

2021-2022 LECTURE SERIES ON RACE AND REGULATION



Administrative Law's Racial Blind Spot

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Via Zoom

Administrative law has a blind spot. Under the Administrative Procedure Act, judges have set aside agency action for failures to consider differential impacts on certain subgroups of business owners, park visitors, and even animals. But when it comes to differential impacts based on race or ethnicity, courts largely have refused to entertain claims.

In this lecture, Daniel E. Ho of Stanford Law School traces how civil rights and administrative law have diverged over the past fifty years, as U.S. court decisions have removed issues of racial discrimination from administrative law's purview. He explains the legal and policy implications for today's administrative state.



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