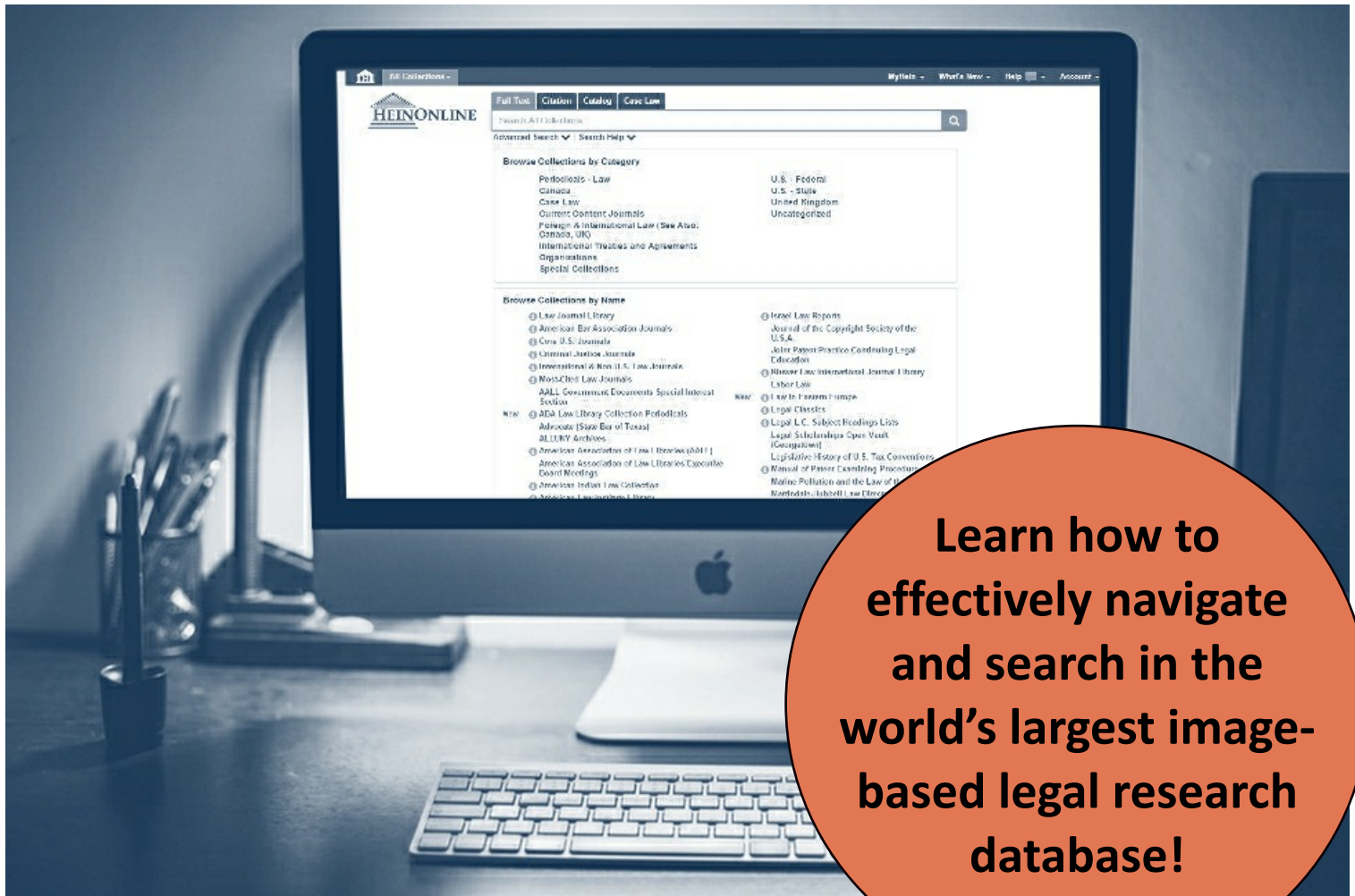




# HeinOnline Comprehensive User's Guide



HeinOnline, a product of William S. Hein & Co., Inc.  
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# HeinOnline

## Comprehensive User's Guide

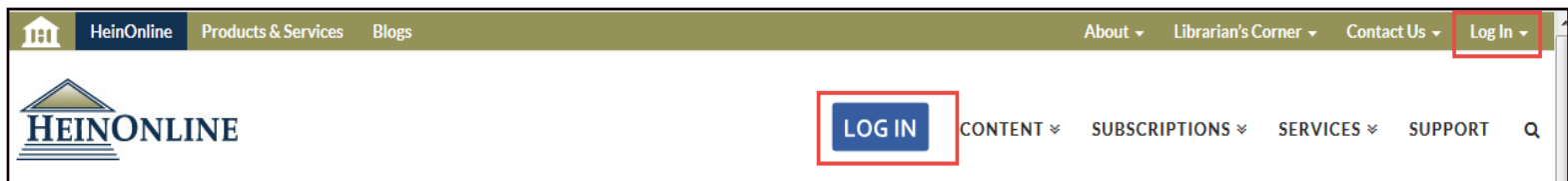
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# Getting Started in HeinOnline

HeinOnline Homepage ([home.heinonline.org](http://home.heinonline.org))



Click **Log In** from the top middle or top right of the HeinOnline homepage in order to access the HeinOnline database. Users who are IP authenticated will automatically bypass the Login Page and will land on the [HeinOnline Welcome Page](#).

