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Legalizing Gender Inequality challenges existing theories of gender-based pay inequality. The book argues that earnings differentials cannot be explained adequately by market forces or society-wide sexism and that the court's reliance upon these theories has tended to legitimate and to legalize a crucial dimension of gender inequality.

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The book argues that the courts have, by uncritically accepting the market explanation for wage disparity, tended to legitimate and to legalize a crucial dimension of gender inequality. Excerpt The decisions of federal courts in cases alleging sex-based pay discrimination reflect the tension between the

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law's normative commitment to equality and the courts' reverence for markets and efficiency.

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