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warnings were the Court's creation under the Fifth Amendment that did not go far enough, giving officers "a pathway to violate rights" (p.81). Similarly, he contends that *Batson v. Kentucky*¹⁰ does not go far enough to protect the right to an impartial jury under the Sixth Amendment because courts "are inclined to accept any old allegedly 'race-neutral' reason for excluding Black jurors" (p.107). He further argues that the Eighth Amendment's protection against cruel and unusual punishment is vague and subjective, and he rejects originalist arguments.

¶148 Mystal's discussion of the Reconstruction Amendments (the Thirteenth, Fourteenth, and Fifteenth Amendments) and voting rights examines how the U.S. Supreme Court has and continues to undermine these rights. He points to the Court's use of judicial review tests that result in "subjectively outcome determinative" (p.161) decisions. Mystal argues that the Court is dismantling laws designed to protect against the disenfranchisement of racial minorities through voter suppression and illegal gerrymandering. "We have not lived one day in this nation, we have not passed through one election, where all four of the voting rights amendments were made real by Congress and enforced by the executive branch to their fullest potential" (p.205).

¶149 Mystal offers solutions throughout the book to combat the degradation of rights. To fix police brutality, he suggests, "Make stopping people because they're Black an 'unreasonable search.' Make shooting people because they're Black an 'unreasonable seizure.' Make 'shall not be violated' include actually prosecuting cops and holding them personally accountable when they violate these principles" (p.73). To fix the broken Electoral College, he recommends constitutional amendment. He offers South Africa as an example of a country that got it right. South Africa chose to address its apartheid constitution by writing "an entirely new document, in a constitutional convention that represented all of the people...[T]he South African Constitution now stands as a model for the world" (p.127).

¶150 Mystal's debut is a timely and compelling work. His perspective and voice offer an incisive retort to conservative efforts to eliminate critical race theory from higher learning. This is a must-read book recommended for public and academic libraries.

Strum, Philippa. *On Account of Sex: Ruth Bader Ginsburg and the Making of Gender Equality Law*. Lawrence, Kansas: University Press of Kansas, 2022. 206p. \$21.95.

*Reviewed by Tang (Cindy) Tian**

¶151 Enacted in 1868 following the Civil War, the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution forbade the state from discriminating based on race or color; but for more than a century, the court turned away from using it to strike down statutory gender inequality. Despite the ratification of the Nineteenth Amendment in 1920, which gave women the right to vote, discrimination against women was still reflected in statutes regulating multiple aspects of life. In her new book

10. 476 U.S. 79 (1986).

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On Account of Sex: Ruth Bader Ginsburg and the Making of Gender Equality Law, Philippa Strum relies on interviews she held with Ginsburg over more than four decades and impeccable research to detail how Ginsburg and her allies pioneered litigation for women's rights and gender equality in the United States, featuring landmark cases that changed the meaning of the Fourteenth Amendment and the subsequent constitutional landscape.

¶52 Chapter 1 describes Ginsburg's early life and the start of her legal career in the context of women's evolving social and legal status. It examines developments in women's participation in the public sphere since the latter half of the 19th century which began to change the political and civil status of women but, according to Ginsburg, "stimulated no dynamic change in constitutional interpretation" (p.20). Following a vibrant civil rights movement in the 1960s, Ginsburg began developing a course on women and the law but discovered that scholarship on the topic was minimal, with Supreme Court decisions largely denigrating the idea of gender equality. It became clear to Ginsburg that she needed to work not only to teach about gender and the law, but to change the legal situation that had long contributed to gender inequality.