Other features of the HeinOnline homepage include lists of available libraries and content, subscription information, and information about various services offered by HeinOnline, including branding, cataloging, the HeinOnline app, digital ownership, and the author portal.

## Login Page

To access HeinOnline, you must have a username and password or be using a computer terminal at your institution that is IP authenticated for HeinOnline access. If you do not know the username and password, please contact the librarian or HeinOnline administrator at your institution.

Students logging in from off-campus will likely need to log into their school's web portal/proxy to access HeinOnline. Questions about web portals should be directed to your university's library staff.

To log in using OpenAthens or a Shibboleth account, select your institution's name from the drop down menu in the Institutional Login area.



## Welcome Page

The [HeinOnline Welcome Page](#) lists available collections both by category and by name. The category view is expandable, so users can click on the desired category to view available collections that fall into the category.

Click the more information icon next to any collection for a brief description of its content and a downloadable list of titles available.



## Features of the Welcome Page

1. The main search bar, which remains stationary and available on all pages in HeinOnline, has four search options under separate tabs: full text (including metadata), citation, catalog, and case law.
2. Click **Advanced Search** from the Full Text or Catalog search tabs to access additional search fields and the ability to narrow searches by title and date ranges.
3. The options bar on the upper right side of the screen offer access to MyHein, a “What’s New” area where users can view recent blog posts, download monthly content release CSVs, and access the help page and account information.
4. The home button will return users to the Welcome Page from anywhere in HeinOnline.



## Searching in HeinOnline

### From the Welcome Page

Use the Full Text search tab from the HeinOnline Welcome Page to search across *all subscribed collections*, including both full text and metadata of all documents. Click **Advanced Search** to access multiple search fields and pre-select a date range; click **Search Help** to produce a list of the most commonly used search syntax.

Full Text Citation Catalog Case Law

Search All Collections...

Advanced Search | Search Help

Title AND

Author AND

Full Text Add field

Date: (YYYY) To: (YYYY)

Search Advanced Search Syntax

Add up to six fields

### Search Syntax ⓘ

Note that all Boolean operators must use capital letters.

**AND** to search for multiple terms i.e. `evidence AND admissibility` will produce documents that contain both terms.

**OR** to search for either one of a pair of similar terms i.e. `brief OR evidence` will produce documents that contain either of these terms

**NOT** to exclude a term from a search i.e. `evidence NOT briefs` will exclude every search result containing the word "briefs"

**" "** use quotes to search for a phrase i.e. `"love canal"` will search for documents containing the exact phrase "love canal"

**( )** to search grouped clauses to form sub queries i.e. `(watershed OR "water rights") AND planning` will produce documents that contain either watershed or water rights and planning

**~** to search for words within a particular proximity of each other i.e. `"watershed planning"~10` will search for watershed within 10 words of planning

**?** to search for words where there may be variations of the word that you want included in your search i.e. `te?t` will product documents that contain text or test

**\*** to search for a word with multiple character differences i.e. `brief*` will return searches with the words brief, briefs, and briefed

For more information and tips please review our [Advanced Search Syntax Guide](#)

This detailed guide will provide search examples and additional search syntax and searching tips.





## Search Example

Perform a full text search across all subscribed collections for “Convention on the Rights of the Child” AND abus\*. Note that the phrase is in quotation marks; using the \* will search for abuse, abusive, abuser, etc. Next, sort search results by “Number of Times Cited by Articles”.

HEINONLINE

Full Text Citation Catalog Case Law

"convention on the rights of the child" AND abus\*

Advanced Search | Search Help

Collections

Refine Your Search

Collection/Library

☐ Law Journal Library (8130)

☐ HeinOnline's Index to Legal Periodicals (6989)

☐ International & Non-U.S. Law Journals (5251)

☐ Core U.S. Journals (3192)

Show More

Section Type

☐ Articles (5572)

☐ Notes (2303)

☐ Comments (1032)

☐ Index (665)

Show More

Results 1-50 of 10798 items searching for ("convention on the rights of the child" AND abus\*) in All Collections, sorted by "Number of Times Cited by Articles"

Sort By: Number of Times Cited by Articles

1. Roper v. Simmons  
March 1, 2005  
543 U.S. 551  
Case Summary

2. Roper, Superintendent, Potosi Correctional Center v. Simmons  
Case  
543 U.S. 551 (2005)

Turn to page  
Article 37 of the United Nations Convention on the Rights of the Child, which every country in the world... punishment for crimes committed by juveniles under 18. United Nations Convention on the Rights of the Child

MyHein  
Cited by 2770 Articles  
Cited by 1405 Cases

PDF/Download  
MyHein  
Cited by 2768 Articles  
Cited by 1406 Cases  
Accessed 210 Times

1. Matching text pages are highlighted in yellow.
2. The binocular icon will display all matching text pages.
3. Options to download a PDF or save to MyHein and cited by/accessed information are neatly grouped together on the right.
4. Refine search results using the facets on the left side of the screen.

