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Panel Handout: Microaggressions and Implicit Bias on Campus - Microaggression Theory: A Selected Bibliography 2016

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Microaggression Theory: A Selected Bibliography 2016

BOOKS

Sue, Derald Wing, **Microaggressions in Everyday Life: Race, Gender, and Sexual Orientation** (2010, John Wiley & Son)

Sue, Derald Wing, **Microaggressions and Marginality: Manifestation, Dynamics, and Impact** (2010, John Wiley & Son)

Nadal, Kevin L. **That's So Gay!: Microaggressions and the Lesbian, Gay, Bisexual and Transgender Community (Perspectives on Sexual Orientation and Gender Diversity)** (2013, American Psychological Association.)

Shafir, Eldar, Ed., **The Behavioral Foundations of Public Policy**, (Princeton University Press) (2012) "The Nature of Implicit Prejudice: Implications for Personal and Public Policy" (Hardin and Banaji)

Sue, Derald Wing, **Race Talk and the Conspiracy of Silence: Understanding and Facilitating Difficult Dialogues on Race** (2016)

PSYCHOLOGY AND SOCIOLOGY JOURNALS

Madonna G. Constantine & Derald Wing Sue, **Perceptions of Racial Microaggressions Among Black Supervisees in Cross-Racial Dyads**, 54 J. Counseling Psychol. 142, 148 (2007) (describing reluctance of Whites to label ambiguous events as discriminatory)

Platt, Lisa F. & Lenzen, Alexandra L. **Sexual Orientation Microaggressions and the Experience of Sexual Minorities**, Journal of Homosexuality, Volume 60, Issue 7 (2013)

Ong, Anthony D.; Burrow, Anthony L.; Fuller-Rowell, Thomas E.; Ja, Nicole M.; Sue, Derald Wing, **Racial Microaggressions and Daily Well-being Among Asian Americans.** *Journal of Counseling Psychology*, Vol 60(2), Apr 2013. Multilevel analyses indicate that elevations in daily microaggressions, as well as greater microaggressions on average, predicted increases in somatic symptoms and negative affect.

Ruggs, E. N., Law, C., Cox, C. B., Roehling, M. V., Wiener, R. L., Hebl, M. R. and Barron, L. (2013), “**Gone Fishing: I–O Psychologists' Missed Opportunities to Understand Marginalized Employees' Experiences With Discrimination.**” *Industrial and Organizational Psychology*, 6: 39–60. doi: 10.1111/iops.12007

Clark, D. Anthony; Kleiman, Sela; Spanierman, Lisa B.; Isaac, Paige; Poolokasingham, Gauthamie “**Do you live in a teepee?**” **Aboriginal students' experiences with racial microaggressions in Canada,** *Journal of Diversity in Higher Education*, Vol 7(2), June, 2014.

Offermann, Lynn R.; Basford, Tessa E.; Graebner, Raluca; Jaffer, Salman; De Graaf, Sumona Basu; Kaminsky, Samuel E., **See No Evil: Color Blindness and Perceptions of Subtle Racial Discrimination in the Workplace.** *APA Journal, Cultural Diversity and Ethnic Minority Psychology*, (Aug. 2014.)

Bostwick, Wendy & Hequembourg, Amy “**Just a Little Hint: Bisexual-Specific Microaggressions and Their Connection to Epistemic Injustices**” *Culture, Health & Sexuality: An International Journal for Research, Intervention and Care* (2014)

Nadal, Kevin L., Davidoff, Kristin C., Davis, Lindsey S., and Wong, Yinglee “**Emotional, Behavioral, And Cognitive Reactions To Microaggressions: Transgender Perspectives**” *Psychology Of Sexual Orientation and Gender Diversity*, Vol. 1, No. 1, 72-81 (2014)

LAW REVIEW ARTICLES

Davis, Peggy C., “**Law as Microaggression**”, 98 Yale L.J. 1559, 1560 (1989) (defining microaggressions as “incessant, often gratuitous and subtle offenses”)

Dubin, Jon C. “**Faculty Diversity As A Clinical Legal Education Imperative**” 51 *Hastings Law Journal* 445 (March 2000) Vigilance and psychic energy are required not only to marshal adaptational techniques, but also to distinguish microaggressions from differently motivated actions.

