



## Panel Confronts Enforcement of Civil Rights

Kimberly Hopkin '19  
(she/her/hers)  
Columns Editor

A panel on “Enforcing Civil Rights under the Trump Administration” brought four civil rights and diversity-focused attorneys together on Friday, September 15 to respond to the August 12 Charlottesville rallies and to discuss how lawyers can continue to work towards a more progressive America. This panel was supported by multiple UVa student groups including Lambda Law Alliance, Black Law Students Association, Jewish Law Students Association, Asian Pacific American Law Students Association, Latin American Law Organization, and the American Constitution Society, and by Gibson Dunn & Crutcher LLP. Lambda Law Alliance President, Raphaele Debenedetti, opened the panel by broadening the scope of the discussion from the events of August 12, in which white supremacist protestors violently clashed with counter-protestors in Emancipation Park resulting in the death of Heather Heyer, to the larger issue of ensuring equal protection under the law for all minorities.

Stuart Delery, a litigation partner at the D.C. office of Gibson Dunn & Crutcher LLP, started by reviewing the history of Confederate statues within the broader history of Jim Crow laws and the judicial system's unwillingness to help the disenfranchised. Putting forward a theory that exclusion of black Americans from the political process in the late 19th century followed a progressive pattern of violence, restrictive voting laws, and a lack of federal enforcement of equal protection, Mr. Delery noted that current events echoed history too much. As a former Acting Associate Attorney General in the Department of Justice under the Obama administration, Mr. Delery brought an informed perspective on the obligation to build federal judicial policy that will appropriately and vigorously protect minorities. In his opinion, the Trump administration has started a wholesale retreat from this responsibility. He cited the Arpaio pardon, withdrawal of transgender rights in schools, and restrictive voting laws. While acknowledging the allure of believing that we have no more work to do, Mr. Delery closed by

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# Champions Born From C Section



Section C, 1L softball champions, pose for a photograph  
Photo courtesy of Kim Hopkin.

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This past Sunday at Copeley Field, North Grounds Softball League (NGSL) hosted the 1L Softball Tournament, which pitted the 1L Sections and the LLM Section against each other to determine a champion. Jonathan York, Head Commissioner of NGSL and Head PA, explains the purpose behind the tournament as “an opportunity to form close friendships both inside and outside of [the] 1L sections.” Indeed, a “perfect break from the stresses of starting 1L,” this year’s tournament was impressively run. The bracket was determined based on Dandelion results and the outcomes of each team’s first regular-season game.

The tournament started at 9:00 a.m. with the #7 seeded team, Section C’s Cases Loaded, competing against the #10 seeded team, Section E’s Liabilit-E’s. Cases Loaded pulled ahead winning 7-6 and advanced to the next round. At 10:00 a.m., the #6 and #11 seeded teams played with Section B’s Bad News Bearisters securing a decisive victory against the LLMs<sup>1</sup> outscoring them 9-5. Section G’s Grand Slamicus and Section F’s F is for Phenomenal commenced their offensively impressive game at 11:00 am; Grand Slamicus managed to secure a victory by scoring a hotly contested run during extra innings after the teams were tied at 9. When the Moe’s BBQ arrived at noon, Cases Loaded headed back on the field to challenge the #2 seeded team, Section I’s

1 Seemingly nameless.

Inglawrious Batters. While there was some initial back and forth over the lead, Cases Loaded came roaring back to pull off an upset, winning 11-7. Bad News Bearisters then had to face off against the #3 seeded team, Section J’s Juris Daddies. The fact that Bad News Bearisters won 14-5 was indicative of the game in general. At 2:00 p.m., Section D’s Do It for the JD managed to best Grand Slamicus winning 9-8. Completing the last quarterfinal at 3:00 p.m., Section A’s Accidentally in Law dominated over Section H’s Hoos on First? by shutting them out 7-nothing with a stifling defense.