## Page View

Advanced Search | Search Help

Collections > Law Journal Library > Journal of Child Law 3 J. Child L. (1990-1991)

Table of Contents

Page 53

Agreement to Adoption - Some Recent Cases  
Case Commentary  
Sachs, Christina  
Page 57

Social Security Act 1990: From Benefit Claw-Back to Maintenance Enforcement, The  
Bryan, Michael  
Page 59

UN Convention on the Rights of the Child, The  
Van Buren, Geraldine  
Page 63

Secure Accommodation: A Children's Rights  
Perspective on the Practice of Locking up  
Children within the Public Care System  
Lindsay, Mike  
Page 66

Book Reviews  
Page 71

Issue 3 - April-June 1991  
Page 73

Table of Contents  
Page 73

Court of Human Rights in examining the role and duties of each family member towards the child. Case law under the European Convention on Human Rights has succeeded in lifting the familial veil and looking beyond family ties to examine the extent of a family member's responsibility towards the child. Consequently the Convention on the Rights looks not only to the parents but also, where applicable, to the members of the extended family or community as provided for by local custom. As children have the right under art.16 of the Convention to be protected against interference with their family life has obvious implications for children who wish to have members of their family join them in the United Kingdom. Despite representations from a number of organisations including Amnesty International and Save the Children, the Home Office has refused to amend its nationality and immigration laws so that they are compatible with the Convention.

The government is also considering making a reservation to art.32 of the Convention, which would require the government to regulate the hours and conditions of employment for those under 18. The present policy is to allow those of school-leaving age, 16 and over, to negotiate their own terms and conditions of service.

Article 37(c) of the Convention places a duty on state parties to separate children who are deprived of their liberty from adults unless "it is considered in the child's best interest not to do so". The government is considering attaching a reservation because

obligation is consent, it would be difficult at present to argue that the United Kingdom would be bound to interpret art.19 as including parental corporal punishment within the definition of violence, injury or abuse. Consequently, the Convention does not place an obligation on the United Kingdom to follow Sweden and legislate against parental corporal punishment.

The Convention will establish an independent Committee on the Rights of the Child, which will be made up of ten experts in the field of children's rights who will serve in their personal capacities. The Committee will examine state reports, which will provide information on the implementation of the Convention within a state. States parties should also indicate the factors and difficulties which they may have in fulfilling their obligations under the Convention.

In contrast to the European Convention on Human Rights, the Convention on the Rights of the Child does not incorporate an individual complaints mechanism. The underlying aim of the Convention is to protect the rights of children by providing a diplomatic channel through which states can request technical advice and assistance in protecting the rights of the child.

The reports covered by the Convention will be published and will provide valuable comparative information on how other states protect specific children's rights. States which are considering appointing Ombudspersons for Children will perhaps be able to learn from the Norwegian and Costa Rican experiences and will not have to exceed

1. Breadcrumb trail: use to go back one or more steps in your navigation history.
2. Image toolbar: print/download a document, change page view to text, create permanent link, bookmark a document to a MyHein account, search within a document, navigate the pages of a document, rotate or zoom in on the page, or expand to a multi-page view.
3. Table of Contents: the current section will always be highlighted in yellow
4. Text that matches the search criteria is highlighted in green.



Use the Citation search tab to quickly retrieve a document using its citation. In addition to standard *Bluebook* citations, HeinOnline has added alternate citation forms from the *Cardiff Index to Legal Abbreviations* and *Prince's Bieber Dictionary of Legal Abbreviations*. If a document's citation format is unknown, click Citation Format Guide for an A–Z list of titles. Click any title to access volume and page boxes. Enter this information and click Get Citation to access the document.

The Catalog search tab can be used to locate items at the publication title level. This option will search across the entire HeinOnline catalog, so users may see results from collections to which they do not subscribe. Click Advanced Catalog Search to produce additional search fields and preselect a date range in which to search.

Catalog search results will include the collections in which each title can be found, as well as facets that can be used to narrow search results by collection, subject, or date.



Enter a case citation in the Case Law search tab to quickly retrieve cases from HeinOnline or via Fastcase. Click Fastcase Lookup for a drop-down list of abbreviations. For subscribers with Fastcase Premium or a synchronized HeinOnline/Fastcase subscription, click Search Fastcase to search all full text and metadata available in the Fastcase database.

Search Fastcase

Full TextCitationCatalogCase Law

Search for a case citation in HeinOnline...

Search FastcaseFastcase Lookup

TextTasini v. New York Times Co. AND

Case NameAND

CitationAdd field

Date: (YYYY) To: (YYYY) Sort by: Relevance

Search

Search Tips

- To search for phrases, put phrase in quotes, i.e., "admissibility of evidence"
- To search by citation, make sure citation is in proper bluebook format
- Signing Dates should be of the following format: YYYY-MM-DD Ex.:1815-04-05
- To search by case name, put case name in quotation marks

Fastcase Lookup

Full TextCitationCatalogCase Law

Search for a case citation in HeinOnline...

