

Selling Diversity Short

40 Rutgers L. Rec. 68 (2012) | [WestLaw](#) | [LexisNexis](#) | [PDF](#)

Nancy Leong's forthcoming article in the Harvard Law Review, Racial Capitalism, has received much attention even in advance of its publication. The article was posted to the popular site for academic and scholarly work, the Social Science Research Network (SSRN), on February 21, 2012, which coincidentally was the same day that the Supreme Court granted certiorari in Fisher v. Texas. Leong's article has since received nearly 2,500 views. Nancy Leong has, to say the least, hit on a hot button issue with Racial Capitalism, which has become the focus of only more acute attention since the discourse on race has hit a fever pitch in anticipation of the Court's ruling later this term in the Fisher case. It is this furor of interest over whether this newfound diversity interest attacked by Leong and scrutinized by the Court offers anything substantively different than past remedial uses of race and, perhaps even more important, whether that difference is beneficial that motivates this response. Leong answers both of these questions in the negative. I respectfully disagree."

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