Heading into the semifinals, Accidentally in Law completed a double-header against Do It for the JD. Benefitting from some clutch hitting up and down their lineup, Accidentally in Law prevailed over Do It for the JD 5-3. Bad News Bearisters and Cases Loaded faced off at 5:00 p.m. Reinvigorated after the break,<sup>2</sup> Cases Loaded triumphed over Bad News Bearisters through a combination of impressive outfielding and base-clearing home runs, winning 9-5. Cases Loaded celebrated briefly and exuberantly as Accidentally in Law prepared their strategy under the shade of trees at the far end of the field.

The final started at 6:00 pm—a double-header for Cases Loaded. In the games leading up, Accidentally in Law adhered to the 1L tournament spirit to play all section members who wanted

2 And in search of further procrastination of LRW assignments according to some team-members.

to play, while Cases Loaded opted for the “best ten players will play” strategy. The atmosphere still elicited the sense that Cases Loaded was an underdog. Playing the first game of the tournament and dressed in mismatched blue shirts compared to Accidentally in Law’s late start time and polished jerseys certainly added to that impression. Accidentally in Law exhibited a strong defense and notable team leadership under captains Eleanor Schmalz<sup>3</sup> and Peter Dragna. The first inning reflected Accidentally in Law’s strength, as they pushed ahead with a 6-4 lead. However, as the Cases Loaded team captain Reese Gwin stated, “It was all about having fun—until we got to the championship. Then, it was only about winning.” That competitive attitude served the team well as Cases Loaded managed to shut the opposing team out for the next five consecutive innings. Accidentally in Law slipped defensively in the third and fifth innings allowing Cases Loaded to pull ahead 10-6. Feeling the pull of defeat, Accidentally in Law strategically forced the end of the sixth inning to start a seventh inning.<sup>4</sup> After some incredulous pushback from Cases Loaded fans<sup>5</sup> about


3 Proud Law Weekly staff member.


4 NGSL regulations restrict umpires from allowing the start of a new inning more than 55 minutes into the game. Accidentally in Law denies the allegation.


5 Mostly Section C PAs.


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## around north grounds


 Thumbs up to the appointment of James E. Ryan, first in the class of '92, as UVa's ninth president! ANG is excited to have a Law School alum as president, but ANG worries this might usher in a new age of respect for gunners, which ANG does not approve of.


 Thumbs down to Equifax putting half the population's sensitive data at risk. ANG would prefer ANG's student loans stay where no one can see them. Or think about them. Including ANG.


 Thumbs down to professors opting out of faculty quotes. All ANG is trying to do is accelerate your achievement of “legend” status...


 Thumbs up to Sean Spicer at the Emmys. What a country we live in, where redemption exists even for the most self-debasing of liars!

 Thumbs down to a certain president who still hasn't gotten over winning the election almost a year ago and continues to share inappropriate gifs regarding same. Didn't your momma teach you good sportsmanship?

 Thumbs up to the Immigration Law Program's Ice Cream Social yesterday. ANG never realized how interested ANG is in, ah, immigration law. If any other organizations are seeking ANG's attendance, you know how to get it.

 Thumbs down to the ticket scalping laws of the Commonwealth of Virginia. ANG was just trying to make a couple bucks off #Concert4Charlottesville for ANG's goat-breeding operation, and now ANG will have to check that “have you ever been convicted of a crime.”

 Thumbs up to the Juggalos bringing the Dark Carnival to Trump's three-ring circus. ANG is already stocking up on Faygo for next year.

 ANG extends once more a bouquet of congratulations to Young Helmsman Kim Jong-un on another successful test of intermediate-range strategic ballistic missile Hwasong-12. The bellicose Yankee wig man Trump and his warmonger puppets will surely be humbled by the DPRK's resolute deterrence force! (ANG's hands tremble as ANG draws wider and wider circles on a world map.)