Search FastcaseFastcase Lookup

TextTasini v. New York Times Co. AND

Case NameAND

CitationAdd field

Date: (YYYY) To: (YYYY) Sort by: Relevance

Search

Search Tips

- To search for phrases, put phrase in quotes, i.e., "admissibility of evidence"
- To search by citation, make sure citation is in proper bluebook format
- Signing Dates should be of the following format: YYYY-MM-DD Ex.:1815-04-05
- To search by case name, put case name in quotation marks

Additionally, case law access is available by clicking inline hyperlinks throughout HeinOnline. All citations, including case citations, are highlighted in blue in the text of both HeinOnline documents and Fastcase case law. Note that ScholarCheck ("cited by") information is also available for case law.

HeinOnline Document

the public, and scholars perceive the criminal system's accuracy. Courts now debate the legal significance of these exonerations, with the U.S. Supreme Court in the last term engaging in its first "empirical argument" on the subject.<sup>4</sup> Lawyers, journalists, and others have established an "innocence network" of projects, including clinics at dozens of law schools, all designed to locate more innocence cases.<sup>5</sup> Public distrust of the criminal system has increased as a result of exonerations.<sup>6</sup> Popular television shows, books, movies, and plays have dramatized the stories of exonerations.<sup>7</sup> States have declared moratoria on executions, citing examples of

2. *Kansas v. Marsh*, 126 S. Ct. 2516, 2544 (2006) (Souter, J., dissenting).

3. See The Innocence Project Home Page, at <http://www.innocenceproject.org> (last visited Nov. 8, 2007) (on file with the *Columbia Law Review*) (providing count of U.S. postconviction DNA exonerations; the number as of November 2007 is 208).

4. *Marsh*, 126 S. Ct. at 2544-45 (Souter, J., dissenting) (citing "a growing literature" regarding exonerations in capital cases). Justice Thomas, writing for the majority, questioned any "new empirical demonstration of how 'death is different'" and called the subject an "incendiary debate." *Id.* at 2528 (majority opinion) (quoting *id.* at 2545 (Souter, J., dissenting)). Justice Scalia responded that DNA exonerations arise from self-correction in our system and their numbers suggest only "insignificant" risks of error. *Id.* at 2536-38 (Scalia, J., concurring). But see *Harvey v. Moran*, 285 F.3d 298, 305-06 (4th Cir. 2002) (Luttig, J., concurring) ("[S]cientific advances [permitting DNA testing] must be recognized for the singularly significant developments that they are . . ."); *U.S. v. Quinones*, 205 F. Supp. 2d 256, 268 (S.D.N.Y. 2002) (declaring Federal Death Penalty Act unconstitutional and citing to examples of postconviction DNA exonerations), rev'd, 313 F.3d 49, 69-70 (2d Cir. 2002).

5. See The Innocence Network Home Page, at <http://www.innocencenetwork.org> (last visited Nov. 8, 2007) (on file with the *Columbia Law Review*).

Fastcase Document

Cited by 67 Articles  
Cited by 20 Cases

PDF/Download  
MyHein

Negative treatment indicated

205 F.Supp.2d 256

UNITED STATES of America  
v.  
Alan QUINONES, et al., Defendants.  
No. S3 00 CR. 761(JSR).  
United States District Court, S.D. New York.  
July 1, 2002.

David B. Anders, Assist. U.S. Atty., Mary Jo White, U.S. Atty., Crim. Div., New York City, for U.S.

Page 257

Lee Ginsberg, Freeman Nooter & Ginsberg, New York City, Kevin McNally, Frankfort, KY, for defendant.

RAKOFF, District Judge.

OPINION AND ORDER

In its Opinion dated April 25, 2002, the Court, upon review of the parties' written submissions and oral arguments to dismiss the death penalty aspects of this case on the ground that the Federal Death Penalty Act, 18 U.S.C. §§ 359 F.Supp.2d 416, 420 (S.D.N.Y.2002). Because of the importance of the matter, the Court gave the Government—which further opportunity to be heard. *Id.* The Government duly submitted an extensive brief and exhibits, see Government Defendants' Motion ("Govt.Mem."), to which counsel for the two remaining death-eligible defendants, Alan Quinones Joint Supplemental Memorandum ("Def.Mem."). The Court expresses its gratitude to counsel for these parties.



