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978-1-107-05753-1 - Recalibrating Reform: The Limits of Political Change

Stuart Chinn

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Recalibrating Reform

Some of the most important eras of reform in U.S. history reveal a troubling pattern: often reform is compromised after the initial legislative and judicial victories have been achieved. Thus Jim Crow racial exclusions followed Reconstruction; employer prerogatives resurged after the passage of the Wagner Act in 1935; and after the civil rights reforms of the mid-twentieth century, principles of color-blindness remain dominant in key areas of constitutional law that allow structural racial inequalities to remain hidden or unaddressed. When momentous reforms occur, certain institutions and legal rights will survive the disruption and remain intact, just in different forms. Thus governance in the postreform period reflects a systematic recalibration or reshaping of the earlier reforms as a result of the continuing influence and power of such resilient institutions and rights. *Recalibrating Reform* examines this issue and demonstrates the pivotal role of the United States Supreme Court in postreform recalibration.

Stuart Chinn is an assistant professor at the University of Oregon School of Law. He received his BA, PhD (political science), and JD degrees from Yale University. Previously, he was a visiting assistant professor at the University of Texas School of Law. His research and teaching interests are in constitutional law, constitutional theory, legislation, and legal and political history. He has published in the journals *Law & Social Inquiry*, *The Journal of Law*, and *Polity*, and he has a chapter in the edited volume *Living Legislation* (2012).

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For my parents Leung and Betty Chinn

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