# Harvey and Irma: How You Can Help

On August 25, Hurricane Harvey made landfall in Rockport, Texas at

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peak intensity. In Rockport, entire blocks were leveled by the hurricane's Category Four winds, measuring in at 132 miles per hour. The storm has resulted in eighty-one confirmed fatalities. Across the state of Texas, official aid workers and good Samaritans rescued over 13,000 individuals from the storm and its after-effects. The storm displaced another 30,000 people. Harvey inflicted serious structural damage to over 48,700 homes throughout Texas, including completely destroying 1,000 residences. Nearly 700 businesses were damaged as well. The storm resulted in billions of dollars in estimated property damage.<sup>1</sup>

In addition to the storm's devastating effects on the private well-being of Texas citizens, the consequences of Harvey threaten to stall the second-largest state economy in the United States. Risk Management

<sup>1</sup> Holmes, Frank, "We Looked into the Effects of Hurricane Harvey and Here is What We Found," *Forbes*, 09.05.17.

Solutions analysts believe economic losses could run between 70 and 90 billion dollars.<sup>2</sup> A majority of this loss stems from uninsured properties. The implications of storm recovery on Texas' booming energy industry remain relatively unknown. The country's most active oil refinery, Motiva, which typically produces 603,000 barrels of crude oil every

ages threaten to increase gas prices and decrease resource availability as displaced citizens return to the Houston area. The booming alternative energy industry, specifically in wind energy, is also certain to experience a stall in growth after Harvey. As the people of Texas fight to return to normalcy, a great many organizations have stepped up to help with

people displaced or suffering from the effects of the hurricane. These general funds will disperse resources to immediately provide food, water, and shelter. The funds will then transition to fund more long-term recovery efforts, such as the redevelopment of residential and commercial areas. The Center for Disaster Philanthropy emphasizes

Caribbean and southwestern Florida. The storm leveled 90 percent of structures on the islands of Anguilla, Barbuda, and Antigua.<sup>5</sup> For the first time in 300 years, there is no one currently living on Barbuda. The large-scale devastation on the U.S. Virgin Islands left more than twenty people dead and thousands of people without power, running water, and cell service. St. John resident Stephanie Stevens reported to NPR that those on the island need security: "We all survived this monster storm. But will we survive the aftermath?"<sup>6</sup> On Monday, Hurricane Maria made landfall in the Caribbean threatening the already distressed region. With winds over 100 miles an hour, Maria threatens to displace even more Caribbean residents and damage structures fragilely standing after weathering Irma. Similarly to J.J. Watt, Tim Duncan has started a "YouCaring" account for his native Virgin Islands that is still

*"Scheduling a pick-up is extremely easy, so clean out your closets, and maybe your pantries too! Clean water, food, and clothing will be critical in the resettlement process."*

day, has been shut down due to flooding and environmental concerns since the August 30. As much as thirty-one percent of the total American oil refining capacity has been either disrupted or severely limited since Harvey made landfall. The Houston area alone, known as the energy capital of the world, is capable of refining about 2.7 million barrels of crude oil a day, or fourteen percent of the nation's capacity.<sup>3</sup> Fuel short-

the relief efforts.

Here at UVa, the Lone Star Lawyers are collecting donations for Texas relief efforts. All donations go to the Greater Houston Community Foundation and the Coastal Bend Food Bank in Corpus Christi, Texas. Venmo donations can be made to the group's account at the username "@TxHoos." For those hoping to provide more general forms of relief, Global Giving, the Center for Disaster Philanthropy, and the United Way of Greater Houston have launched Harvey relief funds for the thousands of

investing "well rather than investing quickly" to address the greatest needs and gaps in funding that may yet emerge.<sup>4</sup> Notably, Houston Texans star J.J. Watt has raised over \$30 million for Houston relief efforts through "YouCaring," a crowd-funding site.

Less than two weeks after Hurricane Harvey devastated Texas and the parts of the Gulf Coast, Hurricane Irma did the same in the Ca-

<sup>4</sup> Wamsley, Laurel, "Here's How You Can Help People Affected by Harvey," *NPR*, 08.2017.

<sup>5</sup> Wamsley, Laurel, "Here's How You Can Help People Affected by Harvey," *NPR*, 08.2017.

<sup>6</sup> Dwyer, Colin, "The Rubble and Recovery of the U.S. Virgin Islands: 'Will We Survive the Aftermath?'" *NPR*, 09.2017.

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## HOT BENCH



Siarra Rogers '19  
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**1. Have you ever had a nickname? What?**

I've never had one my self-esteem couldn't handle.

