 700–715.
12. Ashworth, M. (2017) 'Affective Governmentality: Governing Through Disgust in Uganda', *Social & Legal Studies*, 26(2), pp. 188–207.
13. Zoettl, P. A. (2016) 'The (Il)legal Indian: The Tupinambá and the Juridification of Indigenous Rights and Lives in North-Eastern Brazil', *Social & Legal Studies*, 25(1), pp. 3–21.
14. McAuslan, P. (2015) 'Property and Empire: From Colonialism to Globalization and Back', *Social & Legal Studies*, 24(3), pp. 339–357.
15. Harrington, J. and Manji, A. (2013) 'Satire and the Politics of Corruption in Kenya', *Social & Legal Studies*, 22(1), pp. 3–23.
16. Akinwumi, A. (2013) 'Powers of Reach: Legal Mobilization in a Post-apartheid Redress Campaign', *Social & Legal Studies*, 22(1), pp. 25–41.
17. Park, H. (2012) 'Interracial Violence, Western Racialized Masculinities, and the Geopolitics of Violence Against Women', *Social & Legal Studies*, 21(4), pp. 491–509.
18. Butt, D. (2012) 'Repairing Historical Wrongs and the End of Empire', *Social & Legal Studies*, 21(2), pp. 227–242.
19. Oldfield, J. R. (2012) 'Repairing Historical Wrongs: Public History and Transatlantic Slavery', *Social & Legal Studies*, 21(2), pp. 243–255.
20. Valverde, M. (2012) 'The Crown in a Multicultural Age: The Changing Epistemology of (Post)colonial Sovereignty', *Social & Legal Studies*, 21(1), pp. 3–21.
21. Thompson, D. (2009) 'Racial Ideas and Gendered Intimacies: the Regulation of Interracial Relationships in North America', *Social and Legal Studies* 18(3), 353–371.
22. Marchetti, E. (2008) 'Intersectional Race and Gender Analyses: Why Legal Processes Just Don't Get It', *Social & Legal Studies*, 17(2), pp. 155–174.
23. Muldoon, P. (2008) 'The Sovereign Exceptions: Colonization and the Foundation of Society', *Social & Legal Studies*, 17(1), pp. 59–74.

24. Grabham, E. (2006) 'Taxonomies of Inequality: Lawyers, Maps, and the Challenge of Hybridity', *Social & Legal Studies*, 15(1), pp. 5–23.
25. Hesmondhalgh, D. (2006) 'Digital Sampling and Cultural Inequality', *Social & Legal Studies*, 15(1), pp. 53–75.
26. Marchetti, E. and Ransley, J. (2005) 'Unconscious Racism: Scrutinizing Judicial Reasoning in "Stolen Generation" Cases', *Social & Legal Studies*, 14(4), pp. 533–552.
27. Wilcox, P. (2005) 'Beauty and the Beast: Gendered and Raced Discourse in the News', *Social & Legal Studies*, 14(4), pp. 515–532.
28. de Vries, P. (2005) '“White Slaves” in a Colonial Nation: the Dutch Campaign Against the Traffic in Women in the Early Twentieth Century', *Social & Legal Studies*, 14(1), pp. 39–60.

