



Social Science in Court

Mobilizing
Experts
in the
School
Desegregation
Cases

Mark A. Chesler
Joseph Sanders
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Social Science In Court Mobilizing Experts In The School Desegregation Cases

Brett Gadsden



Social Science In Court Mobilizing Experts In The School Desegregation Cases:

Social Science in Court Mark A. Chesler, Joseph Sanders, Debra S. Kalmuss, 1988 The 1954 landmark school desegregation decision of the U S Supreme Court *Brown v Board of Education* was part of one of the most extensive and tumultuous social legal movements in the nation s history The authors of this study employ the school desegregation movement to examine the role of social scientists and social science in the litigation process Covering seventeen desegregation cases in litigation after 1970 they bring together the perspectives of judges lawyers and social scientists in a work sure to be of interest to all concerned with the court process public policy applied social science conflict resolution and the continuing process of school integration The authors focus not only on the legal issues but also on the broader issues of conflict resolution managed social change and the public role of social science They first provide a chronicle of the events leading up to the *Brown* case and then a thorough and detailed analysis of the social science expert witnesses called upon to testify in the desegregation cases that followed In the course of their research they interviewed 90 scientists who appeared as witnesses 70 lawyers who tried these cases for both plaintiff and defense groups and 10 trial judges who presided in the cases No other study has been so broadly encompassing both in the number of cases and in the span of time involved The Use of Social Science Data in Supreme Court Decisions Rosemary J. Erickson, Rita James Simon, 1998 The cultures of law and social science differ markedly as to the kinds of truth they pursue Law is deductive presenting its findings as certainties social science is largely inductive presenting its conclusions as subject to revision and contingency Yet the legal community traditionally draws at will and unsystematically on the findings of social science sometimes with unfortunate results The authors of this study explore this issue by focusing on the manner in which the United States Supreme Court uses social science data in reaching its decisions Concentrating on decisions involving the issues of abortion sex discrimination and sexual harassment they show that the use of such data has increased over the last twenty years but they also show that whether such data are used appears to hinge more on the liberal conservative or longheld positions of the judges and the types of cases involved rather than on the objectivity or validity of the data By offering insights into how data are used by the Supreme Court the authors hope to show social scientists how to make their research more suitable for courtroom use and to show the legal community how such data can be used more effectively *As Long as They Don't Move Next Door* Stephen Grant Meyer, 2001 The first full length national history of American race relations examined through the lens of housing discrimination Jacket *The Emergence of Historical Forensic Expertise* Vladimir Petrović, 2016-10-26 This book scrutinizes the emergence of historians participating as expert witnesses in historical forensic contribution in some of the most important national and international legal ventures of the last century It aims to advance the debate from discussions on whether historians should testify or not toward nuanced understanding of the history of the practice and making the best out of its performance in the future Social Science in Law John Monahan, Laurens Walker, 1994 **The Problems of**

Jurisprudence Richard A. Posner, 1993-03-15 Here one of America's most distinguished scholar judges shares with us his vision of the law Posner argues for a pragmatic jurisprudence one that eschews formalism in favor of the factual and the empirical Laws he argues are not abstract sacred entities but socially determined goads for shaping behavior to conform with society's values

Why Busing Failed Matthew F. Delmont, 2016-03-01 In the decades after the landmark Brown v Board of Education Supreme Court decision busing to achieve school desegregation became one of the nation's most controversial civil rights issues Why Busing Failed is the first book to examine the pitched battles over busing on a national scale focusing on cities such as Boston Chicago New York and Pontiac Michigan This groundbreaking book shows how school officials politicians the courts and the media gave precedence to the desires of white parents who opposed school desegregation over the civil rights of black students This broad and incisive history of busing features a cast of characters that includes national political figures such as then president Richard Nixon Chicago mayor Richard J Daley and antibusing advocate Louise Day Hicks as well as some lesser known activists on both sides of the issue Boston civil rights leaders Ruth Batson and Ellen Jackson who opposed segregated schools and Pontiac housewife and antibusing activist Irene McCabe black conservative Clay Smothers and Florida governor Claude Kirk all supporters of school segregation Why Busing Failed shows how antibusing parents and politicians ultimately succeeded in preventing full public school desegregation