**2. What is your favorite word?**

Bananas /bəˈnænəs/ adjective outrageous, senseless or extremely silly "That is bananas."

**3. Where did you grow up?**

I grew up in Clearwater, Florida. It's a beach town outside of Tampa Bay.

**4. What's the best meal you've ever had?**

Whatever I can find on the free food table (within reason, looking at you Panera Bagels).

**5. If you could meet one celebrity, who would it be and why?**

Jean Claude Van Damme. When I first saw Bloodspot I sat in front of the TV and didn't take my eyes off the screen. It

was the first and last time I haven't talked through a movie. I like to imagine we would do some splits, kick some palm trees, and maybe get in a workout.

**6. If you had to pick one song to play non-stop in the background of your life, what would it be?**

"American Girl" – Tom Petty & The Heartbreakers. JK, you know I am talking John Mayer cover here. It's an anthem.

**7. If you were a superhero, what would your superpower be?**

The ability to always make myself the center of attention.

**8. What's something you wish you'd known about law school before coming to UVa?**

How truly incredible the folks here are. Shout out to my friends!

**9. What did you have for breakfast this morning?**

Hashbrowns and Advil.

**10. What's your most interesting two-truths-and-a-lie? (And what's the lie?)**

(1) Hulk Hogan lived in my neighborhood, (2) I have been in and won a professional eating contest, and (3) I wrestled in high school. Number two is a lie, the contest was not professional and I took second.

**11. If you could live anywhere, where would it be?**

I would live in Zion National Park. So, Utah.

**12. What's the best (or worst!) PG-rated pick-up line you've ever heard?**

"Do you like raisins? How do you feel about a date?"

"Are you a casebook? Because I wanna study you all night."

**14. If the Law School had yearbook awards, what would you want to win?**

Teacher's Pet, gotta get those Letters of Rec.

**15. If you could know one thing about your future, what would it be?**

I'd like to know which of my classmates will be the president that appoints me to my judgeship.

**16. Backstreet Boys or \*NSYNC?**

On advice of counsel, I would like to utilize my fifth amendment right against self-incrimination.

**18. What's the longest you've gone without sleep and why?**

I get eight hours a night, baby.

**19. What's your favorite thing to do in Charlottesville?**

Going to Bilt three-to-five times a week.

**20. If you could make one law that everyone had to follow, what would it be?**

I would outlaw Pav construction during the school year. I understand they need to lay new tile on top of other tile, but the water saw has woken me up every day this week and, frankly, I am resentful.

## SOFTBALL

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a new inning starting fifty-four minutes into the game, Cases Loaded team captain Jackson Stallings energized Cases Loaded players and fans alike by assuring them that, with continued effort, victory would be theirs. Seizing that slight momentum,



Photo courtesy of Kim Hopkin

Cases Loaded scored an additional run in the top of the seventh inning. That's not to say that Accidentally in Law didn't exhibit some exemplary defensive moments during the last inning. Heading into the bottom of the seventh inning, Accidentally in Law scored an early run, but, unfortunately for them, were ultimately unable to capitalize on this momentum. Cases Loaded became the champions winning 11-7.

When asked about the win, Cases Loaded team captains stated that the team's tenacity depended on a feel-

ing of comradery and trust within the section: "We knew we had to have each other's backs, and we did. We are all we have." They also credited their non-playing section mates and PAs for supplying solid cheers and chants<sup>6</sup> that energized the team throughout the day. And with that, both teams shook hands, retired their gloves and bats,

and headed to the library to complete an impending LRW assignment.<sup>7</sup>

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Contributions courtesy of  
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<sup>6</sup> As well as pizza and "unbelievable dance moves."

<sup>7</sup> And for Cases Loaded, to showcase their winning trophy to leave no doubt in their classmates' minds who the winners were.