¶53 Through the remainder of the book, Strum uses richly researched details to outline Ginsburg's efforts to advance women's rights, both as a litigator and as an educator. Ginsburg firmly believed that gender stereotypes embodied in the law hurt both men and women (an assertion that is explored in depth with three cases: *Taylor v. Louisiana*, *Schlesinger v. Ballard*, and *Weinberger v. Wiesenfeld*),¹¹ and she argued in briefs for groundbreaking gender discrimination cases *Moritz v. Commissioner* and *Reed v. Reed* that the Court must treat gender-based classifications the same as race-based classifications and hold differentiation on the basis of gender unconstitutional.¹² The victory in *Reed* was a significant step forward for gender equality in the law. Ginsburg worked with American Civil Liberties Union (ACLU) on more gender discrimination cases in the 1970s to further revolutionize constitutional law, the most prominent being *Frontiero v. Richardson*.¹³

¶54 Though Ginsburg made strides as a litigator fighting to achieve constitutional protections for gender equality, change did not come as steadily or quickly as she hoped. Chapter 4 begins with the Justices' reactions and ruling in *Frontiero*. Despite winning the case, Ginsburg lamented the Court's refusal to treat gender as a suspect classification, which meant "the battle for constitutional gender equality would still have to be fought on a time- and resources-consuming, case-by-case basis, with no certainty as to the outcome" (p.79). Her loss the following year in *Kahn v. Shevin* was a serious blow to Ginsburg's efforts to educate the Justices to achieve constitutional gender equality.¹⁴ At the same time, the 1970s saw a society in transition to burgeoning women's studies and greater demand for equality, with many legislative changes in place. Strum thoroughly

11. *Taylor v. Louisiana*, 419 U.S. 522 (1975); *Schlesinger v. Ballard*, 419 U.S. 498 (1975); *Weinberger v. Wiesenfeld*, 420 U.S. 636 (1975).

12. *Moritz v. Comm'r*, 469 F.2d 466 (10th Cir. 1972); *Reed v. Reed*, 404 U.S. 71 (1971).

13. 411 U.S. 677 (1973).

14. 416 U.S. 351 (1974).

presents how these changes to the societal framework contributed to the success of Ginsburg's litigation.

¶155 Chapter 6 focuses on tackling women's reproductive freedoms, a major obstacle to gender equality in employment. As the chapter title suggests, the Supreme Court's diverse rulings in pregnancy-related cases in the 1970s spoke to the Court's difficulty grappling with the reality of pregnant women. Strum illustrates the combined efforts to attack pregnancy discrimination and reaffirms Ginsburg's deeply held belief in the "inching along" approach—the idea that "in order for social change to be lasting, it had to be achieved as evolution rather than revolution" (p.123). Strum goes on to discuss how this litigation strategy is reflected in Ginsburg's cases combating discriminatory provisions of the Social Security laws and the pervasive legislative assumption that women depend on men but not vice versa, then wraps up with the last case Ginsburg argued before the Supreme Court, *Duren v. Missouri*, which challenged gender-based exemption from jury service.¹⁵

¶156 Gender equality and women's constitutional rights have come a long way through the course of American history, especially after Ginsburg and her allies entered the fight. Standing alongside Ginsburg, Strum presents in this rigorously researched book the progress that has been made and the battles that continue to be fought. While focused on the impact Ginsburg had in altering the legal status of women in the United States, Strum also recognizes the important efforts of other women, men, and organizations in making gender equality law and remedying the historical discrimination faced by women. "Ginsburg, as she would have been the first to say, did not do it alone" (p.2). Therefore, this book serves not only as a biography of Ginsburg, but also as a celebration of the progression of legal gender equality throughout American history. It is not to be missed by anyone who is interested in the advancement of women's equality under the law or in Ruth Bader Ginsburg's story and her timeless legacy to today's legal world.

Voigt, Eric P. *Legal Research Demystified: A Step-by-Step Approach, Second Edition*. Durham, NC: Carolina Academic Press, 2022. 338p. \$74.00.

*Reviewed by Jocelyn Stilwell-Tong**

¶157 Professor Eric Voigt returns with a second edition of *Legal Research Demystified: Step-by-Step Approach*, designed to be used in first-year legal research and writing classes. This book creates a step-by-step method for instructing students in how to do legal research, with a framework designed for students who are just beginning to wrap their heads around big legal concepts while simultaneously learning to research and write. This book was designed to be used with online research tools and includes an online component on Carolina Academic Press's "Core Knowledge for Lawyers" platform, offering auto-graded end-of-chapter questions and Lexis and Westlaw research exercises. There is also a teacher's manual available for instructors.

15. 439 U.S. 357 (1979).

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