Russell K. Robinson
UC Berkeley School of Law 439
Boalt Hall North
Berkeley, CA 94720
Tel: (510) 642-3932 (o); 646-335-3322 (c)
Email: rkrberk@gmail.com

EDUCATION

J.D., Harvard Law School, 1998, *cum laude*; Note Editor, *Harvard Law Review*
B.A., Political Science, Hampton University, 1995, *summa cum laude*

EMPLOYMENT

Professor of Law, Walter Perry Johnson Professor of Law & Faculty Director, Center on Race, Sexuality & Culture, UC Berkeley Law, 2011-
Scholar in Residence, NYU Law School, Fall 2019
Visiting Professor of Law, Columbia Law School, Spring 2015
Visiting Professor of Law, UC Berkeley Law, 2010-2011
Professor of Law, UCLA School of Law, 2009-2011
Acting Professor of Law, UCLA School of Law, 2004-2009
Visiting Professor of Law, Fordham Law School, 2003-2004
Associate, Akin, Gump, Strauss, Hauer & Feld, Los Angeles, 2001-2002
Law Clerk, Justice Stephen G. Breyer, U.S. Supreme Court, 2000-2001
Attorney-Advisor, U.S. Department of Justice, Office of Legal Counsel, 1999-2000
Law Clerk, Judge Dorothy W. Nelson, Ninth Circuit Court of Appeals, 1998-1999

BIBLIOGRAPHY

Articles

"Unequal Protection" Revisited: The Intersection of Race, Gender, and Sexuality in OXFORD HANDBOOK ON RACE AND LAW IN THE UNITED STATES (forthcoming 2026)
The Incoherence of the "Colorblind Constitution," 113 CALIF. L. REV. 997 (2025)
Devon W. Carbado & Russell K. Robinson, SFFA: Bakke's Chickens Coming Home to Roost, 113 CALIF. L. REV. 1035 (2025)
Sexual Racism as White Privilege: the relationship and psychic negotiation of desire, power, and sex in SEXUAL RACISM AND SOCIAL JUSTICE (Oxford U. Press 2024)
"It's Like Slapping Somebody in the Face in the Middle of Sex": An Intersectional Exploration of Emotional Abuse in Queer Relationships, 39 JOURNAL OF FAMILY VIOLENCE 1219 (2024)

Marriage equality & intersectionality, ANALYSES OF SOCIAL ISSUES AND PUBLIC POLICY, 1-22 (2023) (with David M. Frost)

What Christianity Loses When Conservative Christians Win at the Supreme Court, 2021 SUP. CT. REV. 185 (2022)

Lawrence v. Texas Rewritten in CRITICAL RACE JUDGMENTS: REWRITTEN SUPREME COURT OPINIONS ON RACE AND THE LAW (Cambridge U. Press 2022)

"Gayface" at the Academy Awards: Queer Representation without Queer People, https://www.law.berkeley.edu/wp-content/uploads/2022/03/Gayface-3-29-22.pdf (with Anna Grace Nwoso & Isabella Coelho)

Mayor Pete, Obergefell Gays, and White Male Privilege, 69 BUFF. L. REV. 295 (2021)

Marriage Equality and the Gayocracy, Review of William N. Eskridge, Jr. & Christopher Riano's MARRIAGE EQUALITY: FROM OUTLAWS TO IN-LAWS (2020)

Justice Kennedy's White Nationalism, 53 UC DAVIS L. REV. 1027 (2019)

"Playing It Safe" with Empirical Evidence:

Selective Use of Social Science in Supreme Court Cases About Racial Justice and Marriage Equality, 112 Nw. L. Rev. 1500 (2018) (with David M. Frost)

LGBT Equality and Sexual Racism, 86 FORD. L. REV. 2379 (2018) (with David M. Frost)

The Afterlife of Homophobia 60 ARIZ. L. REV. 213 (2018)

(with David M. Frost)

Unequal Protection, 67 STAN. L. REV. 151 (2016)

Diverging Identities, in AFTER MARRIAGE: THE FUTURE OF LGBT RIGHTS (NYU Press 2016)

Marriage Equality & Postracialism, 61 UCLA L. Rev. 1010 (2014)

Masculinity as Prison: Sexual Identity, Race, and Incarceration,

99 CALIF. L. REV. 1309 (2011)

Racing the Closet, 61 STAN. L. REV. 1463 (2009)

Perceptual Segregation, 108 COLUM. L. REV. 1093 (2008)

Structural Dimensions of Romantic Preferences, 76 FORDHAM L. REV. 2787 (2008)

Uncovering Covering, 101 NW. U. L. REV. 1809 (2007)

Casting and Caste-ing: Reconciling Artistic Freedom and Antidiscrimination Norms, 95 CAL. L. REV. 1 (2007)