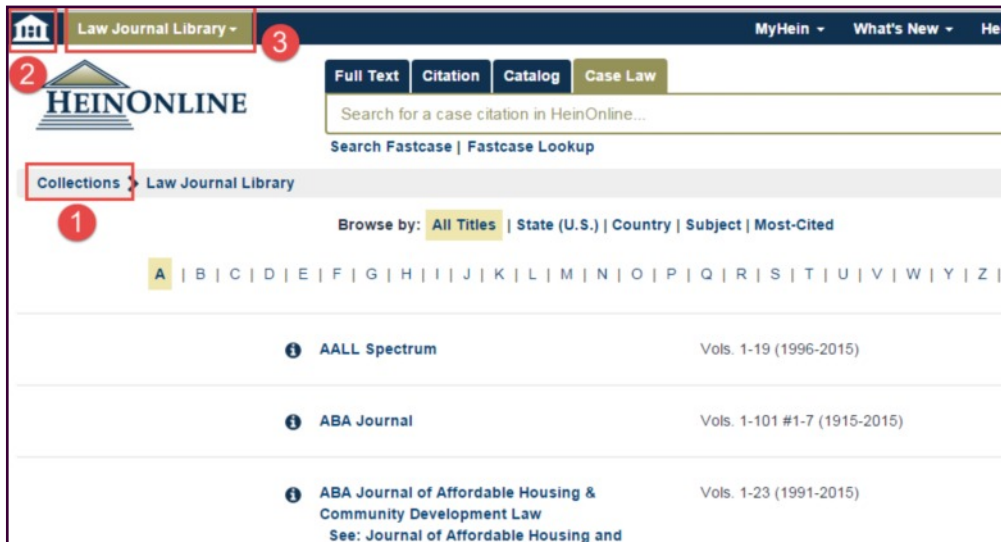


## Working within HeinOnline Libraries

### Navigating between Collections

Select a collection, such as the Law Journal Library, from the HeinOnline Welcome Page by clicking the library name. Once inside a collection, users have several methods of switching to a different collection.

1. Use the breadcrumb trail and click “Collections” to return to the Welcome Page, where a different collection can be selected.
2. Use the Home button on the top left side of any screen to return to the Welcome Page.
3. Click the collection name, highlighted in gold, from the top left side of the screen. This will produce a drop-down menu of other available collections.



### Collection Homepage

Once inside a collection, browse the list of titles using the A–Z title index. Use the browse options at the top of each page to search within subcollections or to use special tools. Search using the main search bar, which is stationary at the top of each page in HeinOnline. Click **Advanced Search** for additional search options, or click **Search Help** for assistance in forming a search query.



**NOTE:** Access to the citation, catalog, and case law search options remains available and stationary on all pages.



## Searching within a Collection

Perform a full text search across all text and metadata in a collection using its tab on the stationary search bar. Click Advanced Search to expand search options to include search fields, pre-selected titles, subjects or a date range. Search results will display in the center of the page, with facets to the left and options, including PDF/download and MyHein, will be on the right side, along with cited by information.

Full Text Citation Catalog Case Law

Search Law Journal Library...

Advanced Search Search Help

Article Title "civil rights" AND

Article Title AND

Author/Creator

Subject:

All Subjects

Accounting

Administrative Law

Admiralty

Advocacy

Help with this feature

Select Titles: Citation | Journal Title

Harvard Journal on Racial and Ethnic Justice

Harvard Latino Law Review

Harvard Law & Policy Review

Harvard Law Record

Harvard Law Review

Harvard Law Review Forum

Harvard Law and Policy Review Online

Harvard National Security Journal

Harvard Negotiation Law Review

Hastings Business Law Journal

Refine Your Search

Section Type

☐ Cases (7)

☐ Articles (2)

☐ Notes (2)

☐ Reviews (2)

Show More

Dates

YYYY to YYYY Go

2010 to date (1)

2005 to 2010 (6)

Results 1-14 of 14 items searching for ((title:"civil rights")) AND (volshortname:hlr) in Law Journal Library, sorted by "Relevance"

Sort By: Relevance 25 Results

1. Casual Inference in Civil Rights Litigation [article]  
Harvard Law Review, Vol. 122, Issue 2 (December 2008), pp. 533-598  
Greiner, D. James (Cited 68 times)  
122 Harv. L. Rev. 533 (December 2008)

PDF/Download MyHein

Cited by 24 Articles  
Cited by 1 Cases  
Accessed 12 Times

2. Skepticism, Culture and the Gay Civil Rights Debate in a Post-Civil-Rights Era [reviews]  
PDF/Download MyHein

Date: (YYYY) 1990 To: (YYYY) 2015 Sort by: Relevance

## Citation Navigator

If a collection has its own citation navigator, this can be found using the Citation search tab. Click Citation, then choose Citation Navigator. Click Citation Format Guide for an A-Z title index and a list of citation formats. Entering the first few letters of the citation will cause a drop-down menu of corresponding citations to appear. The Law Journal Library's *Classic Citation Navigator* is available by clicking the link as shown:

Full Text Citation Catalog Case Law

Search for citation across all HeinOnline content...

Citation Navigator Citation Format Guide

Citation Navigator

Vol. Abbreviation Page

100 Harv LR

open Harv L R

Harv. Blackletter J.

Harv. Blackletter L. J.

Harv. Bus. L. Rev.

Harv. C.R.-C.L. L. Rev.

Harv. C.R.-C.L.L.

Harv. C.R.-C.L.L.Rev.

Harv. Civ. Rights-Civ. Lib. L. Rev.

Harv. Env. L. Rev.

Harv. Envtl. L. F.

Harv. Envtl. L. Rev.

Harv. Hum. Rts. J.

Harv. Hum. Rts. Y. B.

