

## CONTENTS

### *Author's Note* ix

Introduction. Earl Lewis and Nancy Cantor	1
1 The Paradoxes of Anti-Racism	8
2 Stuck in Groundhog Day	36
3 The Promise of Paradoxical Possibility	60
4 Forging Linked Fate	81
5 Building Bridges, Weaving Dreams	115
6 Repurposing Power	149
7 Anti-Racism over the Long Haul	183

### *Acknowledgments* 203

Commentary on Susan Sturm's *What Might Be* 205

*Freeman Hrabowski*

Commentary: Toward Inclusive Pedagogy 221

*Goodwin Liu*

Commentary: Institutional and Cultural Levers of Racial Transformation: Learnings 233

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viii CONTENTS

<i>Notes</i>	255
<i>Bibliography</i>	279
<i>Index</i>	291

# Introduction

## *Earl Lewis and Nancy Cantor*

The only way not to discriminate is not to discriminate.

—JUSTICE JOHN ROBERTS

In order to get beyond racism, we must first take account of race. There is no other way.

—JUSTICE HARRY BLACKMUN

EVERYWHERE WE TURN TODAY, we are reminded of the essential paradox of our nation, one literally built on distinctions of race and yet insistent on framing all as one.<sup>1</sup> As legal scholar Jeannie Suk Gersen noted in her analysis of the intellectual tug-of-war between Roberts’s colorblind and Blackmun’s reparative justice approaches to affirmative action,<sup>2</sup> we seem stuck between competing, seemingly contradictory options. We are a nation founded on the principle of *e pluribus unum*, yet, at the same time, one unwilling to face its history of discriminatory exclusion, whether of those whose native lands were stolen, those enslaved to build our wealth, or those whose diasporic energy drives innovation going forward. Yes, paradox is what we live with every day, whether in our history or in the current moment, and it is at the heart of this volume that tackles the contradictions inherent in moving anti-racism forward without losing the will of the very people and institutions needed to equalize power and opportunity. This important new volume reminds us that we live the stories of the paradoxes in our daily lives and daily experiences. And as central as the theme of paradoxical possibility is to the overarching purpose

of our book series, *Our Compelling Interests*, and our focus on the value of diversity for democracy and a prosperous society, we cannot escape how the paradoxes inform our personal and scholarly stories—as we suspect they will for so many of our readers.

One of us is an African American historian who has lived the ups and downs of the opportunity struggles in this nation firsthand, as a boy growing up in the segregated South, who later attended integrated schools in the short period of progress post-*Brown v. Board*; who then became a leading national figure in the humanities, including recently as an awardee of the National Humanities Medal; and who currently spearheads a national network of universities working with their communities on reparative justice. The other is a white social psychologist whose colleagues pioneered the practice of intergroup dialogue<sup>3</sup> and has now lived in a majority Black and Brown city where the very anchor institutions, including the one she has led, have excluded its citizens historically but are now being galvanized to win the trust of the community in pursuit of equitable growth. We know firsthand both the paradoxes of mixing reparative justice with *e pluribus unum*, and yet the possibilities to be reaped if we keep plugging away, even as we have witnessed the path forward as anything other than a straight line. And, together, having played central roles at the University of Michigan in defending affirmative action in the *Gratz* and *Grutter* cases,<sup>4</sup> the nonlinear path of racial equity is all too real, even as once again we hope that enough people in our nation will see how we all benefit by taking down what Gary Orfield called “the walls around opportunity,”<sup>5</sup> in his volume in this series, in order to move toward the full participation that underlies the many examples of anti-racism work that Susan Sturm documents in this volume.

## The Value and the Paradox of Pursuing Full Participation

If we begin, as we have in this series, with the premise that diversity is a compelling interest for this ever-more diversifying nation, then we must confront, as this current volume does straight on, the opposing gravitational pulls that push us to find avenues for full participation of groups consistently sidelined from opportunity and yet pull us back to protecting individual and institutional rights and privileges accrued over centuries and perpetuated across our often divided and divisive social landscape today. Stated simply, as Sturm does throughout this volume, we need to question and learn how to do anti-racism work and make progress on full participation by enlisting those with place,

power, and position in collaboration with those without it. Yet, as straightforward as that goal may be, how to do so when we have few lasting precedents in our history is not obvious. On the one hand, we certainly know that the country as a whole will benefit, economically and in terms of a well-functioning democracy, if fewer members of our population are sidelined from opportunity, as Anthony Carnevale and Nicole Smith argued in our first volume,<sup>6</sup> especially in the midst of the growing “diversity explosion” that William Frey has documented.<sup>7</sup> On the other hand, we live now and have across our history with the paradoxical reality that the pervasiveness of intergroup hostility and a zero-sum mindset fanned in the public rhetoric have systematically worked against the best of our national interests, ensuring, as Eduardo Porter unpacks in his trenchant analysis in *American Poison: How Racial Hostility Destroyed Our Promise*,<sup>8</sup> that policies and practices that would benefit all Americans become political third rails, especially when race is a defining obstacle to full participation. One only has to think of the shared interests, clouded by divisive rhetoric, that connect beleaguered majority minority urban communities with the need for jobs, education, environmental protection, health care, digital connectivity, nutritious food, and more in rural, largely white communities. And returning to the contradictory rhetoric of colorblind versus race-conscious college admissions, one only has to examine the latest data from Anthony Carnevale and colleagues at the Georgetown University Center on Education and the Workforce: “Our models make one thing very clear: the most effective way of increasing socioeconomic diversity at selective colleges is to consider race in the admissions process, not to ignore it.”<sup>9</sup> When will we learn as a society that zero-sum benefits only those already with privileged access to opportunity? The paradox of our interconnected yet discriminatory history frequently results in the possibility of benefiting many with practices focused on one group or community, as Sturm argues throughout this volume.

## Confronting Our Legacy of Racial Injustice in the Midst of Backlash

Surfacing the possibility of actually benefiting many, even as we focus on particular minoritized groups, brings us always to the question of the elephant in the room in any context of anti-racism work: can we reconcile the seemingly genuinely increasing recognition that our legacy of racial injustice has structured power and privilege, access and success, inequitably, with the ever-present backlash against anything that speaks of reparative justice? As Sturm documents with

richly described case studies, there is no shortage of contexts in which people, from organizational, corporate, and political leaders to community residents, from the courts to arts and cultural and educational institutions to community groups addressing policing, are speaking out about the legacy of structural racism in their institutions that so impedes full participation and justice from working. Any number of major corporations have made explicit their recognition of inequitable avenues of access and success, especially linking commitments going forward to the injustices revealed in the horror surrounding the murder of George Floyd. And while many states may not go as far as California in its reparations task force recommendations, local communities across the map are mobilizing to consider the racist legacies of redlining that have left many communities of color burdened by underresourced schools, environmental toxicity, inadequate health care, and unaffordable housing, combining to undermine any hope of intergenerational wealth building.<sup>10</sup>

Yet, as promising as all of these efforts are, and as Sturm documents in her case studies, the paradoxes of any anti-racist efforts—including the contradictory push to protect those in and with power from losing out in the process of redressing past and present wrongs—are never far behind even these genuine appeals to action. For example, consider the risk aversion expressed now in the face of Justice Roberts’s endorsement of colorblind college admissions and the specter of retreat well beyond the university setting, not to mention the evidence of a backlash already mounting across state legislatures. For behind that colorblind comfort, as argued not only by Roberts but even forty-five years earlier when Justice Powell established the compelling interest of race-conscious admissions, is the fear of intergroup resentment. As noted civil rights attorney Elise Boddie observed: “Justice Powell argued fairly explicitly in *Bakke* that broadening affirmative action would be racially divisive because it would cost whites, as a group, access and power.”<sup>11</sup> And no matter how much one can argue that practices of sidelining and opportunity hoarding have harmed many white communities as well, and that there is shared benefit to be gained in a reparative justice approach, not to mention the overall societal benefits of including the fastest-growing demographics, the divisive backlash (that Powell and later Roberts feared in the admissions cases) repeatedly emerges, sometimes explicitly and at other times obliquely, across many contexts, from local to statewide to national, including robust anti-DEI campaigns playing out from school boards to universities. Consequently, to reap the benefits of what Sturm outlines as the paradoxical possibilities undergirding anti-racism efforts, there is the overarching need to learn how to create some sense

of common ground. In his commentary Justice Goodwin Liu invites readers into his law class and his attempts to remind students they are multipositional and not just intersectional. By altering positionality through a range of classroom exercises, Liu hopes to enable each to see the other as more than a single social category. For him this is a pathway to confronting the paradoxes. As John Inazu commented in Eboo Patel's volume in our series, *Out of Many Faiths: Religious Diversity and the American Promise*,<sup>12</sup> while it may be hard to come to some agreement about what constitutes the common good, we can sometimes bridge the gaps across groups enough to meet on common ground.

This volume raises important questions about leadership and change. Commentator Anurima Bhargava notes that institutional leadership is often required to produce the change that can break through the paradoxical conundrum. She writes, change is work; it "is psychological and sociological and institutional and cultural." Freeman Hrabowski, a featured subject of one of Sturm's case studies, and a commentator in this volume, reminds us that change often follows a concerted effort to diagnose the culture of the institution. Drawing on lessons from his childhood, including when he and other Black children took to the streets of Birmingham in 1963 to overthrow segregation, he situates the importance of being invited to lead. Once invited, would-be leaders need to be mindful of structural barriers to change and aware that one must then address altering the culture. It is not enough to focus on merely altering the individuals, he concludes. Toward this end, Bhargava uses the case of DEI work to tell a story and underscore a point: using the metaphor of sitting at the table she observes, *diversity* may mean a seat at the table, *inclusion* may suggest you sit at the table and select off the menu, and *belonging* may have you choosing the menu. Ultimately, she questions, you may want to go beyond DEI and build and curate your own table and menu. This may prove to be the last stage of change.