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1. Access to Justice and Human Security: Cultural Contradictions in Rural South Africa. By Sindiso Mnisi Weeks. New York: Routledge, 2017.
2. Archiving Sovereignty: Law, History, Violence. By Stewart Mocha. Ann Arbor: University of Michigan Press, 2018.
3. From Prohibited Immigrants to Citizens: The Origins of Citizenship and Nationality in South Africa. By Jonathan Klaaren. Cape Town: UCT Press, 2017.
4. Contemporary Slavery: Popular Rhetoric and Political Practice. By Annie Bunting and Joel Quirk (Eds.). Toronto and Vancouver: UBC Press, 2017.
5. Shari'ah On Trial: Northern Nigeria's Islamic Revolution. By Sarah Eltantawi, Oakland: University of California Press, 2017.
6. The Enigma of Diversity: The Language of Race and the Limits of Racial Justice. By Ellen Berrey. Chicago: University of Chicago Press, 2015.
7. Becoming Black Political Subjects: Movements and Ethno-Racial Rights in Colombia and Brazil. By Tianna S. Paschel. Princeton, NJ, and Oxford: Princeton University Press, 2016.
8. Crook County: Racism, and Injustice in America's Largest Criminal Court. By Nicole Gonzalez Van Cleve. Stanford: Stanford University Press, 2016.
9. The Political Roots of Racial Tracking in American Criminal Justice. By Nina M. Moore. New York: Cambridge University Press, 2015
10. We the People: The Civil Rights Revolution. By Bruce Ackerman. Cambridge: Harvard University Press, 2014
11. Slaves of the State: Black Incarceration from the Chain Gang to the Penitentiary. By Dennis Childs. Minneapolis, MN: University of Minnesota Press, 2015.
12. Civil Rights and the Making of the Modern American State. By Megan Ming Francis. New York: Cambridge University Press, 2014.
13. Governing through Crime in South Africa: The Politics of Race and Class in Neoliberalizing Regimes. By Gail Super. Dorchester: Ashgate, 2013

14. *Pulled Over: How Police Stops Define Race and Citizenship*. By Charles Epp, Steven Maynard-Moody, and Donald Elaidier Market. Chicago: University of Chicago Press, 2014
15. *Children of the Prison Boom: Mass Incarceration and the Future of American Inequality*. By Sarah Wakefield and Christopher Wildeman. New York: Oxford University Press, 2014.
16. *Law's Fragile State: Colonial, Authoritarian, and Humanitarian Legacies in Sudan*. By Mark Fathi Massoud. Cambridge: Cambridge Univ. Press, 2013
17. *Disposable Heroes: The Betrayal of African American Veterans*. By Benjamin Fleury-Steiner. Lanham, MD: Rowman & Littlefield, 2012
18. *Reimagining To Kill a Mockingbird: Family, Community, and the Possibility of Equal Justice Under the Law*. By Austin Sarat and Martha Merrill Umphrey (editors). Amherst and Boston: University of Massachusetts Press, 2013
19. *According to Our Hearts: Rhinelander v. Rhinelander and the Law of the Multiracial Family*. By Angela Onwuachi-Willig. New Haven: Yale University Press, 2013
20. *Bonds of Citizenship: Law and the Labors of Emancipation*. By Hoang Gia Phan. New York: New York Univ. Press, 2013
21. *This is not Civil Rights: Discovering Rights Talk in 1939 America*. By George I. Lovell. Chicago and London, UK: University of Chicago Press, 2012
22. *Punishing Race: A Continuing American Dilemma*. By Michael Tonry. New York: Oxford University Press, 2011
23. *From Black Power to Prison Power: The Making of Jones v. North Carolina Prisoners' Labor Union*. By Donald F. Tibbs. New York: Palgrave Macmillan, 2012
24. *Religion, Race, Rights: Landmarks in the History of Modern Anglo-American Law*. By Eve Darian-Smith. Oxford and Portland, Oregon: Hart Publishing, 2010.
25. *Punished: Policing the Lives of Black and Latino Boys*. By Victor M. Rios. New York: New York University Press, 2011
26. *Critical Race Realism: Intersections of Psychology, Race, and Law*. By Gregory S. Parks, Shayne Jones, and W. Jonathan Cardi, eds. New York: The New Press, 2008
27. *Governing Hate and Race in the United States and South Africa*. By Patrick Lynn Rivers. Albany, New York: SUNY Press, 2008.
28. *Dred Scott and the Problem of Constitutional Evil*. By Mark Graber. Cambridge, United Kingdom: Cambridge University Press, 2006.
29. *Unequal Under Law: Race in the War on Drugs*. By Doris Marie Provine. Chicago and London: University of Chicago Press, 2007
30. *Lethal Punishment: Lynchings and Legal Executions in the South*. By Margaret Vandiver. New Brunswick, NJ: Rutgers University Press, 2006.
31. *Punishment and Inequality in America*. By Bruce Western. New York: Russell Sage Foundation, 2006.
32. *Immigrants at the Margins: Law, Race, and Exclusion in Southern Europe*. By Kitty Calavita. Cambridge, United Kingdom: Cambridge University Press, 2005
33. *Brown Is Beautiful Racism on Trial: The Chicano Fight for Justice*. By Ian F. Haney López. Cambridge: Belknap Press of Harvard University Press, 2003
34. *What Blood Won't Tell: A History of Race on Trial in America*. By Ariela J. Gross. Cambridge, MA: Harvard University Press, 2008