Click Here for Classic Citation Navigator



## Working within a Volume/Title

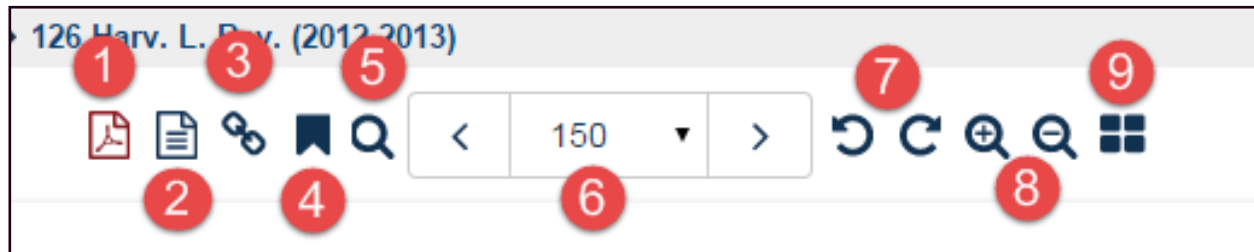
### Table of Contents



When browsing in a volume of a title, the table of contents will automatically display in the left viewing pane. The table of contents contains a link to each item listed and a PDF icon to print or download each section. The current section in which you are browsing will always be highlighted. The book icon will display citation information, and the graduation cap icon will display ScholarCheck “cited by” information.

### Image Toolbar

Use the image toolbar to perform a variety of functions from inside any HeinOnline document.



1. Print or download all or part of a section
2. Change the document from a PDF image to uncorrected OCR text
3. Create a permanent link to the specific page of the document
4. Bookmark the document to your MyHein account
5. Search within varying specific parts of a document, including page, section, volume and title
6. Navigate pages forward and back (also use arrow keys on the keyboard for this function).  
Jump to a specific page using the drop-down tool.
7. Rotate pages left or right
8. Zoom in/out
9. Display citation information



# HeinOnline Tools

## Printing/Downloading

There are multiple options available for printing and downloading pages and sections of a volume while working in HeinOnline. Users can click the PDF icon from the image toolbar, from the table of contents of any document, or from search results.

The screenshot shows the HeinOnline interface. At the top, the breadcrumb navigation reads: Collections > Law Journal Library > Harvard Law Review > 126 Harv. L. Rev. (2012-2013). Below this is a 'Table of Contents' sidebar on the left, listing various articles with page numbers. A red box highlights the PDF icon in the toolbar. Another red box highlights the 'PDF/Download' button in the search results for the article 'Civil Rights [notes]'. The search result also shows the article's citation: Drake Law Review, Vol. 36, Issue 2 (1986-1987), pp. 465-482; Krulwich, Jay H. (Cited 8 times); 36 Drake L. Rev. 465 (1986-1987). A snippet of the article text is visible: 'Turn to page. CIVIL RIGHTS-UNDER THE CIVIL RIGHTS ACT, MUNICIPAL LIABILITY MAY BE IMPOSED FOR A SINGLE DECISION BY...'. The article is noted as 'Cited by 2 Articles'.

After clicking the PDF icon, users can:

1. Print the current section
2. Print a custom page range
3. Use a HeinOnline-authenticated smart device with a QR code reader to scan the QR code, which will deliver the PDF of the document to the user's device.

The screenshot shows the 'Print/Download Options' dialog box. It has three tabs: 'Print Current Section' (selected), 'Print Custom Page Range', and 'QR Code'. Under 'Print Current Section', there are three numbered red circles: 1. 'Current section:', 2. 'Format:', and 3. 'Print/Download'. The 'Current section:' field shows the citation: 36 Drake L. Rev. 465 (1986-1987); Civil Rights, Krulwich, Jay H. [ 18 pages, 465 to 482 ]. The 'Format:' section has radio buttons for 'PDF' (selected) and 'Text', and a 'Print/Download' button. There is also a 'Save to Dropbox' button.

**Print/Download as PDF:** This option requires a PDF reader, such as [Adobe](#). Downloading the document as a PDF allows the user to save to a workstation, so the PDF can then be printed or e-mailed.

**Print/Download as Text:** This option will generate a full text file of the page(s) and open the file in the user's browser window. This enables easy cutting and pasting of the text for use in other programs. It is important to note that all text files are generated from uncorrected OCR text, thus displaying the unedited version.



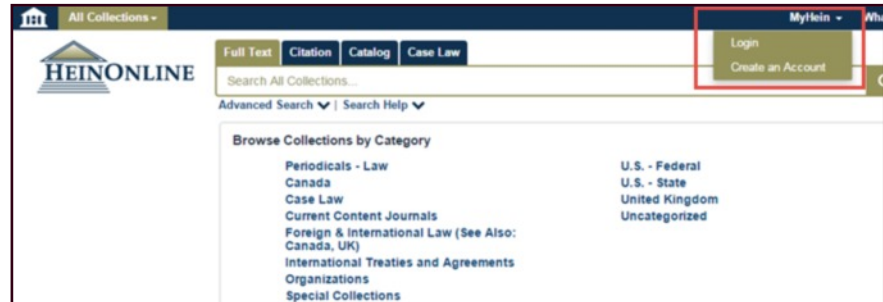


## MyHein

Anyone with access to HeinOnline has the ability to create one or more MyHein personal research accounts. This allows users to create and organize bookmarked articles, cases and other documents, save search queries, and set up electronic table of contents (eTOC) alerts and RSS feeds. Users can add notes to bookmarks, or e-mail them to colleagues and classmates. Journal article bookmarks can be exported to a CSV or to Endnote or Refworks. [Click here](#) for a detailed MyHein Guide.