Finding common ground in the ever-fraught territory of racial justice work is never going to be easy, especially as it requires crossing the boundaries of the highly segregated lives that we all inherited—overcoming the disparate ways in which we have learned to view the world grounded in such different positionalities in organizations and lived experiences in communities. Like everything else in this work, any movement forward requires grappling with the sequelae of *de jure* and *de facto* practices, not the least of which are the redlining and housing policies that literally rooted us all in separate universes, as Richard Rothstein exhaustively documented in *The Color of Law*,<sup>13</sup> with schools now highly segregated by race and class, even in progressive northern

states with increasingly diverse school-age populations,<sup>14</sup> dooming us all at very young ages to “learn” apart and to see each other and our daily world from fundamentally different views that carry over to our workplaces, our community and cultural engagements, and all the institutions that Sturm studies as ground zero for anti-racism work. This grounding in different worlds from the start handicaps but cannot doom the search for that common ground and purpose, even if it means juggling back and forth between surfacing race as a divider and pushing forth to find our all too often hidden commonalities, as theorists of intergroup dialogue have shown can happen.<sup>15</sup>

### Finding Common Ground in Anti-Racism Work

Consideration of the challenges of finding that common ground in anti-racism work, across groups and communities and people in and outside of power in institutions, brings us back to our national founding principle of *e pluribus unum* explored beautifully in this volume and underlying all of the volumes in this series. Indeed, we are witnessing a time now of such divisiveness that the need for strategies to rekindle a quest for common ground is never more front of mind—a time reminiscent of the sad days fifty-five years past that led the Kerner Commission to question whether we were headed toward “two societies, one Black, one white, separate and unequal,”<sup>16</sup> a conclusion reinforced in Gary Orfield’s volume documenting the demise of school integration in the decades following the brief period of successful efforts to build on *Brown v. Board*.<sup>17</sup>

Hence, as we asked in launching *Our Compelling Interests*, we ask again at this moment of resurgent backlash: “What happened to our aspirations for finding common cause, despite observable difference, for *e pluribus unum*?”<sup>18</sup> We all claim to yearn for that springboard to jump over those long-entrenched, centuries-old, currently reinforced racial barriers—to learn, as Katherine Phillips noted, to value diversity as much as we sit comfortably with homogeneity<sup>19</sup> so as to benefit from our collective intelligence, our “diversity bonus,” as Scott Page urged us to consider in his volume.<sup>20</sup> Perhaps surprisingly, and reassuringly in today’s context of the promotion of a colorblind ethos that urges us to turn away from rather than plunge into these divisive waters, we believe that readers will find in this volume some considerable cause for hope. Sturm moves us closer to affirmatively answering that question, as she unpacks the paradoxical possibility of finding common purpose among competing perspectives on race and racial justice, and sticking with the work it takes over the



long haul to bring to life the ever-present but deeply covered-over benefits of coming together across racial lines.

Indeed, how can we not find at least a sliver of optimism in the local, place-based, institution-focused work covered here by collectives of change agents, putting up with the nonlinearity of progress met with repeated obstacles on the ground that so often overshadow that very movement forward, and remind everyone involved of the backdrop of resistance, whether legal or legislative or within the institutions that must become open to change for change to happen. Yes, the work is inevitably caught in the back-and-forth of trying to face racism and move step-by-step forward but also operate within the very systems and often within our own positions of privilege in them, which creates a countervailing force—surfacing the question of the moment that this volume addresses head-on: Can we all make it through the contradictions over the long haul? Can local and institutional work maintain momentum so as to accumulate successful examples that advance systemic change? While the jury is out on that fundamental question of our time, Sturm's ability to interweave stories of anti-racism work on the ground with both broader ideas for change and practical strategies to pursue them sets a course to navigate those inevitable paradoxes inherent to this work. As such, reading the stories here surely will remind us of the need, to quote Sturm, to "link small steps to big goals," as the warrior of justice Lani Guinier (to whom this volume is dedicated) urged us all,<sup>21</sup> and to recognize the power of diverse communities cocreating change when power itself is shared with rather than lorded over, in the service of our compelling interests, together.

## INDEX

- A Broader Way (arts empowerment program for young women), 81
- Adult Correctional Institute (ACI), 133–34; Breed’s effort at enlisting cooperation with incarcerated people, 134; incarceration/inhuman treatment of Black and Brown people, 133–34
- ADVANCE project/initiative (University of Michigan), 144, 217
- affirmative action: contradictory approaches to, 1; effectiveness of, 1; fear of divisive backlash from, 4; Katznelson’s book on, 55; reparative justice approaches to, 1; student class multiracial collaboration at University of Pennsylvania Law School, 120–25; Supreme Court’s ruling on, 26, 34, 120; universities’ commitment to maintaining, 32; University of Michigan lawsuits, 2
- African Americans: comparative perceptions of incarceration rates, 51; Covid-19 death rate comparison, 215; Dawson and linked fate across class and politics, 82; M. Bell’s observation on ghettoized treatment of, 164–65; Tesori and Tazewell, podcast discussion, 88. *See also* Black people
- Afriye, Obi, 197
- agenda-setting power, 160–61, 168
- Allen, Danielle, 125
- Alternatives to Violence Project: 140
- American Poison? How Racial Hostility Destroyed Our Promise* (Porter), 3
- Anchor Institutions Task Force, 195
- anti-racism: contradictions of, xii, xiii, 1, 10; definition (of author), 237; federal courts’ stance against efforts, 31; finding common ground in, 6–7; impact of George Floyd’s murder, 23; impact of racial salience on, 26; institutions working to advance goals of, x, 4; learning from contradictions, failures, messiness, 64; paradoxes of, 8–35 (*see also* anti-racism paradoxes); questioning of/learning how to do, 2–3; questions asked in conversations, 36; reasons for failures in white organizations, 115; reparation movement successes, 46; role of repurposing of power in, 158; role of white institutions, 30; small steps toward big changes, 73–75; use of race-neutral strategies, 27–28; warnings against using the term, 22; Williams on creative experimentation with, 74
- anti-racism paradoxes, 8–35; benefits of embracing, 15; Bhargava and, 237–38; examples of, 17–18; Hrabowski commenting on, 205–7, 209; impact of experiential segregation (*see also* experiential segregation), 40; impact of language, xiii; impact of role rigidity, 40 (*see also* role rigidity); impact of scripted stuckness, 40 (*see also* scripted stuckness); impact of status quo bias (*see also* status quo bias), 40; impact on personal, scholarly stories, 2; of the legal system, 31;

- anti-racism paradoxes (*continued*)  
Liu and, 5, 231–32; paradox of racialized power (*see* paradox of racialized power); racialized institutions (*see* paradox of racialized institutions); racial salience (*see* paradox of racial salience); steps of navigating, 15, 64–65; value of pursuit of full participation through, 2–3; West’s observation of, 11; Williams’s book on, 10–11
- anti-Semitism, 12, 120; civil rights movement connection, 12
- architectural approach, to race and bias problems, x, 174–75, 195–201
- Asian American Performers Action Coalition, 33
- Asian Americans: conflicts at Mall of American with Black teenagers, 154; national state trial judges data, 44; neighborhood population data, 43; racializations of, xi, xiv; state data on lack of Asian American justices, 44; success rate comparison of students, 104
- BAC. *See* Broadway Advocacy Coalition
- backlash, 3, 4, 33, 34, 56; and paradox of racial salience, 29
- Baldwin, James, 88, 92
- Baltimore Center Stage, 109
- Banaji, Mahzarin, 52
- Baraka, Amina (Ras Baraka’s mother), 163
- Baraka, Amiri (Ras Baraka’s father), 163
- Baraka, Ras: arrest of, beating by police, 163; comment on full participation, 187; election as Newark, New Jersey, mayor, 162–64; movement building background of, 198; reaching out to Cantor to conduct research, 173; recruitment/role of Sherrills to work with community members in Newark, 165–67; redefining expertise and, 165–66; role in positive transformation of Newark, 162–69, 172–73, 175, 182, 185, 187; State of the City Address (2022), 173–74
- Basheer, Aquil: and building community capacity, 166–67; founding of Professional Community Intervention Training Institute, 167; *Peace in the Hood*, 167
- BATTLE. *See* Breakthrough Advocacy Through Transformative Learning Exchange
- Bazerman, Mike, 153
- Behind the Mule: Race and Class in African-American Politics* (Dawson), 82–83
- Bell, Derrick, 53, 92–93
- Bell, Monica, 164–65
- Belton, Sharon Sayles, 153
- Berg, David, 66
- Bhargava, Anurima, 5, 233–54; and anti-racism paradoxes, 237–38; on challenges for white legacy institutions, 241–42; on definition and practice of DEI, 237–38; on how studies of change should work, 239; on necessary components of transformation change, 247–49; on the place of empathy practice, 249, 253; on power and change in legacy institutions, 239–41; on pressures shaping DEI work, 235–36; on roles/importance of leadership, 242–47
- Bhargava, Deepak, 11, 59, 84. *See also* *Practical Radicals: Seven Strategies to Change the World*
- bias (racial biases): counter-productive effect of heightening awareness of, 24–25; gender-related bias, 28, 146; implicit bias training for, 38; justice system vulnerability to, 70, 221; Liu’s research on implicit bias, 221; overt, in decision making, 56; race-neutral approaches to reducing, 26; systemic, 42; unconscious expressions of, 48, 123. *See also* status quo bias
- Big Four Profile (Thinker, Dreamer, Lover, Warrior) (Fox), 190
- Bipartisan Safer Communities Act (U.S. Congress), 196

