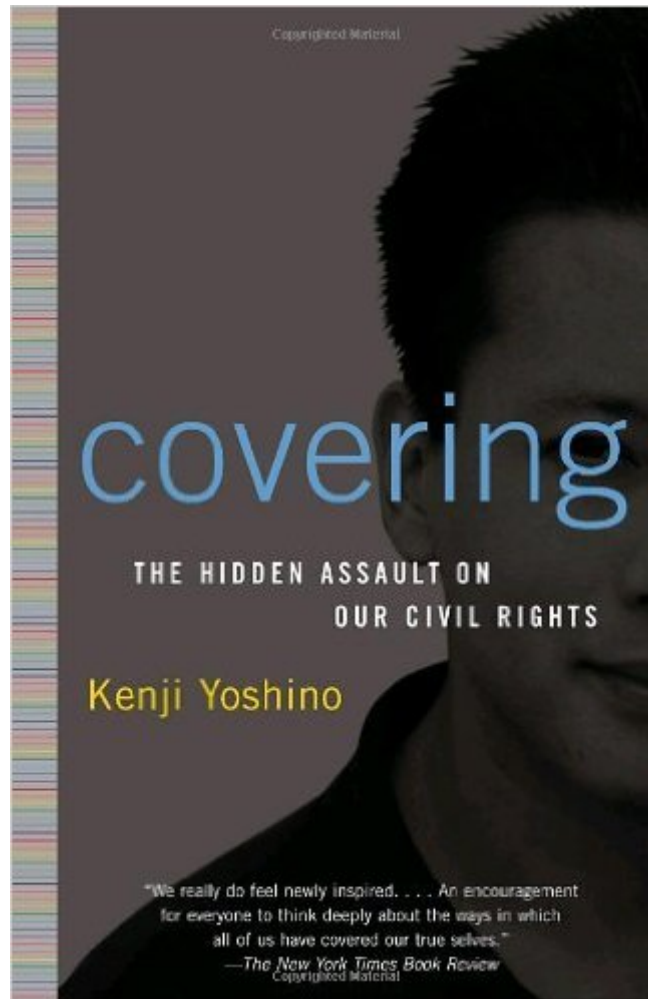


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# Covering: The Hidden Assault On Our Civil Rights



## Synopsis

In this remarkable and elegant work, acclaimed Yale Law School professor Kenji Yoshino fuses legal manifesto and poetic memoir to call for a redefinition of civil rights in our law and culture. Everyone covers. To cover is to downplay a disfavored trait so as to blend into the mainstream. Because all of us possess stigmatized attributes, we all encounter pressure to cover in our daily lives. Given its pervasiveness, we may experience this pressure to be a simple fact of social life. Against conventional understanding, Kenji Yoshino argues that the demand to cover can pose a hidden threat to our civil rights. Though we have come to some consensus against penalizing people for differences based on race, sex, sexual orientation, religion, and disability, we still routinely deny equal treatment to people who refuse to downplay differences along these lines. Racial minorities are pressed to “act white” by changing their names, languages, or cultural practices. Women are told to “play like men” at work. Gays are asked not to engage in public displays of same-sex affection. The devout are instructed to minimize expressions of faith, and individuals with disabilities are urged to conceal the paraphernalia that permit them to function. In a wide-ranging analysis, Yoshino demonstrates that American civil rights law has generally ignored the threat posed by these covering demands. With passion and rigor, he shows that the work of civil rights will not be complete until it attends to the harms of coerced conformity. At the same time, Yoshino is responsive to the American exasperation with identity politics, which often seems like an endless parade of groups asking for state and social solicitude. He observes that the ubiquity of the covering demand provides an opportunity to lift civil rights into a higher, more universal register. Since we all experience the covering demand, we can all make common cause around a new civil rights paradigm based on our desire for authenticity—a desire that brings us together rather than driving us apart. Yoshino’s argument draws deeply on his personal experiences as a gay Asian American. He follows the Romantics in his belief that if a human life is described with enough particularity, the universal will speak through it. The result is a work that combines one of the most moving memoirs written in years with a landmark manifesto on the civil rights of the future. This brilliantly argued and engaging book does two things at once, and it does them both astonishingly well. First, it’s a finely grained memoir of young man’s struggles to come to terms with his sexuality, and second, it’s a powerful argument for a whole new way of thinking about civil rights and how our society deals with difference. This book challenges us all to confront our own unacknowledged biases, and it demands that we take seriously the idea that there are many different ways to be human. Kenji Yoshino is the face and the voice of the new civil rights.