In the Case of Lyle v. Warner Bros. Television Productions: *A Brief Amicus Curiae*, 12 UCLA ENT. L. REV. 169 (2005)

Note, *The Constitutionality of Proposition 209 as Applied*, 111 HARV. L. REV. 2081 (1998)

Case Comment: Glickman v. Wileman Bros. & Elliott, Inc., 117 S.Ct. 2130 (1997), 111 HARV. L. REV. 319 (1997)

Recent Case: Brown v. Hot, Sexy & Safer Prods., Inc., 68 F.3d 525 (1st Cir. 1995), 110 HARV. L. REV. 1179 (1997)

SELECT INVITED LECTURES, MEDIA APPEARANCES, AND SIMILAR ACTIVITIES

Race-Consciousness After SFFA, Law and Society Annual Conference, May 2025

Executive Disorder: Resisting the War on Equal Opportunity, African American Policy Forum, https://www.youtube.com/watch?v=ksLDy8wHXy4&t=25s, March 2025

Indivisible: Why Racial, Gender, and LGBTQIA+ Justice Cannot Be Separated, African American Policy Forum, https://www.youtube.com/watch?v=kJimiE3Alsw, May 2022

The world may be talking about Will Smith, but Ariana DeBose's Oscar win is much more momentous, SF Chron., March 29, 2022, https://www.sfchronicle.com/opinion/openforum/article/The-world-may-be-talkingabout-Will-Smith-but-17037441.php

Call out Dave Chappelle's transphobia, but don't erase his critiques of LGBTQ racism, SF Chron., November 4, 2021, https://www.sfchronicle.com/opinion/openforum/article/Call-out-Dave-Chappelle-stransphobia-but-16590293.php

Panelist, *UC Hastings Law Symposium: The Jurisprudence of Justice Anthony Kennedy*, February 2019

Invited Speaker, DePaul Law Study Abroad Program, Berlin, Germany, July 2018

Keynote Address, Wikimedia Foundation Annual Conference, January 2018

Invited Speaker, LGBT Relationships and Racial Preferences, Black Europe Symposium, Amsterdam, NL, July 2017

Invited Speaker, Queens College, Canada, Constitutional Culture: Identities, Texts, Institutions, October 2015

Principal Organizer, *From Caitlyn Jenner to Rachel Dolezal: The Social Construction of Race and Gender*, HIFIS/UC Berkeley Law, October 2015

Faculty Workshop, UC Berkeley School of Law, September 2015

Faculty Workshop, UCLA School of Law, September 2015

Faculty Workshop, University of Chicago Law School, November 2013

Faculty Workshop, University of Iowa College of Law, October 2013

Panelist, LatCrit 2013 Biennial Conference, October 2013

Not Quite a Breakthrough: The Oscars and Actors of Color, February 2012, empirical study of racial demographics of Oscar winners and nominees and impact of race on their career trajectories, covered by *Los Angeles Times*, *LA Weekly* and other media outlets

Speaker, *Marriage Equality and Post-Racialism*, UC Berkeley Law Faculty Workshop, February 2012

Faculty Organizer/Panelist, *Sex & the State*, UC Berkeley Law, November 2011

Principal Organizer, *HIV & Inequality Retreat*, Center for American Progress, Washington, DC, October 2011

Principal Organizer, *HIV, Race & the Obama Administration*, UC Berkeley Law, March 2011

Speaker, *Masculinity as Prison*, Columbia Law School Faculty Workshop, October 2010

Panelist, *The Family and its Others*, Family Law Camp, Harvard Law School, July 2009

Interview, CNN, *Judge Sotomayor's Remarks*, Lou Dobbs Tonight, CNN, May 29, 2009

Faculty Organizer/Moderator, *The FDA Ban on "Gay" Blood*, Critical Race Studies Program, UCLA School of Law, March 2009

Panelist, *California Marriage*, Williams Institute Annual Update: The Global Arc of Justice: Sexual Orientation Law around the World, March 2009

Moderator, *3rd Annual Critical Race Studies Symposium - Race in Colorblind Spaces*, UCLA School of Law, March 2009

Faculty Organizer/Moderator, *The Aftermath of Prop 8: Is Gay* Really *the New Black?*, Critical Race Studies Program, UCLA School of Law, November 2008

Panelist, *Identity Politics and Political Identities: Race to the White House*, Critical Race Studies Symposium, UCLA School of Law, October 2008

Panelist, *Local Interaction, Constitutive Community, and the Role of Law: The Place of Identity*, Law and Society Ass'n, 2008 Annual Meeting, May 2008

Panelist, RACE, SEX, & POWER: New Movements in Black & Latina/o Sexualities, University of Illinois-Chicago, April 2008