- BIPOC (Black, Indigenous, People of Color), xiv, 33, 90, 107–8, 147
- Black and Brown people: artists, 8, 9; culture change collaboration with whites, 76–77; distrust of law enforcement, 111; Fein’s experience building trust with, 77; ignoring of, when raising racism concerns, 24; incarceration/inhumane treatment at Adult Correctional Institute, 133–34; Kaiser’s research findings on instituting diversity values, structures, 24; legal system’s targeting of, 84; and linked fate, 82–83; national trial judge data, 44; neighborhood problems in Newark, New Jersey, 162; perception of white people by, 25; and Supreme Court rulings, 26, 184; targeting by the criminal legal system, 84; “We See You, White American Theater” (online letter), 90; white judiciary’s interactions with, 41; white people’s view of treatment disparities, 46–47
- Black and Brown students, 19–20, 36, 41, 127; bachelor’s degree completion comparison, 211; college/university population data, 32, 44; communication and trust issues, 19–20; concerns of exclusionary practices, 36; and experiential segregation, 41; Hrabowski’s role with “canaries in the mine” study, at University of Maryland, Baltimore County, 83, 100, 101–6, 124, 156–57; PhD completion comparison, 212; role models for, 209; science, technology, engineering, and math (STEM) education, 102–5, 116, 180–81, 194, 198, 211–15, 217–18; success rates of students at UMBC, 214, 216–19; and Supreme Court decision, 26, 184
- Black Law Students Association (BLSA) (University of Pennsylvania), 130
- Black Lives Matter movement, 9, 23, 90
- Black Man in a White Coat* (Tweedy), 219
- Blackmun, Harry, 1
- Black people: access to education comparison, 211; collaboration and leadership roles, 21; comparative incarceration rates, 12, 138; court-related punitive treatment comparison, 56–57; disproportionate arrests of, 163; distrust of white people’s allyship, 93; and “Folded Map” project, 132–33; homeowner disparities in Minnesota, 178; homophily pattern of, 45; housing denial to veterans, 55; and linked fate, 82–83, 124; Mall of America’s targeting of black teenagers, 150–51; Newark uprising and, 163; Norton/Sommers, on whites’ view of, 53; and occupational segregation, 44; organizing of identity by, 25; perception of whites as biased, 28; punitive/discriminatory treatment comparison, 57; Rothstein/Rothstein, on the historical legacy of, xi; Smith on “Blackness,” xi; state data on lack of Black justices, 44; success rate comparison of students, 104; view of race-consciousness, 42; whites’ association of criminality of, 39; work with Broadway Advocacy Coalition, 8–10. *See also* African Americans
- Blue*, opera, 86; Kellogg on the significance of, 87–88; Tesori’s involvement with, 86–88; Thompson’s involvement with, 86–88
- Boddie, Elise, 4
- Bonilla-Silva, Eduardo, 33
- both/and approach: defined, 100; how to embrace, 63; linked fate and, 82, 83, 113
- Boyte, Harry, 170
- Breaking Glass: Hyperlinking Opera and Issues* podcast (Tesori and Thompson), 88
- Breakthrough Advocacy Through Transformative Learning Exchange (BATTLE), 144, 147, 251
- Breed, Allen, 134, 142
- Brennan Center, 44
- Bridge Program (Fisk-Vanderbilt), 180–81

- Broadway Advocacy Coalition (BAC), 8–12, 14–15, 18, 29, 251; and the anti-racism paradoxes, 18–19, 19–11; description of, 9; Inaugural Gala for, 8; origin of, 8–10; Tesori's work with, 8, 86–87; Theater of Change, 9, 137, 147; use of storytelling by, 9; "What Now Part II: From Ally to Action" online forum, 89. *See also* theater industry
- Broadway for Black Lives Matter, 9
- Broadway theater industry: challenges/resistance, in pushing for anti-racist practices, 94–95; examination of racist practices, 89–90; letter by Black and Brown artists demanding change, 90–91; people of color's response to apology letter, 92; trust-building process in, 92–94, 96–99; upholding/celebrating Jim Crow by, 33; "We See You, White American Theater" (online letter), 90–91, 94, 97, 106–8, 157; white playwright's apology letter to people of color, 91–92
- brown, adrienne maree, 73
- Brown, Brené, 61
- Brown, Claude, 88
- Brown v. Board of Education*, 6, 44, 192, 197, 211
- Bryk, Anthony, 195–96
- Building High Impact Nonprofits of Color (BHINC), 177–78
- Build Wealth Minnesota (BWM), 178–79
- Bush, Vannevar, 212
- California Youth Authority, 134
- Cantor, Nancy, 197; background in building partnerships, 169; launch of Anchor Initiative, 169–70, 175; "outside-in" strategy of, 169; position as Rutgers, Newark, chancellor, 169; research on gentrification and housing displacement, 173
- Carnevale, Anthony, 3
- Caste: The Origins of Our Discontents* (Wilkinson), 50–51
- Castile, Philando, 8
- Castilla, Emilio, 32
- Center for Institutional and Social Change (Columbia Law School), 9, 183
- Center for Policing Equity, 111
- change: cosmetic vs. transformative, 74–75
- change agents, 33; building a multiracial community of, 39, 61, 63, 75–80; building on insights of, x; goals of, 14; impact of small-scale transformations, 73; role rigidity of, 56, 58; Stewart's building of, at University of Michigan, 195; work of Fox defining change agent roles, 190; work of Iyer defining ecosystem change agent roles, 190
- Chan Zuckerberg Initiative, 217
- Chaskin, Robert, 165
- choice points, 71, 193–94
- Civil Rights Act, 211
- civil rights activists, xiv, 125, 209–10. *See also* Guinier, Eugenia Paprin; Guinier, Lani; King, Martin Luther, Jr.; Lewis, John
- civil rights movement, xi, 12; anti-Semitism's connection with, 12; "I Have a Dream Speech" (King, Jr.), 12; passage of legal decisions, legislation, 211
- Civil Rights Project, 43–44
- Clair, Matthew, 56–57
- Clinton, Bill, 129–30
- Club Fed, 151–54, 160; Black led youth-serving organization, 151; creation/support of Mighty Moms, 152–53. *See also* Mall of America
- Coates, Ta-Nehisi, 88, 254
- Collaborating with the Enemy: How to Work with People You Don't Agree with of Like of Trust* (Kahane), 65, 74, 95
- collaborations: in BAC, 8–9; building of trust in, 10, 11; cross-institutional, 196; cross-racial/multiracial, ix, x, xiii, 10, 75, 108, 116, 117, 131–32; Guinier's cross-racial bridge-building background, 124–25; Guinier's role in building a collaborative cross-racial learning community, 118–25; multiracial student class, University of

- Pennsylvania Law School, 120–25; paradoxes related to, 16, 95–96; use of storytelling in, 9
- Collado, Shirley, 78–79. *See also* Liberal Arts Diversity Officers (LADO) Consortium
- colleges/universities: acknowledgment of racism, commitment to change, 35; Anchor Institutions Task Force work for, 195; anti-racism efforts, 32–33; Cantor’s role in building partnerships with, 169; colorblind vs. race-conscious admissions, 3, 4; C3’s effort to diversify, 78–79; declared commitment to diversity, social mobility, 32; diversity and inclusion in, 211–14; enduring racial stratification by, 32; Fisk-Vanderbilt Master’s-to-Ph.D., Bridge Program, 180–81; Guinier’s work for (*see also under* Guinier, Lani); historical development of Black and Hispanic schools, 32; Hrabowski’s support of students of color in STEM fields, 104, 116, 213, 215; paradoxical character of, 32, 34; quandaries of students of color, 20; Rodriguez’s work on full participation for people of color, 185; role of faculty of color at white liberal arts colleges, 20–21; Stewart’s work on institutional change, 144–46; Supreme Court affirmative action ruling, 2, 4, 26, 34, 120, 128–29, 131, 184–86, 192, 217; Supreme Court ruling on use of race for admissions, 4, 26; Supreme Court’s colorblindness in dismantling affirmative action for college admissions, 2, 4, 26, 34, 120, 128–29, 131, 184–86, 192, 217; suspicions of Black and Brown students, 36; Volunteers in Probation program, 12; white, Black, Latino/a/e population data, 32. *See also* Harvard University; University of Maryland, Baltimore County
- colorblindness: consequences of Supreme Court’s embrace of, 28; Gerson’s analysis of, 1; modern ethos of, 6; Orfield’s book on, 23–24; and race-conscious college admissions, 3, 4; Roberts’ embrace of, 1, 3, 4, 17; Supreme Court’s allegiance to, 17, 26, 28, 34, 184, 192; view of white vs. Black people on, 42; of white people, 42
- The Color of Law* (Rothstein), 5–6, 43
- Columbia Law School: Center for Institutional and Social Change, 9, 183; involvement with BAC launch, 9; Rodriguez’s work with, 137–39, 147, 187; Tesori’s work with, 86–87
- common ground: causes of failure, 16–17; challenges of finding, 4–6; strategies for finding, 6–7, 60, 82, 128; through linked fate, 84; Wilson’s call for finding, 82
- communities of color: creating credible anti-racism activities involving, 29; Guinier/Torres, on harms to, 103; impact of George Floyd’s murder on, 110; impact of racist legacies on, 4; need for gaining knowledge about, 61, 63
- Community Based Public Safety Collective, 196
- Community Change, 84
- community of change agents, 39, 61, 63, 75–80
- Congress (U.S.): Bipartisan Safer Communities Act, 196; signing of civil rights legislation, 209
- Constitution (U.S.): contradictory relationship with racism, 30–31; Douglass’s abolitionist reading of, 31; equal protection clause, 184
- contradictions: belief in the system vs. realities of those at its mercy, 49; built into dealing with anti-racism paradoxes, 18, 26; and complexity, learning to live with, 63–68; dealing head-on with, xii; in different racial positions, 26; discovering conditions giving rise to, 60; in doing anti-racism work, xii, xiv, 1, 10; engaging with vs. overlooking, 15, 60; inescapability of, 13–14; Minow’s “dilemma of difference” term for, 29–29; navigational strategies, 17; personal reactions confronting, 35;