Silver, Marjorie A. **“Emotional Competence, Multicultural Lawyering and Race”** 3 *Fla. Coastal L.J.* 219 (2002)

Solórzano, Ph.D., Daniel, Allen, Ph.D., Walter R., Carroll, Ph.D, Grace **“Keeping Race In Place: Racial Microaggressions And Campus Racial Climate At The University Of California, Berkeley”** 23 *Chicano-Latino L. Rev.* 15 (2002)

Tremblay, Paul R. **“Interviewing and Counseling Across Cultures: Heuristics and Biases”** 9 *Clinical L. Rev.* 373 (2002). In their work, lawyers must take cultural background into consideration expressly, but at the same time they must avoid harmful and unfair generalizations and stereotypes.

Fox, Suzy & Stallworth, Lamont E. **“Employee Perceptions of Internal Conflict Management Programs and ADR Processes for Preventing and Resolving Incidents of Workplace Bullying: Ethical Challenges for Decision-Makers in Organizations”** 8 *Emp. Rts. & Emp. Pol’y J.* 375, 378-79 (2004). The workplace provides ample opportunity for subtle and often unconscious manifestations of racism in the form of incivility, neglect, humor, ostracism, inequitable treatment, or other forms of microaggression and microinequities.

Ahmad, Muneer I. **“Interpreting Communities: Lawyering Across Language Differences”** 54 *UCLA L. Rev.* 999 (June 2007.)

Robinson, Russell K. **“Perceptual Segregation”** 108 *Colum. L. Rev.* 1093 (June 2008) Outsiders and insiders tend to perceive allegations of discrimination through fundamentally different psychological frameworks. Sensitizing white people to the gap between what they intend and how they are perceived should help reduce such microaggressions and improve intergroup relations.

Abdo, Aliah, **The Legal Status Of Hijab In The United States: A Look At The Sociopolitical Influences On The Legal Right To Wear The Muslim Headscarf**, 5 *Hastings Race & Poverty L. J.* 441 (Summer 2008) Reaction to the hijab takes the form of microaggression: smaller everyday incidents of racism, committed either consciously or subconsciously.

Gee, Harvey **“Review Essay: Asian Americans, Critical Race Theory, and the End of the Model Minority Myth”** 19 *Temp. Pol. & Civ. Rts. L. Rev.* 149 (2009)

Rich, Camille Gear **“Marginal Whiteness”** 98 *Cal. L. Rev.* 1497 (2010) How whites are injured by minority-targeted racism.

Chew, Pat K. **“Seeing Subtle Racism”** *Stanford Journal of Civil Rights & Civil Liberties*, 6 *Stan. J. Civ. Rts. & Civ. Liberties* 183 (October, 2010) Traditional

employment discrimination law does not offer remedies for subtle bias in the workplace.

Chang, Robert S., and Davis, Adrienne D. **“An Epistolary Exchange Making Up Is Hard To Do: Race/Gender/Sexual Orientation In The Law School Classroom”** *Harvard Journal of Law & Gender* (Winter 2010)

King, Eden B.; Dunleavy, Dana G.; Dunleavy, Eric M.; Jaffer, Salman; Morgan, Whitney Botsford; Elder, Katie; Graebner, Raluca **“Discrimination in the 21st Century: Are Science and the Law Aligned?”**, 17 *Psychol. Pub. Pol'y & L.* 54 (2011). This research explores the presence, severity, and frequency of microaggressions that appear in a random sample of race and gender discrimination cases in federal court dockets since the year 2000. The results suggest that microinsults, microinvalidations, and microassaults are reported in a variety of discrimination claims. However, only overt and intentional forms of microaggressions (microassaults) increased the likelihood that decisions favored plaintiffs. Thus, there may be a disconnect between forms of discrimination perceived by claimants and how those forms are evaluated by the legal system that protects victims of discrimination. This potential misalignment of science and practice is discussed, as are directions for future research.

Lee, Brant T. **“Biological Metaphors For Whiteness: Beyond Merit And Malice”** *Berkeley Journal of African-American Law & Policy* 13 *Berkeley J. Afr.-Am. L. & Pol'y* 101 (2011) If we consider the automatic nature of implicit bias we see that microaggressions can contribute to a feedback effect: microaggression contributing to poor Black performance, which confirms the negative associations giving rise to the microaggression. A microaggression is a behavioral tic that people exhibit when confronting something or someone with whom they bear a strong implicit association.