—Barbara Ehrenreich, author of *Nickel and Dimed*

Kenji Yoshino has not only given us an

important, compelling new way to understand civil rights law, a major accomplishment in itself, but with great bravery and honesty, he has forged his argument from the cauldron of his own experience. In clear, lyrical prose, *Covering* quite literally brings the law to life. The result is a book about our public and private selves as convincing to the spirit as it is to the mind.â• -Adam Haslett, author of *You Are Not A Stranger Here*â• Kenji Yoshino's work is often moving and always clarifying. *Covering* elaborates an original, arresting account of identity and authenticity in American culture.â• -Anthony Appiah, author of *The Ethics of Identity* and Laurance S. Rockefeller University Professor Of Philosophy at Princeton University â• This stunning book introduces three faces of the remarkable Kenji Yoshino: a writer of poetic beauty; a soul of rare reflectivity and decency; and a brilliant lawyer and scholar, passionately committed to uncovering human rights. Like W.E.B. DuBois's *The Souls of Black Folk* and Betty Friedan's *The Feminine Mystique*, this book fearlessly blends gripping narrative with insightful analysis to further the cause of human emancipation. And like those classics, it should explode into America's consciousness.â• -Harold Hongju Koh Dean, Yale Law School and former Assistant Secretary of State for Human Rightsâ• *Covering* is a magnificent work - so eloquently and powerfully written I literally could not put it down. Sweeping in breadth, brilliantly argued, and filled with insight, humor, and erudition, it offers a fundamentally new perspective on civil rights and discrimination law. This extraordinary book is many things at once: an intensely moving personal memoir; a breathtaking historical and cultural synthesis of assimilation and American equality law; an explosive new paradigm for transcending the morass of identity politics; and in parts, pure poetry. No one interested in civil rights, sexuality, discrimination - or simply human flourishing - can afford to miss it.â• -Amy Chua, author of *World on Fire*â• In this stunning, original book, Kenji Yoshino demonstrates that the struggle for gay rights is not only a struggle to liberate gays---it is a struggle to free all of us, straight and gay, male and female, white and black, from the pressures and temptations to cover vital aspects of ourselves and deprive ourselves and others of our full humanity. Yoshino is both poet and lawyer, and by joining an exquisitely observed personal memoir with a historical analysis of civil rights, he shows why gay rights is so controversial at present, why â• coveringâ• is the issue of contention, and why the â• covering demand,â• universal in application, is the civil rights issue of our time. This is a beautifully written, brilliant and hopeful book, offering a new understanding of what is at stake in our fight for human rights.â• -Carol Gilligan, author of *In a Different Voice*

## Book Information

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## Customer Reviews

Revolutionary is not a word that I often or easily apply to the books that I read. Some books, while entertaining, do not adjust my world view or even how I view myself. Some books which set out to adjust my world view or self-perception, don't, because of a wealth of technical jargon or a "so out there" premise that I can't wrap my brain around it. However, some books are written so that they are simply stunning, beautiful, and true, revolutionary; that after you finish them, you see yourself, the world, and your thinking dramatically changed. This is one such book, written by law professor Kenji Yoshino, called "Covering." "Covering" is essentially a book about Civil Rights, its past, present, and future, and what role the law has played in this epic American struggle. In a stroke of brilliance, Yoshino intertwines his own personal coming-out story in between the pages; in a beautiful and quite amazing blend of memoir and history and jurisprudence. Yoshino traces the movements of the struggle of civil rights by suggesting there are three phases that groups transverse through to attain their place "at the table". The first, conversion, suggests that the member of the group needs to not be themselves but "convert" to the norm. The second phase, "passing", suggests that we accept ourselves, but do not acknowledge it to others. Finally, after becoming public, "covering" is the phase in which we purposefully steer away from things that are related to our group so as not to fall into stereotypes of our group. Yoshino not only suggests that individuals travel through these phases, which he so wonderfully illustrates with episodes from his own poignant life, but the larger groups as a whole travel through these phases as they seek for identity.

In lucid terms that escape the legalese that burdens related books, Yale Law School professor Kenji

Yoshino discusses a topic that I never really knew had a formal definition. He describes "covering" as the purposeful act of toning down a "disfavored identity" to fit into the mainstream. Since notions of disfavored identities can get subjective, anyone can cover, whether people are members of ethnic minority groups hiding specific cultural behaviors or even white males hiding less discernible problems such as depression, alcoholism or backgrounds that embarrass them. Consequently, given the pervasiveness of such behavior, covering would seem comparatively innocuous, but Yoshino provides ample evidence that covering is a hidden assault on our civil rights. Moreover, it is becoming more of a civil rights issue as the nation's courts struggle with an increasingly multi-ethnic America. His penetrating book is a hybrid between a revelatory memoir and a level-headed treatise on the unacceptability of the current legal doctrine around our civil rights. Toward the latter point, Yoshino discusses covering within the broader context of often egregious civil rights injustices. As he explains it, the courts are mired in group-based identity politics and driven by calls for equality. For example, to sue successfully under the Equal Protection Clause of the Constitution's Fourteenth Amendment, a group claiming discrimination has one of two options. First, the group could argue that it has been denied a fundamental right, like the right to vote. Alternatively, it can contend that the law in question employs a suspect classification, i.e., that the law unjustly singles out a particular group.

While I am interested in this book's subject, I'll admit that part of the reason I picked it up was the strength of its back-cover recommendations: Barbara Ehrenreich, Kwame Anthony Appiah, and (Tiger Mom) Amy Chua. That is a very impressive and diverse lot. So, the book must be good. And it was. Here, law professor Kenji Yoshino discusses the idea of covering, and how the demand (generally toward minority groups) to cover is in some way a violation of people's rights to liberty. What is covering? If 'passing' is the demand that people pass for something other than they are (blacks with light skin passing as white, gays pretending to be straight), 'covering' is the idea that, while you don't have to pass, you do have to keep your differences with others under wraps (blacks not acting "too black," or gays making sure not to "act too gay" in "polite company"). To discuss how covering makes life quite difficult, Yoshino gets quite autobiographical, discussing and dissecting his own experience as a gay man who, at first, had to admit to himself that he was gay and, after that, had to navigate a world that might allow him to be gay but not allow him to (even inadvertently) draw attention to his homosexuality. So, while it has always been perfectly acceptable for straight couples to hold hands or walk arm-in-arm in public - without anyone accusing them of drawing attention to their own heterosexuality - gays who do the same thing will be readily accused of

flaunting their homosexuality. Hence, while one might be allowed to be openly gay, whether to be openly gay in one's actions (and not just one's words) is often a pretty thorny question. Hence, the social demands to cover.

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