# The Sad Decline of Nelson Mandela's Party

*Due to the incompetence of the editorial board, the full version of this article was truncated in our September 13 edition. As such, we have decided to print it again in its entirety.*

In April of this year, South African President Jacob Zuma survived a vote of no

Jansen VanderMeulen '19 (he/him/his) Executive Editor



confidence in the National Assembly, the lower house of the Parliament of South Africa. Mr. Zuma is no stranger to votes of no confidence; he has now survived eight since his election to the presidency in 2009. Throughout his political career, Mr. Zuma has been dogged by an unceasing stream of allegations of impropriety and corruption. Claims including ones of rape, arms dealing, use of taxpayer money for home improvements, and illegal business collaboration with the shadowy Gupta brothers.<sup>1</sup> A few weeks prior to his election in 2009, prosecutors dropped 786 counts of corruption against Mr.

<sup>1</sup> <http://www.aljazeera.com/news/2017/08/political-scandals-president-zuma-survived-170808082727236.html>

Zuma, though South African courts have since ordered that at least some of the counts should be reinstated.<sup>2</sup>

How, in a period of less than twenty years' time, did

late statesman and Nobel laureate Nelson Mandela to its degradation under Mr. Zuma? The answer lies with the state of the party Messrs. Zuma and Mandela share: the African National Con-

ANC, outlawed throughout much of the apartheid regime, negotiated an end to the state-sanctioned regime of segregation and black disenfranchisement with the government of State President F.W. de Klerk in the early '90s, and went on to win South Africa's first free elections in 1994 with nearly 63% of the vote. Freed from the embargoes and condemnation that haunted South Africa prior to desegregation, the nation's economy boomed throughout the '90s and the first decade of the 2000s.<sup>3</sup> The South African people rewarded the ANC with increased parliamentary majorities every election until 2009.

The ANC also benefited from a divided opposition. In the election of 1994, Mr. Mandela's main opponent was Mr. de Klerk's National Party, the main party of government during the apartheid era. After those elections, in which Mr. de Klerk took around 20% of the vote, the National Party's vote share steadily declined until it disbanded in 2005. In its place rose an opposition split mostly between the centrist, liberal, primarily white Democratic Alliance (DA) and, in recent years, the firebrand leftist Economic Freedom Fighters (EFF), led by ex-ANC youth-

<sup>3</sup> <http://www.focus-economics.com/country-indicator/south-africa/gdp>

leader Julius Malema, who was once convicted of inciting racial hatred for singing a song encouraging the killing of white South Africans.<sup>4</sup> Earning just shy of 70% of the vote in the 2005 general election, the ANC reached the peak of its power, winning enough seats to unilaterally amend the Constitution.

The story since then has been one of graft and decline. A fight between Thabo Mbeki—Mr. Zuma's predecessor—and Mr. Zuma, then Deputy President, led to Mr. Mbeki's early resignation and triggered allegations that the South African government's charges against Mr. Zuma were politically motivated. Mr. Zuma's election in 2009 was the first time since the end of apartheid that the ANC's percentage of the vote declined from the prior election. It declined further in 2014, as the ANC sunk from nearly 66% of the vote to just over 62%, and more dramatically in the municipal elections of 2016, in which the ANC received less than 54% of the vote. The DA, traditionally confined to Cape Town and its Western Cape province, gained municipal control of Johannesburg, Tshwane

<sup>4</sup> <http://www.nytimes.com/2011/09/13/world/africa/13southafrica.html?mcubz=0>

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Photo courtesy of The United States Department of State

South Africa's presidency go from being occupied by the

<sup>2</sup> <http://www.bbc.com/news/world-africa-17450447>

gress (ANC), a left-wing, African nationalist party with support from South Africa's Communist Party but a moderate governing record. The

## Hunkered Down for Irma

Tampa, Florida is my hometown. My family still lives there, so when I saw the

Hannah Fraher '19 (she/her/hers) Guest Columnist



sudden westward shift of Hurricane Irma on the Friday before it made landfall in the U.S., I was afraid. Afraid for my family, afraid for my childhood home, and afraid for the city I love most. Late that night, I purchased a one-way ticket home for Saturday morning, to be with my family, help them prepare, and assist with the impending aftermath. I then ran down to the Wal-Mart in Charlottesville and bought supplies, as Tampa had effectively been cleared out since the Wednesday prior, including duct tape, walkie-talkies, a weather radio, and landline phones.