- contradictions (*continued*)  
role in the work of anti-racism, 17–18; in the status quo, 54; uncomfortableness of, 17. *See also* paradoxes of anti-racism; paradoxical possibility
- Cooperation: A Political, Economic, and Social Theory* (Harcourt), 200–201
- Corbett, Kizzmekia, 218–20
- courts: acknowledgment of being racist, commitment to change, 35; challenges to anti-racism approaches, 26; nationwide racial disparities in, 37–38; New York State, two justice systems, 38; role as equality’s protector, 30–31. *See also* judges; Supreme Court
- Cover, Robert, 15, 57
- Covid-19 pandemic, 58, 89, 133, 215, 219, 227, 236
- Creating Connections Consortium (C3), 78–79
- Crenshaw, Kimberlé, 25, 42
- criminal justice system: differential treatment/disparate impact of, 57; importance of impacted individuals in pursuing change, 142; Karakatsanis on demeaning practices, 135; racism undermining legitimacy of, 84; targeting of African Americans vs. whites, 51. *See also* courts; judges
- criminal legal system: BAC’s effort at tackling racism in, 14; Columbia Law School meeting on firsthand experiences, 9; efforts at preventing young Black people experiences with, 12; historical targeting of Black and Brown people, 51, 84; Rodriquez’s transformational work in, 137–38, 141, 144. *See also* legal system
- critical race theory, 26, 32, 46, 197, 199
- cross-institutional collaborations: benefits of coalescing of, 196; role of C3 in building, 78–79; role of Liberal Arts Diversity Officers group in building, 78, 195; role of National Science Foundation in building, 147
- cross-racial partnerships, 118–33, 148; benefits of, 148; communicating across the racial divide, 128–33; Guinier’s role in building a collaborative cross-racial learning community, 118–25; role of organizational catalysts, 125–28
- culture change: challenges, risks of failure, 40; description/steps of, 39–40, 61–62; Hrabowski’s thoughts on, 5, 208; multi-racial collaboration enabling, 76–77; onset/triggers of, 37, 69–70; and repurposing power, 175; workshops, 39–40
- Dawson, Michael, 82–83
- Dedicated Dads (Mall of America), 154–55
- DEI (diversity, equity, and inclusion): anti-DEI campaigns, 4; Bhargava on, 233, 235–38; in higher education, 211–14; Hrabowski’s work for, 207; LADO and, 79; limitations of, 92–93; murder of George Floyd and, 34, 200, 234; racialized power challenges, 20; racial justice attacks in Texas and, 197; view of people of color vs. white people, 43
- Department of Justice (DOJ) (U.S.), 164, 196
- Dialogue across Difference: Practice, Theory, and Research on Intergroup Dialogue* (Gurin), 119
- DiAngelo, Robin, 93–94
- difficult conversations about race, 123, 128–31
- discrimination: Black Lives Matter lawsuit, 23; framing by racial schemas, 46; Guinier’s experience, 126; historical/structural, against Black and Brown people, 26; Hrabowski’s experience with, 210; intentional, 31, 38; at the Mall of America, 151; in Newark, New Jersey, 163–64; Roberts’s comment on, 1; Roberts’s statement on stopping, 28; second generation employment, x; Supreme Court ruling, 192; Supreme Court’s narrow definition, 31
- diversity: Bhargava’s observation on, 5; cosmetic “diversity efforts checkbox,” 92;

- cycles at attempts at, 37; DEI-related policies and practices, 43; “diversity explosion” (Frey), 3; efforts of Meyerhoff Scholars program at increasing, 103; Ely/Thomas, article on, 92; failed self-interested policies, 93; in hiring practices, 38; Kaiser on the value of instituting, 24; Liberal Arts Diversity Officers Consortium, 78; Patel on religious diversity, 5; Phillips on valuation of, 6; ruling by Supreme Court on college admissions, 26, 32, 34, 36; socioeconomic, 3; theater arts diversity consultant, 92; value of highlighting as a goal in groups, 24. *See also* DEI (diversity, equity, and inclusion)
- Dobbin, Frank, 32
- Dorf, Michael, 74
- “double consciousness,” 50, 66
- Douglas, Mary, 50
- Douglass, Frederick, 21, 31
- Du Bois, W.E.B., 50, 212
- Duguid, Michelle, 24
- Dweck, Carol, 64, 208
- Dzirasa, Kafui, 219
- Edelman, Lauren, 31
- Edmondson, Amy, 54, 68
- education. *See* higher education institutions
- Education for All, 196
- Ellis, Eddie, 142
- Emergent Strategy* (brown), 73
- The Empowered University* (Hrabowski, Rous, Henderson), 216–17
- Encore Off-Center (New York City Center), 81
- e pluribus unum* principle, 1, 2, 6
- Equitable Growth Advisory Commission (Newark, New Jersey), 173
- Expanding Underrepresented Minority Participation: America’s Science and Technology Talent at the Crossroads* report (National Academy of Science), 211–12
- experiential segregation, 40–48; challenges of overcoming, 59; defined, 40; efforts at overcoming, 48, 113, 118; impact of overcoming on racial salience paradox, 198; “schemas”/“tools of thought” of, 46; strategies of organization catalysts in overcoming, 118
- expertise: capacity building to exercise, 165, 167, 168–69, 177, 179; collaboration across, 172, 173; cult of, 170; power and, 164, 165, 172–74; redefining, 164, 165, 167–68, 171
- failures: addressed in Orfield’s book on colorblindness, 23–24; challenges of not giving up due to, 59, 60, 63, 68; Edmondson on, 54; failure theory of success, 64; fear of producing risk avoidance, 54; Groundhog day analogy, 37, 60; learning from, xiii, 13–14, 29, 64, 69, 74, 77; as “experimentalism” (Sabel and Dorf), 74; of the legal profession, 14; paralysis and, 36; possible emotional reactions to, 54; of race-conscious strategies, 38; risk factors for culture change, 55; role in creating successes, 186. *See also* successes
- family history and racism, 125–27; Jeanine Tesori, 85–86, 188–89; Lani Guinier, 125–26
- Fauci, Anthony, 219
- “Finding the Spaces for Change: A Power Analysis” article (Gaventa), 160
- Fishkin, Joseph, 26–27
- Fiske, Susan, 45
- Fisk-Vanderbilt Master’s-to-Ph.D., Bridge Program, 180–81
- Flagg, Barbara, 47. *See also* transparency phenomenon
- Floyd, George, murder of: impact on DEI, 34, 200, 234; national impact of, 23, 135; protests against, 23, 34–35; tensions produced by the protests, 69
- “Folded Map” project (Johnson), 132–33
- Follett, Mary Parker: coining of “power over” term, 151; coining of “power with” term, 153
- Fox, Ariel, 190