35. Hawaiian Blood: Colonialism and the Politics of Sovereignty and Indigeneity. By J. Ke-haulani Kauanui. Durham, NC: Duke University Press, 2008
36. What Comes Naturally: Miscegenation Law and the Making of Race in America. By Peggy Pascoe. New York: Oxford University Press, 2009
37. Southern Horrors: Women and the Politics of Rape and Lynching. By Crystal N. Feimster. Cambridge, MA: Harvard University Press, 2009
38. The Fifth Freedom: Law, Politics and Civil Rights in the United States, 1941-1972. By Anthony S. Chen. Princeton, NJ, and Oxford: Princeton University Press, 2009
39. Affirmative Action for the Future. By James P. Sterba. Ithaca, NY, and London: Cornell University Press, 2009

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2. Kalbfeld, J.R. 2019, "Critical Mass for Affirmative Action: Dispersing the Critical Cloud", *Law & Society Review*, vol. 53, no. 4, pp. 1-39.
3. La Barbera, M. & López, M.C. 2019, "Toward the Implementation of Intersectionality in the European Multilevel Legal Praxis: B. S. v. Spain", *Law & Society Review*, vol. 53, no. 4, pp. 1-35.)?
4. Zaykowski, H., Campagna, L.M. & Allain, E.C. 2019, "Examining the Paradox of Crime Reporting: Are Disadvantaged Victims More Likely to Report to the Police?", *Law & Society Review*, vol. 53, no. 4, pp. 1305-1340.
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8. Francis, M.M. 2019, "The Price of Civil Rights: Black Lives, White Funding, and Movement Capture", *Law & Society Review*, vol. 53, no. 1, pp. 275-309.
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13. Lynch, M. & Omori, M. 2018, "Crack as Proxy: Aggressive Federal Drug Prosecutions and the Production of Black-White Racial Inequality", *Law & Society Review*, vol. 52, no. 3, pp. 773-809.
14. Ubink, J. & Weeks, S.M. 2017, "Courting Custom: Regulating Access to Justice in Rural South Africa and Malawi", *Law & Society Review*, vol. 51, no. 4, pp. 825-858.
15. McElhattan, D., Nielsen, L.B. & Weinberg, J.D. 2017, "Race and Determinations of Discrimination: Vigilance, Cynicism, Skepticism, and Attitudes about Legal Mobilization in Employment Civil Rights", *Law & Society Review*, vol. 51, no. 3, pp. 669-703.
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20. Seron, C. 2016, "The Two Faces of Law and Inequality: From Critique to the Promise of Situated, Pragmatic Policy", *Law & Society Review*, vol. 50, no. 1, pp. 9-56.
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38. Hirsh, E. & Lyons, C.J. 2010, "Perceiving Discrimination on the Job: Legal Consciousness, Workplace Context, and the Construction of Race Discrimination", *Law & Society Review*, vol. 44, no. 2, pp. 269-298
39. Banks, R.R. 2010, "Commentary on Professor Lempert's Presidential Address", *Law & Society Review*, vol. 44, no. 3, pp. 463-467.
40. Barnes, M.L. 2010, "Racial Paradox in a Law and Society Odyssey", *Law & Society Review*, vol. 44, no. 3, pp. 469-485.
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43. Calavita, K. 2010, "The Struggle for Racial Justice: The Personal, the Political, and . . . the Economic", *Law & Society Review*, vol. 44, no. 3, pp. 495-501.
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