Complex Justice Joshua M. Dunn, 2012-09-01 In 1987 Judge Russell Clark mandated tax increases to help pay for improvements to the Kansas City Missouri School District in an effort to lure white students and quality teachers back to the inner city district Yet even after increasing employee salaries and constructing elaborate facilities at a cost of more than 2 billion the district remained overwhelmingly segregated and student achievement remained far below national averages Just eight years later the U S Supreme Court began reversing these initiatives signifying a major retreat from Brown v Board of Education In Kansas City African American families opposed to the district court's efforts organized a takeover of the school board and requested that the court case be closed Joshua Dunn argues that Judge Clark's ruling was not the result of tyrannical judicial activism but was rather the logical outcome of previous contradictory Supreme Court doctrines High Court decisions Dunn explains necessarily limit the policy choices available to lower court judges introducing complications the Supreme Court would not anticipate He demonstrates that the Kansas City case is a model lesson for the types of problems that develop for lower courts in any area in which the Supreme Court attempts to create significant change Dunn's exploration of this landmark case deepens our understanding of when courts can and cannot successfully create and manage public policy

Brown vs. Board of Education of Topeka NA NA, 2016-04-30 A general introduction analyzes the case's legal precedents and situates the case in the historical context of Jim Crow discrimination and the burgeoning development of the NAACP Photographs a collection of political cartoons a chronology questions for consideration a bibliography and an index are also included

Equality in Education Law and Policy, 1954-2010 Benjamin M. Superfine, 2013-03-11 Examines how the concept of

equality in education law and policy has transformed from Brown v Board of Education through the Stimulus *The Experts' War on Poverty* Romain D. Huret, 2018-10-15 In the critically acclaimed *La Fin de la Pauvert* Romain D Huret identifies a network of experts who were dedicated to the post World War II battle against poverty in the United States John Angell's translation of Huret's work brings to light for an English speaking audience this critical set of intellectuals working in federal government academic institutions and think tanks Their efforts to create a policy bureaucracy to support federal socioeconomic action spanned from the last days of the New Deal to the late 1960s when President Richard M Nixon implemented the Family Assistance Plan Often toiling in obscurity this cadre of experts waged their own war not only on poverty but on the American political establishment Their policy recommendations as Huret clearly shows often militated against the unscientific prejudices and electoral calculations that ruled Washington D C politics *The Experts War on Poverty* highlights the metrics research and economic and social facts these social scientists employed in their work and thereby reveals the unstable institutional foundation of successive executive efforts to grapple with gross social and economic disparities in the United States Huret argues that this internal war coming at a time of great disruption due to the Cold War undermined and fractured the institutional system officially directed at ending poverty The official War on Poverty which arguably reached its peak under President Lyndon B Johnson was thus fomented and maintained by a group of experts determined to fight poverty in radical ways that outstripped both the operational capacity of the federal government and the political will of a succession of presidents

Race Relations Litigation in an Age of Complexity Stephen L. Wasby, 1995 The first book length study of civil rights litigation from the late 1960s through the early 1980s *Race Relations Litigation in an Age of Complexity* fills a void in the scholarly literature on American courts and politics in the post Brown versus Board of Education era

Making Civil Rights Law Mark V. Tushnet, 1994 *Making Civil Rights Law* is an insightful and provocative narrative history of the legal struggle led by Thurgood Marshall and the NAACP Legal Defense Fund which preceded the intense political battles for civil rights Drawing on personal interviews with Thurgood Marshall and other NAACP lawyers as well as new information about the private deliberations of the Supreme Court Tushnet tells the dramatic story of how the NAACP Legal Defense Fund led the Court to use the Constitution as an instrument of liberty and justice for all African Americans He also offers new insights into how the justices argued among themselves about the historic changes they were to make in American society

Scientific Evidence and Equal Protection of the Law Angelo N Ancheta, 2006-02-02 Scientific and social scientific evidence has informed judicial decisions and the making of constitutional law for decades but for much of U S history it has also served as a rhetorical device to justify inequality It is only in recent years that scientific and statistical research has helped redress discrimination but not without controversy *Scientific Evidence and Equal Protection of the Law* provides unique insights into the judicial process and scientific inquiry by examining major decisions of the U S Supreme Court civil rights advocacy and the nature of science itself Angelo Ancheta discusses leading equal protection cases such as Brown v