- fractals: chunking and, 73–74, 172; consequences of gulfs between, 193; creation/connecting of, 73, 200; defined, 73, 253; role of organizational catalysts in cultivating, 175; types of groups operating as, 77
- FrameWorks Institute, 49
- Freire, Paolo, 68, 100
- Frey, William, 3
- Friedman, Bob, 177
- “From Racial Liberalism to Racial Literacy” article (Guinier), 192
- full participation: anti-racism paradoxes of, 2–3, 22, 29–30, 35; approach, to race and bias problems, x, xii–xiii; Black and Brown people in the sciences, 102; blockages/impediments to, 4, 26–27, 36; challenges of, 26; changes leading to, 14, 106; description, 12–13, 26–27; efforts of Creating Connections Consortium, 78–79; efforts of Education for All, 196; efforts of Fisk-Vanderbilt Bridge program, 181; efforts of Liberal Arts Diversity Offices Consortium, 78–79; efforts of Meyerhoff programs, 104, 194; efforts of UMBC, 105; Hrabowski’s efforts/thoughts on, 116, 156–57, 185, 194, 206–7; of judges, 76–77; organization catalysts’ efforts, 117, 131, 145–47; positive impact of, 32; power and, 157; requirements for facilitating, 18–19, 47, 59–61, 65, 70, 75, 82, 99; Rodriguez’s efforts, 185; role of building cross-racial partnerships, 118–33; role of coalitions and third spaces, 196; role of creating cohorts for sustaining change, 144–48; role of fractals in advancing, 194; role of people of color, 158; role of perspective taking, 123; role of reflective practice (self-reflection), 61, 187–91; role of using proximity to promote transformation, 133–44; role of white people, 179; value of choice points, 193
- Galanter, Marc, 160–61
- Ganz, Marshall, 22–23
- Gaventa, John: on agenda-setting power, 160–61; “Finding the Spaces for Change: A Power Analysis” article, 160; on invisible power, 161; on visible power, 160
- gender bias, 28, 146
- Gersen, Jeannie Suk, 1
- “Getting Serious about Diversity: Enough Already with the Business Case” article (Ely and Thomas), 93
- Gilmore, Ruth Wilson, 84
- Golden Gulag* (Gilmore), 84
- Gordon, Jennifer, 179–80
- Gould, Roger, 100
- Graham, Barney, 218, 219
- Grant, James M., 21
- Groundhog Day*, dynamic, 37
- “The Ground on Which I Stand” speech (Wilson), 81–82, 90
- growth mindset, 64, 68
- Guinier, Eugenia Paprin, 125
- Guinier, Lani: article in opposition of Supreme Court ruling, 192; collaborative community building with students, 119–24, 128–31; co-teaching “Critical Perspectives in the Law: Race and Gender,” 118–33; cross-racial bridge-building background, 124–25, 191–92; definition of racism of, x–xi; family background, 125–26, 189; on harm to communities of color, 103; as organizational catalyst, 125–32; role in building a collaborative cross-racial learning community, 118–33; success in finding ways to straddle racial inequity, 191–93; on “testocracy,” 56. See also *The Miner’s Canary: Enlisting Race, Resisting Power, Transforming Democracy*; *Tyranny of the Meritocracy: Democratizing Higher Education in America*
- Gurin, Patricia, 119
- Hall, Stuart, 25
- Harcourt, Bernard, 200–201
- Harvard University: Hrabowski’s delivery of Martin Luther King Jr.

- Commemorative Lecture, 209–11;  
King, Jr., speech at Law School, 209–11;  
Liu's classes at Harvard Law School,  
222–23; *SFFA v. Harvard* Supreme Court  
ruling, 192
- Henderson, Peter, 211–12, 218
- Hewitt, Rachel Spencer, 107. *See also* Parent  
Artist Advocacy League
- Higher Education Act, 211
- higher education institutions. *See* colleges/  
universities
- Hispanic people: access to education com-  
parison, 211; Covid-19 death rate com-  
parison, 215; PhDs completion compari-  
son, 212; racialization of, xi
- homophily pattern, defined, 45
- Howard Hughes Medical Institute  
(HHMI), 217
- How the World is Passed* (Smith), xi
- How to Be an Antiracist* (Kendi), 161
- Hrabowski, Freeman: and anti-racism para-  
doxes, 205–7, 209; award/medal accepted  
by, 205–6; civil rights activism, 101–3, 205,  
209–11; commentary on *What Might Be*,  
205–20; contribution to linked fate, 113;  
data driven inquiry and, 102, 117; delivery  
of Martin Luther King Jr. Commemora-  
tive Lecture at Harvard University,  
209–11; experience with racism, 101; full  
participation work (“canaries in the  
mine”) at University of Maryland, Balti-  
more County, 101–5; on importance and  
limitation of language, 206, 208; institu-  
tional transformation and, 104; and the  
long haul, 185; miner's canary approach  
of, 101–5; observations on full participa-  
tion, 206–97; as organizational catalyst,  
117; post-retirement work of, 208–9; pres-  
idency/goal of full participation at  
UMBC, 103–4, 156–57, 185, 194, 213–14;  
questions about DEI work, 207; research  
focus of, 212–13; support of students of  
color in STEM fields, 104, 116, 213, 215;  
TED Talk, on the Meyerhoff program,  
216; thoughts on change, 5; thoughts on  
culture change, 5, 208; use of Meyerhoff  
experience model, 101; work for Diver-  
sity, Equity, and Inclusion (DEI), 207;  
and zooming in and out, 194
- humility and addressing racism, 68
- “I Have a Dream” speech (King, Jr.), 210
- Inaugural Gala for the Broadway Advocacy  
Coalition (BAC), 8
- incarceration: African Americans, compara-  
tive rates, 51; Black and Brown people,  
comparative rates, 12, 163; Columbia  
Law students related projects, 143–44,  
159–60; inhumane treatment of Black  
and Brown people, 133–34; racism/racial  
discrimination links with, 8–10, 136–37,  
141, 183–84; racism's links with mass in-  
carceration, 8–10, 136–37, 141, 183–84;  
Rodriguez's related work, 140, 142, 147,  
183–84; U.S. rates, impact on white  
people, 84
- Indigenous people, xi, xiv, 33, 108
- institutions: accountability of, 32; cosmetic  
compliance by, 31; and mindfulness, 68;  
racialization by, 30, 33
- Insurgent Identities* (Gould), 100
- interest-convergence principle (Bell),  
92–93
- intersectionality, xi, 25–26, 144
- Issues in Science and Technology* (Hrabowski  
and Henderson), 211–12, 218
- Iyer, Deepa, 190
- Jackson, Ketanji Brown, 192
- Jenkins, Alan, 50–51
- Jewish people, 25, 126, 130
- Johnson, Barry, 65
- Johnson, Lyndon, 209
- Johnson, Tonika, 132–33. *See also* “Folded  
Map” project
- Jones, Doug, 210
- Jones, Lindsay, 108
- Jost, John, 52

- Judge Fein narrative: illustrating scripted stuckness, 37–40, 41–42, 45, 47–49, 51–52, 54–55; paradoxical possibility and, 61–63, 67, 70–71, 73, 75–77
- judges: admitting personal fallibility, admitting justice is unjust, 63–64; awareness of limitations of white perspective, 41–42, 47–50, 67; awareness of small but meaningful changes, 71; concerns about addressing elements of racism, 37; development of multiple consciousness, 67; gained understanding of “durable inequality,” 43; role in creating community of change agents, 75–77; role rigidity and, 57; self-reflection processes of, 40–42, 47–55, 58–59, 67; shared narrow views of the judicial role, 56–57; training in knowledge of unconscious biases, 38; trainings to build capacity to address racial inequalities in the court, 39; “Trusted Ten” workshops for, 45; willingness to undertaking transformative culture change, 61–65, 70–70
- Just Action: How to Challenge Segregation Enacted Under the Color of Law* (Rothstein and Rothstein), xi, 43, 132, 198
- Justice Accused* (Cover), 57
- Justice Department (U.S.), 124, 196
- Kahane, Adam, 65, 74, 95. See also *Collaborating with the Enemy: How to Work with People You Don't Agree with of Like of Trust*
- Kaiser, Cheryl, 24
- Kalev, Alex, 32
- Karakatsanis, Alec, 135
- Karsh Family Foundation (Howard University), 217
- Katznelson, Ira, 55
- Kellogg, Keith, 87–88
- Kendall, Frances, 89
- Kendi, Ibram X., 161, 215
- Kerner Commission, 6, 89
- King, Martin Luther, Jr., 31, 185, 209–10; demand for legal system changes, 183; “I Have a Dream” speech, 210; *Letter from Birmingham Jail*, 31, 210; paradox and, 31; sermon at the Washington National Cathedral, 205–6; speech at Harvard Law School (1962), 209–11
- Kirp, David, 211
- LaCourse, Bill, 104–5
- LADO. See Liberal Arts Diversity Officers (LADO) Consortium
- language: and anti-racism paradoxes, xiii–xiv, 42; Ellis’s letter on usage of, 142; homophily pattern, 45; Hrabowski on importance/limitations of, 206, 208; necessity of learning the impact of, 130, 142; organizational catalysts’ navigation of, 116, 126.130; reimagining of *Jailhouse Lawyers Manual*, 159; reinforcing racial scripts, 50, 142; of relationship building, 126
- Latino/a/e people: colleges/universities population data, 32, 44; court officers’ workshop participation, 62; employment co-worker data, 44; homophily pattern of, 45; national trial judge data, 44; neighborhood population data, 43; organizing of identity by, 25; punitive/discriminatory treatment comparison, 57; racialization of, xi; research data on STEM education of, 104; state data on lack of Latino justices, 44; success rate comparison, 104; success rate comparison of students, 104
- law schools: building multi-racial learning communities in, 117–19; *Critical Perspectives in the Law: Race and Gender*, 118–19, 131; and law reviews, 54; *Lawyer-ing for Change* class (Columbia University), 135–36, 138, 143, 183; paradoxes and, 13; and repurposing power, 158; resistance to change in, 72; and student disengagement from communities, 135–36
- leadership: as choice point, 193; institutional, 5; people of color and, 20, 108, 175,