Faculty Organizer/Commentator, *2nd Annual Critical Race Studies Symposium - Race, Sexuality & the Law: Abercrombie, Imus & Beyond*, UCLA School of Law, March 2008

Moderator, *Beyond Anti-discrimination Legislation*, Williams Institute Annual Update on Sexual Orientation Law and Policy, February 2008

Panelist, *AALS Law and Humanities Section*, AALS Annual Conference, January 2008

Panelist, *Forty Years of Loving: Confronting Issues of Race, Sexuality, and the Family in the Twenty-First Century*, Fordham Law Review, November 2007

Panelist, *dis/organized pleasures–Changing Bodies, Rights and Cultures,* Lima, Peru, June 2007

Panelist, *Intersectionality and Interdisciplinarity*, Critical Race Studies Symposium, UCLA School of Law, April 2007

Moderator, *Bringing It Home: Recent Developments in the U.S.*, Williams Project Annual Update on Sexual Orientation Law and Policy, February 2007

Interview, CNN, *Celluloid Ceiling*, Paula Zahn Now, Jan. 24, 2007 (regarding my article on casting discrimination in film industry)

Scott Martelle, *Casting Calls May Violate Federal Law*, L.A. TIMES, Nov. 30, 2006, at E14 (reporting findings of my examination of casting discrimination)

Dave McNary, *Minorities Have Legal Ground to Sue Studios*, VARIETY, Nov. 30, 2006 (reporting findings of my examination of casting discrimination)

Panelist, *Are Gay Rights Black Rights?*, NAACP Convention – California Conference, October 2006

Panelist, *Whither the Court - A Review of the Supreme Court Term*, UCLA School of Law, August 2006

Panelist, *Race, Media, and Reconceptualizing Regulation and the First Amendment*, Rethinking the Discourse on Race Symposium, St. John's University School of Law, April 2006

Moderator, *Looking at Lawrence*, Williams Project Annual Update on Sexual Orientation Law and Policy, February 2006

Panelist, *Hate Speech Dichotomies*, Comparative Hate Speech Conference, Cardozo School of Law, November 2005

Panelist, *Casting out of Type—The Title VII Debate*, Ethics of Entertainment Conference, Arizona State University, October 2005

Presenter, *Changing Popular Opinion about Law and Rights*, Law and Society Ass'n, 2005 Annual Meeting, June 2005

Panelist, *Sexual Harassment or Creative Freedom?*, UCLA Entertainment Law Review/Critical Race Studies Concentration, April 2005

Moderator, *Strange Fruit* Film Forum, UCLA Williams Project/Critical Race Studies Concentration, April 2005

Panelist, *Image Is Everything: The Business of Marketing and Sales of Minority Images in Film & Television*, NAACP Hollywood Bureau Diversity Symposium, March 2005

Panelist, *Government Discrimination*, Southwestern University Law Review Symposium on LGBT Issues and the Civil Rights Agenda, January 2005

Panelist, *Art Law Panel*, AALS Annual Meeting, January 2005

Panelist, *Race and the Race to the White House*, Critical Race Studies Program, November 2004

Panelist, *Did the Gay Vote Matter?*, Williams Project, November 2004

Presenter, *On Caste and Casting*, Critical Race Studies Program, October 2004

Commentator on book by DAVID E. BERNSTEIN, YOU CAN'T SAY THAT: THE GROWING THREAT TO CIVIL LIBERTIES FROM ANTIDISCRIMINATION LAWS, Fordham Law School, September 2003

Panelist, *The U.S. Supreme Court and Intellectual Property Law*, Eleventh Annual Conference on International Intellectual Property Law and Policy, Fordham Law School, April 2003

Interview, Andrew Wallenstein, HOLLYWOOD REPORTER, *USA's New 'Kojak' Pushes International Boundaries*, Mar. 28, 2005

Interview, CNN, *Paula Zahn Now*, Feb. 20, 2004: interviewed regarding legal obstacles to the recognition of same-sex marriages granted in San Francisco

Interview, Bob Egelko, *Supreme Court Leans to the Left: Conservatives Can No Longer Rely on Justices Marching to Their Tune*, S.F. CHRON., June 29, 2003, at A1

Interview, CNN, *American Morning*, June 25, 2003: interviewed regarding Supreme Court decisions in Lawrence v. Texas and Nike v. Kasky

Interview, BET, *BET Nightly News*, June 25, 2003: interviewed regarding Grutter v. Bollinger and Gratz v. Bollinger

AWARDS, HONORS, COMMENDATIONS

2016 LGBT Trailblazer Award, Pride Law Fund, August 2016

Dukeminier Award for Best Law Review Articles on Sexual Orientation, *Racing the Closet*, 61 STAN. L. REV. 1463 (2009)

Earl Warren Scholar, NAACP Legal Defense and Educational Fund