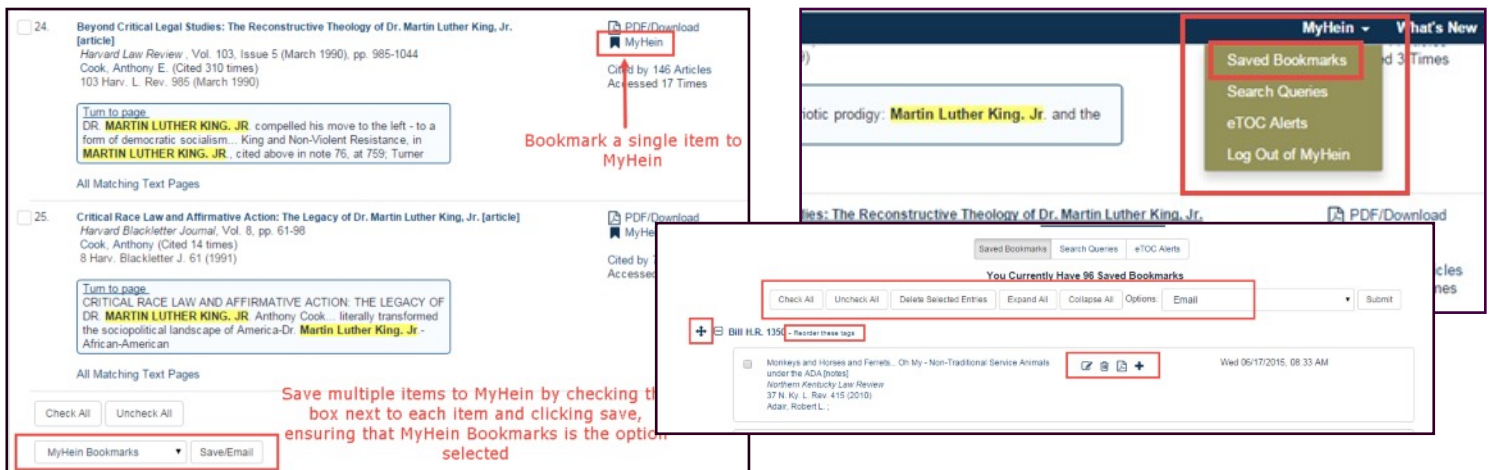
### Account Setup/Login

Click MyHein from the options bar on the top right side of any screen in HeinOnline, then click Login or Create an Account. The Create an Account option will prompt the user for the required information.

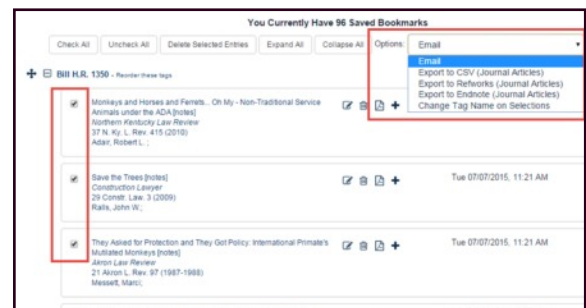


### Bookmarks

Bookmark articles from search results by clicking the MyHein bookmark icon from the search result. Bookmark multiple articles simultaneously from the MyHein tool located under the final search result on any results page. View saved bookmarks by clicking MyHein from the options bar and selecting Saved Bookmarks, where bookmarks can be deleted or moved, and notes can be added.



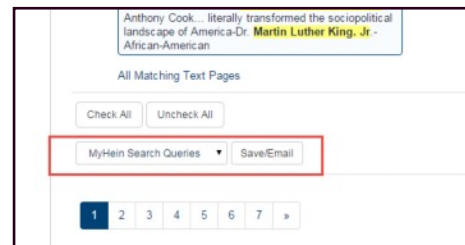
To export bookmarks, check the boxes next to the desired bookmarks and select Email, Export to CSV, Export to Refworks, or Export to Endnote.





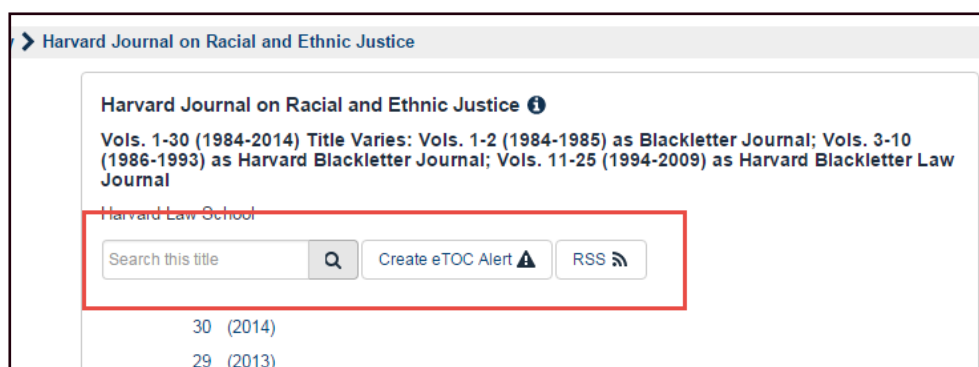
## Search Queries

Save search queries by performing a search, scrolling down through results, and choosing MyHein Search Queries from the drop-down list located under the final search result on any results page. An e-mail alert will be sent whenever new material is added to HeinOnline that matches the search query's criteria.