- 177, 199; and “power with,” 179–80; supporting organizational catalysts, 148; undertaking systems change, 69–70; white people and anti-racism, 21, 94
- Learning to Improve: How America’s Schools Can Get Better* (Byrk), 195–96
- Lee, Spike, 210
- legacy institutions, power and change in, 239–41
- Legal Defense Fund (LDF) (NAACP), 197–98
- legal system: contradictory relation to racism, 30; impact on people of color, 136, 143; influence of white supremacy on, 31; interactive collaborations with, 183; judges’ assumptions of fairness in, 48; King’s demand for changes, 183; and paradox of racialized institutions, 30–31; and perspective taking, 230. *See also* criminal legal system
- Letter from Birmingham Jail* (King, Jr.), 31, 210
- Levere, Andrea, 21, 176–77, 185. *See also* Prosperity Now
- Lewis, John, xiv
- LGBTQ people: legislation on behalf of, 209; Liu’s classes on rights of, 223, 227; organizing of identity by, 25
- Liberal Arts Diversity Officers (LADO) Consortium, 78–79
- LIFT, anti-poverty program for low-income parents, 21
- linked fate, 81–114; August Wilson’s call for, 82; benefits of recognizing, 83; vs. business case for diversity, 93; conceptual tools for forging, 100–114; Dawson on, 82–83; embracing of “both/and” concerns, 83; Gilmore on, 84; McGhee on, 84–85; miner’s canary, 101–6 (*see also* miner’s canary); need for reconception of power to forge, 162; power and, 162; reasons for linked fates, 82; short-term self-interest vs. long-term linked fate, 89–95; solidarity dividend, 106–9 (*see also* solidarity dividend); stretch collaboration, 109–14 (*see also* stretch collaboration); and white people, 84–89
- Liu, Goodwin, 5, 221–32; and anti-racism paradoxes, 5, 231–32; classes on LGBTQ rights, 223, 227; constitutional law professorship, 222–23; effort at advancing diversity in legal profession, 221–22; principles informing pedagogy of, 223–25; research on implicit bias, 221; sharing of techniques used in the classroom (*see* Liu, Goodwin, classroom techniques)
- Liu, Goodwin, classroom techniques: introductions, 227; ordering of topics on the syllabus, 227–28; polling applications, 228–29; pre-first day reconnaissance, 225–26; priming exercises, 229; restate, validate, do not evaluate (right away), 230–31; role-playing, 229–30; seating and architecture preferences, 226
- Lodal, Kirsten, 21
- long haul, sustaining change over, 60, 69, 74, 83, 116, 148, 155–56, 183, 185, 186–87
- López, Rachel, 184
- Lorde, Audre, 25–26, 28, 30, 96. *See also* *Sister Outsider*
- Luce, Stephanie, 11, 59, 84. *See also* *Practical Radicals: Seven Strategies to Change the World*
- Lukes, Steven: coining of “power to,” 154, 158; on the etymology of “power,” 158; and power theory, 151, 153–54; reference to “power with,” 153; on the use of coercive, manipulative tactics, 151; on value dependency of power, 157
- Making All the Difference* (Minow), 66–67
- Mall of America (Minnesota), 149–55, 157, 160–61, 200; collaborative creation of Mighty Moms for help in diffusing teen conflicts, 154–55; example of visible power exercised as “power over,” 160; leadership’s consideration of community of color’s needs, 153; Mall Security

- Mall of America (*continued*)  
targeting of Black teenagers, 150–51; possibility of shifting to “power with” strategy with teens, 156–62; power of Mighty Moms in diffusing conflicts involving teens, 152–55, 157, 160; reversion to “power over” strategy to control teens, 151, 154–56; *Star Tribune’s* criticism of, 155; teenage-related racial tension at, 149–51; white youth’s portrayal of, 149
- Marshall, Thurgood, 30
- Matsuda, Mari, 66
- McDormand, Frances, 175–76
- McGhee, Heather, 53, 84–85, 106. See also *The Sum of Us*
- McIntosh, Peggy, 61
- McIntosh, Peggy, on “white skin privilege . . .,” 61
- Mellon Foundation, 78
- Meyerhof, Robert E., 103, 213
- Meyerhoff Scholars program (University of Maryland, Baltimore County), 103–6, 147, 194, 213–14, 216–19
- Mgeni, Yusef, 155
- Mighty Moms (Mall of America): Club Fed’s creation and support of, 152–53; role of diffusing conflicts of teens, 152–55, 157, 160; trust building with teens, 152–53
- mindfulness, and paradox, 29
- miner’s canary, 100, 101–6, 124; defined, 83; Guinier/Torres, book, 102–3, 156–57; Hrabowski’s intervention at University of Maryland, Baltimore County, on Black students, 83, 100, 101–6, 124, 156–57
- The Miner’s Canary: Enlisting Race, Resisting Power, Transforming Democracy* (Guinier and Torres), 102–3, 156–57
- Minow, Martha, 28–29, 96; “dilemma of difference” term for contradictions, 29; *Making All the Difference*, 66–67
- multiple consciousness, 66, 67
- multiracial collaboration, x, xiii, 117–18, 195
- narratives: American, 214; cultural, 48–49; defined, 49; equal justice, 51; influence of individualism on, 49; institutional, 240; law and order, 51; public, societal, 9, 50; racial, 50–51, 60, 63, 69–73, 75, 77, 79, 106, 116–18, 124, 143, 184, 193, 200; rescripting of, 69, 73; shifting of, 250–51; taken-for-granted, 40
- National Academy of Sciences (NAS), 218; *Expanding Underrepresented Minority Participation: America’s Science and Technology Talent at the Crossroads*, 211–12; Liu’s co-editing work with, 221; Public Welfare Medal, 205–6
- National Association for the Advancement of Colored People (NAACP), 86; awards given to Thompson, 86; Economics Unit, 177; Legal Defense and Educational Fund, 124; Legal Defense Fund (LDF), 197–98; Voting Rights Project, 124
- National Institute of Allergy and Infectious Diseases (NIAID), 219
- National Institute of Corrections, 134
- National Institutes of Health (NIH), 217
- National Science Foundation (NSF), 105, 144, 147, 214
- Native Americans: access to education comparison, 211; Covid-19 death rate comparison, 215; national state trial judges data, 44; state data on lack of Native American justices, 44
- Newark, New Jersey, 162–75; Baraka’s role in positive transformation of, 162–69, 172–73, 175, 182, 185, 187, 197; Cantor’s role in positive transformation of, 197; Community Street Team, 191; DOJ’s negative report on the police department, 164; Equitable Growth Advisory Commission, 173; 1967 racial injustice uprisings, 163; ongoing community building commitment to change, 185–86; Public Safety Collaborative, Rutgers University, 190; Public Safety

- Roundtable, 168; as role model for the Department of Justice, 196; role of Sherills to work with community members, 165–67; Rutgers University’s role in reimagining of, 169–74; white flight from, to the suburbs, 162–63
- Newark Community Street Team (NCST), 166–68
- Newark Public Safety Collaborative (NPSC), 169–70
- No More 10 out of 12s (organization), 106, 108–9, 113
- Norton, Michael, 53
- occupational segregation, 44
- Omi, Michael, 30
- Opportunity Agenda, 50–51
- Orfield, Gary, 2, 6, 23–24, 43–44. See also *The Walls around Opportunity: The Failure of Colorblind Policy for Higher Education*
- organizational catalysts: ADVANCE project’s cultivation of, 145; capabilities of, 117, 118, 141–42; communicating across the racial divide, 128–33; creation of cohorts for sustaining change, 144–48; defined, 115, 117–18; Guinier’s work as, 118–25; multiracial collaboration background of, 117–18; potential blocks against, 148; qualifications for becoming, 125–28; Rodriguez’s work as, 137–43; role in building cross-racial partnerships, 118–33, 148, 190–91; role in connecting to power and resources, 141–42; role in creating “fractals,” 175; role in helping people with anti-racism work, 114–17; role in orchestrating paradoxical possibility, 115–16; role in transformation, 78, 117, 134–35, 140–41, 143–44; successes at Columbia Law School, 147; Tesori’s work as, 117
- O’Shea, Erin, 217
- Out of Many Faiths: Religious Diversity and the American Promise* (Patel), 5
- paradoxes: defined, 18; vs. dilemma, 16–17, 29; etymology, 17
- paradoxical possibility, 60–80; building a multiracial community of change agents, 75–80; building the architecture of, 195–201; commitment to a long-term process of rescripting the racial narrative, 69–73; fuel for creating the pursuit of, 113; Johnson’s observation on, 65; learning to live with contradictions, complexity, 63–68; need for finding common ground, 60 (see also common ground); reflection-in-action work, 61, 187–88; requirements of, 65; rescripting the racial narrative and, 69–73; role of organizational catalysts in orchestrating, 115; taking small steps toward big changes, 73–75
- paradox of racialized institutions, 15, 29–35, 54, 174, 186, 189–90; contradictory stance of educational institutions, 32–33; description, 15, 22, 29–30; federal courts stance against anti-slavery efforts, 31; Lorde’s warning about, 30; Omi and Winant’s work on, 30
- paradox of racialized power, 18–22, 34, 93, 198; challenges of navigating, 54, 60, 174; challenges/role of people of color, 19–21; challenges/role of white people, 18–19, 21–22; description of paradox, 11, 15, 18; getting stuck in, 158; Guinier’s use of, 189; remaining engaged in the face of, 186; requirements of, 19; role of fear of dismantling power over, 85; solidarity dividend and, 108; unavailability of, 96
- paradox of racial salience, xii, 22–29, 34, 42, 48, 101, 133, 186, 198, 238; description of paradox, 15, 22, 42; and full participation, 22; impact on anti-racism, 26; and institutional citizenship, 22; of leadership, 246–47; race consciousness and, 22–26; race neutrality and, 26–28; Supreme Court’s colorblindness example, 17–18
- Paralegal Pathways Initiative (PPI) program, 144