Upon flying in Saturday, I was immediately put to work covering all the windows of our home and moving valuables and breakables to inner hallways in case the windows didn't hold and wind tore through the house. We cleared out the closet under our stairs and set it up to be as comfortable as possible in case we didn't feel safe sleeping upstairs. We stocked the pantry with canned and boxed foods that didn't need to be cooked before eating, and froze water-filled baggies in order to have as much ice as possible – fully expect-

ing that we would lose power, and possibly for many days. I filled every jar and jug I could find with water, having been warned of the likelihood that we could lose

as the hurricane was beginning its landfall in the US. We didn't get much sleep that night.

The next day, we were glued to the television,



Photo courtesy of Hannah Fraher

sewer service and be put under a boil-water ban.

After all of our preparing we sat back and watched and waited for Irma to arrive. By Saturday night the eye of the hurricane was projected to pass right over our house as a Category Three the following evening, which means sustained winds of up to 130 miles per hour. Reports also came flooding in around that time of the devastation in the eastern Caribbean, and we began to lose communication with the Florida Keys,

watching the twice half-hourly updates from the hurricane center on the latest projected path. As the day progressed, the hurricane swerved a bit east and began to unravel. By the time the hurricane got to Tampa, it was a Category One. We slept soundly through the night and awoke to mostly superficial damage in our neighborhood. Some large limbs fell from the tree next to my house and scraped the façade on the way down, but there was no major damage

done. Within a day, landscapers had cleaned up all of the branches and leaves strewn about, and our neighborhood appeared to be back to normal.

We were lucky. Many people throughout Florida are still without power and water. Some of them live just a few minutes down the road from my family. Our house had never lived through a hurricane before, and stood up well on this occasion.

a hurricane before, and they also stood up well.

People will complain that Hurricane Irma was overhyped, since the actual outcome wasn't nearly as bad as projected for Florida, but it's better to be safe than sorry. This hurricane broke several records, and there are still several weeks left in hurricane season this year. The worst may still be yet to come.



Photo courtesy of Hannah Fraher

Even though my family has lived in Florida for more than thirty years, none of them had ever lived through

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LAW WEEKLY FEATURE: SPOTLIGHT

The Law Weekly reached out to affinity group leaders to write for us in a feature we are calling "Spotlight." Our goal is to give leaders a regular platform to start conversations about issues they are facing, to reflect on the events of August 11th and 12th, and to educate the UVa Law community about their diverse experiences so that we can become better allies to our fellow classmates.

If you or your organization would like to be featured, please reach out to us at [editor@lawweekly.org](mailto:editor@lawweekly.org).

Last weekend, Charlottesville hosted its annual Pride Festival, a time for the LG-

Wade Foster '19 (he/him/his) Vice-Chair of Programming Lambda Alliance



BTQ+ community to come together, to celebrate, to reflect, and to focus on the challenges still facing our community. Pride, even in Charlottesville, is a multi-day community celebration with events hosted by LGBTQ+ organizations, a festival downtown, and a parade. However, the first Pride wasn't nearly so cheery or community oriented. The first Pride parade was organized in New York City to commemorate the police raid on the Stonewall Inn and subsequent riots that took place on June 28, 1969. The organizers of the first Pride parade intended it to build visibility and inform the public about the oppression faced by the LGBTQ+ community. Since the initial Pride parade in New York City, the LGBTQ+ community has gained more acceptance, and the focus of Pride has changed to reflect both that acceptance and the challenges still facing our community. Much like the changing tenor and focus of pride celebrations, Lambda has changed over the years to reflect the needs of its members and the challenges facing our community.