Nunn, Kenneth B. **“The 'R-Word': A Tribute to Derrick Bell”** 22 *U. Fla. J.L. & Pub. Pol'y* 431 (2011)

Sperino, Sandra F. **“Rethinking Discrimination Law”** *Michigan Law Review* 110 *Mich. L. Rev.* 69 (October, 2011) Modern employment discrimination law is defined by an increasingly complex set of frameworks. These frameworks structure the ways that courts, juries, and litigants think about discrimination. This Article challenges whether courts should use the frameworks to conceptualize discrimination.

Stone, Kerri Lynn **“Shortcuts In Employment Discrimination Law”** *Saint Louis University Law Journal* 56 *St. Louis U. L.J.* 111 (Fall 2011) The same actor inference, the stray comment doctrine, and strict temporal nexus requirements, as

courts have applied them, make up large and dangerous trend in the area of employment discrimination jurisprudence.

Kanter, Arlene S., *The Law: What's Disability Studies Got to Do with It or An Introduction to Disability Legal Studies* (April 25, 2011). *Columbia Human Rights Law Review*, Vol. 42, No. 2, Winter 2011.

Carter, Ph.D., Robert T., and Scheuermann, M.A., J.D., Thomas D. **“Legal And Policy Standards For Addressing Workplace Racism: Employer Liability And Shared Responsibility For Race-Based Traumatic Stress”** *University of Maryland Law Journal of Race, Religion, Gender and Class* 12 U. Md. L.J. Race, Religion, Gender & Class 1 (Spring 2012) While overt bigotry may have receded in recent decades, rumors of its demise as an ongoing social problem, microaggressions can cause cumulative injurious effects.

Emens, Elizabeth F., **“Disabling Attitudes: U.S. Disability Law and the ADA Amendments Act”** *American Journal of Comparative Law*, Vol. 60, p. 205, 2012; Columbia Public Law Research Paper No. 12-300.

Bassett, Debra Lyn **“Deconstruct and Superstruct: Examining Bias Across the Legal System”** *UC Davis Law Review* 1563 (May 2013)

Greene, D. Wendy **“A Multidimensional Analysis Of What Not To Wear In The Workplace: Hijabs And Natural Hair”** *FIU Law Review* 8 FIU L. Rev. 333 (Spring, 2013) Black and Muslim women may experience daily microaggressions, rude behavior, dismissive statements, or outright disrespect because of their hairstyles and head coverings which cumulatively, can have adverse consequences on [their] well-being.”...

Fujimoto, David W. **“Thrown Under The Bus: Victims Of Workplace Discrimination After Harris”** *University of San Francisco Law Review* 48 U.S.F. L. Rev. 111 (Summer 2013) While the study of microaggressions is a more recent development in discrimination law, the available research suggests that the presence of microaggressions impairs relationships between individuals, and in the employment context can lead to exhaustion and stress, which is likely to impair performance.

Gabriel, Raquel J., *Law Library Journal* 105 Law Libr. J. 405 (Summer 2013). Selected readings on culture, diversity, organizational culture, leadership, conflict management, and racial microaggressions.

Green, Tristin K. **“Racial Emotion In The Workplace”** *Southern California Law Review* 86 S. Cal. L. Rev. 959 (July, 2013) The concept of microaggressions has also been developed in critical race scholarship, including legal scholarship.

Stone, Kerri Lynn **“Decoding Civility”** *Berkeley Journal of Gender, Law & Justice* 28 Berkeley J. Gender L. & Just. 185 (Summer 2013)

Feingold, Jonathan, and Souza, Doug **“Measuring the Racial Unevenness of Law School”** *Berkeley Journal of African-American Law & Policy* 15 Berkeley J. Afr.-Am. L. & Pol'y 71 (2013)

Li, Peggy **“Hitting The Ceiling: An Examination Of Barriers To Success For Asian American Women”** *Berkeley Journal of Gender, Law & Justice* 29 Berkeley J. Gender L. & Just. 140 (Winter 2014)

Lawrence III, Charles R., **“Local Kine Implicit Bias: Unconscious Racism Revisited (Yet Again)”** 37 Hawaii L. Rev 457 (Spring 2015)