- Parent Artist Advocacy League (PAAL), 107–8
- “Participatory Law Scholarship” essay (López), 184
- Patel, Eboo, 5
- Pedagogy of the Oppressed* (Freire), 68, 100
- Pell Grant amendments, 211
- perceptual segregation, 42, 47; challenges, 91–92
- perspective taking, 72, 123, 131, 191, 230, 240
- Pettine, Raymond, 133–34
- Phillips, Katherine, 6
- Polarity Management: Identifying and Managing Unsolvable Problems* (Johnson), 65
- policing and navigating anti-racism paradoxes: Ithaca and stretch collaboration, 110–13; Newark and repurposing power, 165–68, 171–74
- Porter, Edward, 3
- Powell, Lewis, 4
- power: agenda-setting power, 160; approach to vesting of, to deal with problems, 164; challenge of move from “power over” to “power with” strategy, 156–62; challenges of finding common ground, 6, 8; and change, in legacy institutions, 239–41; component of, in systemic racism, 12; definition/etymology of, 156; downside of accepting “power over” problem solving, 164–65; Galanter on agenda-setting power, 160–61; Gaventa’s article on, 160; impact of whiteness on, xii, 4, 12, 14; invisible power, 160–62, 164; and legacy of racial injustice, 3; Lukes on use of coercive, manipulative tactics, 151; of Mighty Moms at the Mall of America, 152–55, 157, 160; paradox of racialized power, 11, 15 (see also racialized power); policy power, 9–10; race and, 156–57, 161–62; strategies for building others’ in organizations, 179; visible power, 160, 162. See also under Mall of America; power, repurposing of; “power over”; power sharing; “power with”
- power, repurposing of, 149–82, 248; by Baraka, in Newark, 165; critical dimensions of, 156; definition, 154, 156, 158; importance in anti-racism work, 158; and Mall of America, 149–55, 157, 160–61, 200; uplifting of undervalued knowledge, 162–69
- “power over”: Baraka’s use of, as mayor, 175; challenge of moving to “power with,” 156–62, 172, 174–75, 198; Guinier’s criticism of use of, 189; hierarchical power structure of, 151; limitations of, 164–65; in Newark, New Jersey, 168; strategy of Mall of America, 151, 154–55; use of by public policymakers, 196
- power sharing: with Black theater company members, 157; building of, 174; legal contracts as vehicles for ensuring, 175; linked fate and, 162; requirements for success with colored people, 177; and trust, 96; and Vanderbilt Bridge program, 181
- “power with”: approach to expertise of, 172; challenge of moving from “power over” to, 156–62, 172, 174–75, 198; Mall of America’s abandonment of, 155; NCST’s creation of an effective use situation, 168; role of, 153–54; sustaining of, 157, 174–82
- Practical Radicals: Seven Strategies to Change the World* (Bhargava and Luce), 11, 59, 84
- Price, Clement, 169
- Professional Community Intervention Training Institute, 167
- Prosperity Now, 21, 176–78, 185
- proximity, role in promoting transformation, 118, 133–44; indispensability of, 135; role of Lawyering for Change, 135–36, 138, 143; role of organizational catalysts, 143; role of Rodriguez, 137–44; Stevenson on, 136
- Public Safety Collaborative, Rutgers University, 190
- Public Theater (New York), 33, 109
- Purdue-Greenaway, Valerie, 24, 28

- race: definition/description, 10; as a “doing” vs. a “being,” xii; Hall’s observation on, 25; West on the paradox of, 11
- race consciousness: backlashes in response to, 29; Black people’s trust of efforts, 25; countervailing effects of, 24–25; link with race neutrality, 29; necessity of, 23–24; Orfield’s work on, 23–24; strategy failures, 38; Supreme Court’s invitation to resistance of, 26
- race-neutrality, 22, 25–29, 33, 38, 237; anti-racism strategies, 26–28; countervailing concerns caused by, 28; link with race consciousness, 29; and racial salience, 22
- Racial Formation in the United States* (Omi and Winant), 30
- racial inequality (disparities): cycles of failure in addressing, 37; efforts at overcoming by people of color, 35; perpetuating rules and practices, 26–27; throughout the legal process, 37–38
- racial injustice, 3–6, 163, 209
- racial justice: Bell’s observations on, 164, 179; Bell’s work for, 92–93; challenges of finding common ground, 5–7; as focus of Center for Policing Equity, 111; Guinier’s ideas on, 118, 191; Levere’s focus on, 176; privileged white people’s concern for, 85; state of Texas’s attack on, 197; work of organizational catalysts for, 117
- racial literacy, 123–24, 128, 188, 191
- racial stratification, 32–33; in colleges, 32; in organizations, 33
- racism: definition, x–xi; discriminatory treatment at Mall of America, 150–51, 154; Newark uprising protesting, 163; systemic, 12; and the US Constitution, 30–31; Wilson on the meaning of, 81–82
- Ray, Victor, 33
- Reed, Mike, 78. *See also* Liberal Arts Diversity Officers (LADO) Consortium
- reflective practice (self-reflection): benefits of, 61, 187–91; by judges, 40–42, 47–55, 67; by members in a cross-racial theater group, 97–98, 187; by members in an academic setting, 122; as a methodology, xiii, 71–72, 122
- Reimagining Public Safety Collaborative (New York state), 110
- reparative justice: approach to affirmative action, 1; backlashes against pursuing, 3–4; paradoxes of mixing with *e pluribus unum*, 2; successes, 446
- “Report from the Special Advisor on Equal Justice in the New York State Courts” report (New York State), 37–38
- Rhone-Collins, Michelle, 21
- Roberts, John: comment on discrimination, 1; endorsement of colorblind college admissions, 4
- Robinson, Russell, on “perceptual segregation,” 42, 46
- Rodriguez, Alejo: incarceration-related work, 140, 142, 147, 183–84; role in promoting full participation, 185; role in proximity for promoting transformation, 137–44; transformational work with Columbia Law School, 137–39, 147, 183–84, 187, 190 (*see also* Breakthrough Advocacy Through Transformative Learning Exchange); work in transforming the criminal legal system, 137–38, 141, 144
- Roithmayr, Daria, 55–56
- role rigidity, 56–59; combining, with status quo bias, 57; consequences of, 57–58; defined, 40, 56; strategies of organization catalysts in overcoming, 118; theater industry example, 58
- Rothstein, Leah, xi, 43, 132, 198
- Rothstein, Richard, xi, 5–6, 43, 132, 198
- Rutgers University, Newark: Cantor’s role as chancellor, 169; Newark Public Safety Collaborative, 169–70; School of Criminal Justice, Anchor Initiative, 169–70, 175
- Sabel, Charles, 74, 95
- same-sex marriage, 227
- Sanchez, George, 189



- Schlesinger, Arthur M., 206
- science, technology, engineering, and math (STEM) education, 102–5, 116, 180–81, 194, 198, 211–15, 217–18
- Science: The Endless Frontier* (Bush), 212
- Scott, Isaac, 138
- scripted stuckness, 48–51; challenges of overcoming, 59, 93–94; consequences for white people, 51; defined, 40; “double consciousness” and, 50, 66; effort at comprehending, 238; influence on racial inequality, racist attitudes, 49–50; racial scripts, 50–52, 72; rescripting the racial narrative, 72; status quo bias and, 52; strategies of organization catalysts in overcoming, 118; Wilkerson’s writing about, 50
- second generation employment discrimination, x
- Seeing a Color-Blind Future: The Paradox of Race* (Williams), 10–11
- segregation: Birmingham’s Black children’s activism against, 5; experiential (*see* experiential segregation); influence on creating Black and Hispanic colleges, 32; occupational, 44; perceptual, 42, 47; Rothstein’s book on, xi, 43
- self-reflection. *See* reflective practice
- Sewell, William, 46
- SFFA v. Harvard* Supreme Court ruling, 192
- Sherman STEM Teacher Scholars Program (UMBC), 215
- Sherrills, Aqeela: Baraka’s recruitment of, to work with community members in Newark, 166; recruitment of Basheer to lead interactive training programs, 167; role in creating Newark Community Street Team, 167; violence prevention/community healing background, 165–66; work with community members in Newark, 165–67
- Simmons, Devon, 138, 144
- Simons Foundation (SUNY Stony Brook), 217
- Sister Outsider* (Lorde), 25–26, 28, 96
- Smith, Britton, 8–10, 81
- Smith, Clint, xi
- Smith, Kenwyn, 66
- Smith, Nicole, 3
- Smith, Stacey, 175
- Social Change Ecosystem Map (Iyer), 190
- social justice activism, 8, 81; Tesori’s background, 8, 81, 85–87
- Social Justice Research Partnership (UCLA), 167
- solidarity dividend, 106–9; defined, 84, 100–101, 106; effectiveness of, 106; and No More 10 Out OF 12 organization, 106–9, 113; and Parent Artist Advocacy League, 107–8
- Sommers, Samuel, 53
- Sotomayor, Sonia, 192
- status quo bias, 51–56; combining with role rigidity, 57; defined, 40, 52, 55; individualism’s role in, 55; influence of hopelessness, 56; and “psychological safety,” 54; as reason for resisting change, 53–54; strategies of organization catalysts in overcoming, 118; and “system justification,” 52; white people’s policies for sustaining, 55–56
- stereotyping, 24, 28
- Sterling, Alton, 8
- Stevenson, Bryan, 56; TED Talk, 135
- Stewart, Abby, 144–46, 195. *See also* STRIDE (Strategies and Tactics Recruiting to Improve Diversity and Excellence)
- storytelling: BAC’s use of, 9; impact/power of, 49, 126, 137, 141, 191
- stretch collaboration, 109–14; defined, 65, 84, 106, 110; and George Floyd murder, 110; Kahane on, 65, 110; between law enforcement and community members, 111–13
- STRIDE (Strategies and Tactics Recruiting to Improve Diversity and Excellence), 145–47
- “Studied Trust: Building New Forms of Cooperation in a Volatile Economy” (Sabel), 95