## e-TOC Alerts

Set up eTOC alerts or RSS feeds in order to be notified when new material is added to a selected title in HeinOnline. Navigate to the title while logged into MyHein, and click Create eTOC Alert or RSS. View saved eTOC alerts by clicking MyHein from the upper right options bar and choosing eTOC alerts.



## ScholarCheck

Hein's ScholarCheck is a series of tools integrated throughout HeinOnline that allow users to view journal articles and cases\* that have a heavy influence on the subject being researched.

Functions of ScholarCheck:

1. Access the most cited Journals, Articles, Authors and more in the Most Cited browse by option of the Law Journal Library.





2. View cited-by information for any document both in search results and by clicking the mortar board icon, located above the table of contents, from inside the document.
3. Records and displays (for a rolling 12-month period) the number of times articles are accessed by other HeinOnline users.

☐ 1. **Race, Reform, and Retrenchment: Transformation and Legitimation in Antidiscrimination Law** [article]  
Harvard Law Review, Vol. 101, Issue 7 (May 1988), pp. 1331-1387  
Crenshaw, Kimberle Williams (Cited 1214 times)  
101 Harv. L. Rev. 1331 (May 1988)

PDF/Download  
MyHein

Cited by 992 Articles  
Cited by 3 Cases  
Accessed 96 Times

Turn to page  
Chronicles, 99 HARV. L. REV. 4 (1985): S **MARTIN LUTHER KING, JR.** FEDERAL HOLIDAY COMM., LIVING THE DREAM

Collections > Law Journal Library > Harvard Law Review

Table of Contents

Cited By 992 Articles  
Cited By 3 Cases  
Accessed 96 times

Race, Reform, and Retrenchment: Transformation and Legitimation in

4. Sort search results by number of times cited by articles or cases or number of times accessed.

Full Text Citation Catalog Case Law

"civil rights movement" AND "martin luther king jr."

Advanced Search | Search Help

Results 1-25 of 2857 items searching for ("civil rights movement" AND "martin luther king jr.") in Law Library, sorted by "Number of Times Cited by Articles"

Sort By: Number of Times Cited by Articles 25 Results

1. **Race, Reform, and Retrenchment: Transformation and Legitimation in Antidiscrimination Law** [article]  
Harvard Law Review, Vol. 101, Issue 7 (May 1988), pp. 1331-1387  
Crenshaw, Kimberle Williams (Cited 1214 times)  
101 Harv. L. Rev. 1331 (May 1988)

PDF/Download  
MyHein

Cited by 992 Articles  
Cited by 3 Cases  
Accessed 96 Times

Turn to page  
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cases argued that the seniority systems perpetuated past discrimination against blacks.

Prior to 1977, at least six circuit courts of appeals held that courts could remedy the effects of past discrimination by requiring that jobs be filled on the basis of plant-wide rather than departmental seniority, and that seniority systems which perpetuated the effects of past discrimination could not be considered "bona fide." See *United States v. Navajo Freight Lines*, 525 F.2d 1318 (9th Cir. 1975); *Bowe v. Colgate, Palmolive Co.*, 489 F.2d 896 (7th Cir. 1973); *United States v. N.L. Indus., Inc.*, 479 F.2d 354 (8th Cir. 1973); *Bailey v. American Tobacco Co.*, 462 F.2d 160 (6th Cir. 1972); *United States v. Bethlehem Steel Corp.*, 446 F.2d 652 (2d Cir. 1971); *Jones v. Lee Way Motor Freight, Inc.*, 431 F.2d 245 (10th Cir. 1970), cert. denied, 401 U.S. 954 (1971); *Griggs v. Duke Power Co.*, 420 F.2d 1325 (4th Cir. 1970), rev'd on other grounds, 401 U.S. 424 (1971); *Local 189, United Papermakers v. United States*, 416 F.2d 980 (5th Cir. 1969), cert. denied, 397 U.S. 919 (1970). An overwhelming number of commentators agreed. See, e.g., Blumrosen, *Seniority and Equal Employment Opportunity: A Glimmer of Hope*, 23 RUTGERS L. REV. 268 (1969); Fine, *Plant Seniority and Minority Employees: Title VII's Effect on Layoffs*, 47 U. COLO. L. REV. 73 (1975); Gould, *Seniority and the Black Worker: Reflections on Quarles and Its Implications*, 47 TEX. L. REV. 1039 (1969); Note, *Title VII, Seniority Discrimination, and the Incumbent Negro*, 80 HARV. L. REV. 1260 (1967).

This view diverged sharply from the approach suggested by unions and employers, who

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