Board of Education and recent litigation involving race related affirmative action gender inequality and discrimination based on sexual orientation He also examines less prominent but equally compelling cases including McCleskey v Kemp which involved statistical evidence that a state s death penalty was disproportionately used when victims were white and defendants were black and Castaneda v Partida which established key standards of evidence in addressing the exclusion of Latinos from grand jury service For each case Ancheta explores the tensions between scientific findings and constitutional values

Psychology And Social Policy Peter Suedfeld, Peter Tetlock, 2019-03-25 This work explores the application of psychological data and theories to controversial policy issues such as racial and gender inequality violence and criminal justice The book also asks whether psychology really has relevant expertise to contribute First published in 1992 Routledge is an imprint of Taylor Francis an informa company

Looking to the Future ,2010 Between North and South Brett Gadsden, 2012-10-08 Between North and South chronicles the three decade long struggle over segregated schooling in Delaware a key border state and important site of civil rights activism and white reaction Historian Brett Gadsden begins by tracing the origins of a long litigation campaign by NAACP attorneys who translated popular complaints about the inequities in Jim Crow schooling into challenges to racial proscriptions in public education Their legal victories subsequently provided the evidentiary basis for the Supreme Court s historic decision in Brown v Board of Education marking Delaware as a center of civil rights advancements Gadsden s further examination of a novel metropolitan approach to address the problem of segregation in city and suburban schools wherein proponents highlighted the web of state sponsored discrimination that produced interrelated school and residential segregation reveals the strategic creativity of civil rights activists He shows us how even in the face of concerted white opposition these activists continued to advance civil rights reforms into the 1970s secured one of the most progressive busing remedies in the nation and created a potential model for desegregation efforts across the United States Between North and South also explores how activists on both sides of the contest in this border state adjacent to the Mason Dixon line helped create perpetuate and contest ideas of southern exceptionalism and northern innocence Gadsden offers instead a new framework in which southern style and northern style modes of racial segregation and discrimination are revealed largely as regional myths that civil rights activists and opponents alternately evoked and strategically deployed to both advance and thwart reform

Law's Community Roger Cotterrell, 1995 Law s Community offers a distinctive analysis of law identifying political and moral problems that are fundamental to contemporary legal theory It portrays contemporary law as institutionalized doctrine emphasizing ways in which legal modes of thought influence wider currents of understanding and belief in contemporary Western societies Exploring relationships between law and sociology as contrasting and competing fields of knowledge Law s Community develops ideas from social theory to identify key problems for legal development in particular those of restoring moral authority to law and of elaborating a concept of community that can guide legal regulation The analysis leads to radical conclusions among them that law s functions need

reconsideration at the most general level that a unitary state legal system as portrayed in traditional kinds of legal theory may no longer be adequate in complex contemporary societies and that law should be reconceptualized as a diverse but coordinated plurality of systems sites and forms of regulation **Bendectin on Trial** Joseph Sanders,1998 Explains how courts handle mass product liability litigation and explores the roles of the different participants 21st Century Sociology: A Reference Handbook Clifton D. Bryant,Dennis L. Peck,2006-11-17 With this valuable handbook the editors have successfully synthesized a field that has expanded considerably in recent years M L Stark CHOICE Because the field of sociological inquiry is multi faceted in perspective and does subsume a variety of specialty interests the literature in this discipline has developed and proliferated in a near exponential fashion Sociology today has become so specialty driven in its research and theory agenda that the result is an enormous and complex body of sociological knowledge that is often considered to be unwieldy 21st Century Sociology A Reference Handbook provides a concise forum through which the vast array of knowledge accumulated particularly during the past three decades can be organized into a single definitive resource The two volumes of this Reference Handbook focus on the corpus of knowledge garnered in traditional areas of sociological inquiry as well as document the general orientation of the newer and currently emerging areas of sociological inquiry Key Features Provides a timely and comprehensive assessment of the 100 specialty fields of sociology with contributions by leading authorities in their area of expertise from the U S Canada Europe and Singapore Examines four distinct phases of development in the history of sociological inquiry a period of theoretical development the emphasis on methodological development and refinement the phase of specialization and a period that has taken representatives of the discipline into previously unexplored areas Addresses the various traditional subfields of sociology such as political sociology educational sociology rural sociology criminology occupational sociology and minority relations Explores important new evolving subfields such as environmental sociology sociology of sports and leisure military sociology medical sociology the sociology of food and eating and the sociology of emotions 21st Century Sociology presents the most comprehensive overview of modern sociology making it a must have resource for any academic library

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