- Suburban Sweatshops: The Fight for Immigrant Rights* (Gordon), 179–80
- successes: learning from, ix, 77, 195; as “experimentation” (Sabel and Dorf), 74; momentum created by, 60, 113; of the reparation movement, 46; role of collaboration in creating, 113; role of failure, 186. *See also* failures
- Summers, Mike, 218
- The Sum of Us* (McGhee), 53, 84–85, 106
- Supreme Court: *Brown v. Board of Education* ruling, 6, 44, 192, 197, 211; colorblindness locking in racial exclusion, 28, 31; dismantling affirmative action for college admissions, 2, 4, 17–18, 26, 28, 34, 120, 128–29, 131, 184–86, 192, 217; Guinier’s article criticizing, 192; invitation to resistance of race consciousness by, 26; narrow definition of discrimination, 31; *SFFA v. Harvard* ruling, 192
- sustainability, 21; No More 10 out of 12s actions for, 109; and “power with,” 174–75; and Prosperity Now, 178; role of organizational catalysts, 144; small steps toward large change, 194; and STRIDE, 147; of transformation, 251–53; of Workplace Project, 180
- systemic change: Bhargava/Luce, book on strategies for, 11; Guinier’s strategies for advancing, 192; historical requirements for transforming, 185; possibilities for advancing, 7, 63, 69–70; risk factors for leaders/organizations in promoting, 20, 68; UMBC’s role in advancing, 105–6
- systemic racism: legal system’s invalidation of remedying legislation, 31; multiracial efforts in overcoming, 8–9, 12, 20
- system justification, 52, 75
- “Talented Tenth” (Du Bois), 212–13
- Tatum, Beverly Daniel, 92
- Taylor, Shelley, 45
- Tesori, Jeanine, 8, 21; collaboration with Thompson, 86–89, 96; involvement with the opera *Blue*, 86–88; and linked fate, 85–86, 88–89; projects developed by, 81; social justice activism background, 8, 81, 85–87; work as an organization catalyst, 117; work with Columbia Law School and BAC, 86–87. *See also* *Breaking Glass: Hyperlinking Opera and Issues* podcast
- Theater Communications Group, 81
- theater industry: Baltimore Center Stage, 109; challenges/resistance, in pushing for anti-racist practices, 94–95; examination of racist practices, 89–90; letter by Black and Brown artists demanding change, 90–91; paradoxical patterns in, 33; people of color’s response to apology letter, 92; Public Theater (New York), 33, 109; racism in, 81–82, 89–90, 116; role in addressing racism, 36, 81; role rigidity example, 58; second generation employment discrimination in, x; suggestions of artists on roles written for people of color, 91; trust-building process in, 92–94, 96–99; upholding/celebrating Jim Crow by, 33; “We See You, White American Theater” (online letter), 90; white domination in, 33. *See also* Broadway Advocacy Coalition; Smith, Britton; Tesori, Jeanine; Wilson, August
- Theater of Change (Broadway Advocacy Coalition), 9, 137, 147
- Theatrical Sound Designer and Composer Association, 107
- theory of change, 14–15
- third space, 181
- Thomas-Hunt, Melissa, 24
- Thompson, Tazewell, 86–89. *See also* *Breaking Glass: Hyperlinking Opera and Issues* podcast
- Tilly, Charles, on “durable inequality,” 43
- Tokson, Matthew, 53
- Torres, Gerald, 102–3, 156–57. *See also* *The Miner’s Canary: Enlisting Race, Resisting Power, Transforming Democracy*

- transformation (transformative change):  
C3's challenge of attempting, 79; drivers/ triggers of, 15, 18, 35, 47, 60, 100; rehabilitative transformation, 140; requirements for, 64–65, 73, 75; rescripting process, 70, 72; resistance of institutions, 34; Rodriguez's work with Columbia Law School, 137–39, 147, 183–84, 187, 190; role of choice points, 71, 193–94; role of LADO in catalyzing, supporting, 78; role of organizational catalysts, 78, 117, 134–35, 140–41, 143–44, 190–91; role of proximity in promoting, 133–44; role of “studied trust,” 90; role of the Meyerhoff program, 104; role of trust in building cross-racial collaboration, 11; sustainability of, 251–53; workshop for enabling of, 73; zooming in and zooming out strategy, 191–95
- transparency phenomenon, 47
- Trump, Donald, 34
- trust (trustworthiness, trust-building), 95–100; across historical racial divides, 9–10; in anti-racism work, 15, 23, 70; in communities, 2; in cross-racial collaborations, x, 11, 16, 83, 95, 96; defined, 96; issues of marginalized people, 50; in the justice system, 38, 42, 63, 71, 77; Kahane on, 65, 95; of Mighty Moms with teens at Mall of America, 152–53; paradoxes in, 22; by people of color in white institutions, 95–96; race-conscious vs. race-neutral efforts, 25; risk-taking, 20; role of reflection-in-action, 61; Sabel on, 95; strategies/requirements for building, 16, 29, 95–100; and stretch collaboration, 84, 113; “Trusted Ten” exercise, 45; in the “White American Theater,” 92–94, 96–99
- Tweedy, Damon, 219
- Twine, Linda, 85–86
- Tyranny of the Meritocracy: Democratizing Higher Education in America* (Guinier), 192
- UMBC. *See* University of Maryland, Baltimore County
- Understanding White Privilege* (Kendall), 89
- University of Maryland, Baltimore County (UMBC): changing culture at, 209–11; Chemistry Discovery Center, 105; commitment to “inclusive excellence,” 105; Hrabowski's presidency/goal of full participation, 103–4, 156–57, 185, 194, 213–14; Hrabowski's research intervention (“canaries in the mine”) starting with Black students, 83, 100, 101–6, 124, 156–57; Meyerhoff Scholars program, 103–6, 147, 194, 213–14, 216–19; Sherman STEM Teacher Scholars Program, 215; success rates of African American students, 214, 216–19
- Urban Coalition, 151, 155
- Urban League, 151
- Usual Cruelty: The Complicity of Lawyers in the Criminal Injustice System* (Karakatsanis), 135
- “The Visibility Report” (Asian American Performers Action Coalition), 33
- Volunteers in Probation program (Brown University), 12
- Vosshall, Leslie, 217
- Voting Rights Project (NAACP Legal Defense and Educational Fund), 124
- The Walls around Opportunity: The Failure of Colorblind Policy for Higher Education* (Orfield), 23–24, 43
- Walton, Greg, 24
- Warren, Earl, 30
- Weiner, Eric, 207–8
- “We See You, White American Theater” (online letter), 90–91, 94, 97, 106–8, 157
- West, Cornel, 11
- “what might be,” defined, 14–15
- “What Now Part II: From Ally to Action” online forum (Broadway Advocacy Coalition), 89

- When Affirmative Action Was White* (Katznelson), 55
- white people: access to higher education comparison, 211; association of criminality of Blacks, 39; Baldwin's observation on white Americans, 92; Bell's comments about, 53, 92–93; colleges/universities population data, 32; DiAngelo on “white fragility,” 93–94; first interactions with people of color as peers, 44; homeowner disparities in Minnesota, 178; homophily pattern of, 45; identity development, 92, 96–98; interest-convergence principle of, 92–93; and linked fate, 84–89; NY State justice system comparison, 38; and occupational segregation, 44; owning up to racism by, 23; potential “colorblindness” of, 42; punitive/discriminatory treatment comparison, 57; and racialized power, 18–19; racial schemas of, 46–47; Robinson on race-consciousness of, 42; Rothstein's book on patterns of segregation, 43; self-proclaimed allyship of, 93; and sharing power, 21–22; success rate comparison of students, 104; and “transparency phenomenon,” 47; warnings against using “anti-racism” term, 22; zero-sum mindset of, 53
- “Whites See Racism as a Zero-Sum Game That They Are Now Losing” (Norton and Sommers), 53
- Why Are All the Black Kids Sitting Together in the Cafeteria* (Tatum), 92
- “Why the ‘Haves’ Come Out Ahead” article (Galanter), 160–61
- Wilkerson, Isabel, 50–51
- William Fulbright Prize for International Understanding, 219
- Williams, Patricia, 10–11, 47, 74
- Williams, Sandy, 219
- Wilson, August, 81; “The Ground on Which I Stand” speech (Wilson), 81–82, 90; theater-related critique of racism, 82
- Winant, Howard, 30
- Winter, Alix, 56–57
- Workplace Project, 179–80
- workshops: culture change initiative process, 39–40; homophily pattern of connections at, 45; leadership, 61–63; participation by Latino/a/e court officers, 62; refrains heard at, 24–25; state trial court system, 41, 45, 47, 54, 56, 61–62; “Trusted Ten” exercise, 45
- Zambello, Francesca, 86
- zero-sum mindset, 3, 53, 101, 148, 153, 156, 240
- zooming in and zooming out strategy, 191–95