1. Record Nr. UNINA9910462682703321 Autore Bedi Sonu **Titolo** Beyond race, sex, and sexual orientation: legal equality without identity // Sonu Bedi, Dartmouth College [[electronic resource]] Cambridge:,: Cambridge University Press,, 2013 Pubbl/distr/stampa **ISBN** 1-139-89079-4 1-107-24132-4 1-107-25091-9 1-107-24759-4 1-107-25008-0 1-107-24019-0 1-107-24842-6 1-139-08764-9 Descrizione fisica 1 online resource (x, 281 pages) : digital, PDF file(s) Disciplina 342.7308/5 Soggetti Equality before the law - United States Discrimination - Law and legislation - United States Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Title from publisher's bibliographic system (viewed on 05 Oct 2015). Note generali Includes bibliographical references and index. Nota di bibliografia Nota di contenuto Suspect class and the dilemma of identity -- A powers review -- How constitutional law rationalizes racism -- Why racial profiling is based on animus -- The puzzle of intermediate scrutiny -- Same-sex marriage and the disestablishment of marriage. The conventional interpretation of equality under the law singles out Sommario/riassunto certain groups or classes for constitutional protection: women, racial minorities, and gays and lesbians. The United States Supreme Court calls these groups 'suspect classes'. Laws that discriminate against them are generally unconstitutional. While this is a familiar account of equal protection jurisprudence, this book argues that this approach suffers from hitherto unnoticed normative and political problems. The book elucidates a competing, extant interpretation of equal protection jurisprudence that avoids these problems. The interpretation is not

concerned with suspect classes but rather with the kinds of reasons

that are already inadmissible as a matter of constitutional law. This alternative approach treats the equal protection clause like any other limit on governmental power, thus allowing the Court to invalidate equality-infringing laws and policies by focusing on their justification rather than the identity group they discriminate against.