The Gay and Lesbian Law Student Association ("GLLSA") was the first organization at the law school formed for gay and lesbian students. Founded in 1984, GLLSA brought "gay students together for social, political, and educational activities."<sup>1</sup>

<sup>1</sup> Glenn Jessee, GALLSA Outlines Gay Awareness Week, 38 Va. L. Weekly No. 19 (March 28, 1986); Law School Briefs, 36 Va. L. Weekly No. 13

Shortly after its founding, GLLSA began bringing speakers to the law school to discuss challenges faced by gay and lesbian students and hosted the first "Gay Awareness Week" in 1986. In the early days of GLLSA, the organization took an active role in educating the law school community about the AIDS crisis through a conference entitled "HIV and AIDS in Central Virginia: A Legal and Medical Perspective." At the time, HIV and AIDS were viewed as an urban disease. Speakers at the conference brought the AIDS crisis home to rural Virginia by focusing on the effects of the AIDS crisis throughout Virginia.

Today Lambda hosts multiple events focused on current issues facing the LGBTQ+ community. In the coming months, we plan to host a panel discussion in conjunction with Virginia Employment Labor Law Association (VELLA) on the Seventh Circuit's decision that employment discrimination based on sexual orientation violates Title VII of the Civil Rights Act of 1964. We are also planning several events focused on transgender issues and freedom of religion as it impacts LGBTQ+ rights.

Alumni of GLLSA recall the law school as a supportive environment that had a commitment to its lesbian and gay students. This is pretty incredible for the time, but not unexpected from the UVa Law community. One of the key aspects of supporting any minority population is getting to know those individuals and understanding what support looks like. GLLSA was originally founded to help educate the law school community about lesbian and gay issues. Today, Lambda continues to bring educational opportunities to the law school about challenges facing the LGBTQ+ community.

(Feb. 3, 1984).

Lambda is planning programming to help our allies understand how they can support LGBTQ+ individuals. As an LGBTQ+ person goes through the coming-out process, they reveal one of the most intimate parts of themselves. We want our allies to be able to support our LGBTQ+ students, both as they go through coming-out process and after they are out. It is important to understand that if an LGBTQ+ individual has entrusted you with this information it is your duty to keep it confidential. It is their decision to come out on their own schedule, not anyone else's.

Today, much like the early days of GLLSA, Lambda serves a social role for LGBTQ+ individuals to gather and be themselves. Alumni of GLLSA remember the organization as playing an important social function, giving them a "safe space" to let their hair down with people who had similar experiences. This remains a core mission of Lambda today. While the world is more supportive of the LGBTQ+ community than it was when GLLSA was founded, coming out can still be a scary process and it helps to have a readily identifiable community where you can open up and truly be yourself.

GLLSA appears to have changed its name to Lambda Law Alliance sometime in the early 2000's, the first reference to Lambda in the Law Weekly is in April 2001. The Greek lowercase λ (lambda) was chosen as the symbol for the Gay Activist Alliance in 1969. "The GAA literature explained that the lambda represented 'a complete exchange of energy--that moment or span of time witness to absolute activity' in the notation of chemistry and physics."<sup>2</sup> Since then lambda

<sup>2</sup> [http://www.glbtcarchive.com/ssh/gay\\_activists\\_alliance\\_S.pdf](http://www.glbtcarchive.com/ssh/gay_activists_alliance_S.pdf)

has been adopted broadly as a symbol of the LGBTQ+ community.

The name change from GLLSA to Lambda reflected the increasing "exchange of energy" throughout the organization and the increasing diversity of the membership with students across the LGBTQ+ spectrum including transgender, gender non-conforming, queer, bisexual, and questioning students. It also reflects the changing mission of the organization and the changing state of LGBTQ+ rights in America.

While Lambda continues much of the work GLLSA was founded to do, the mission has grown significantly, Lambda serves as an important career/networking conduit for its members and the legal community. Lambda also strives to be more inclusive of individuals with marginalized identities and aims to raise awareness beyond the walls of the law school.

GLLSA alumni in the late 1980's did not feel comfortable putting their association with the organization or anything relating to their sexual orientation on applications to law firms. So while they were out at the Law School (or at least to their peers in GLLSA), they went back into the closet when the job hunt began. Fortunately, the legal community today is much more accepting and encouraging of LGBTQ+ students.

In the early days, GLLSA had 15-20 members, some of whom were allies. Today the UVa Law LGBTQ+ community has over fifty out indi-

viduals. This is a testament to the support of the law school community that more and more law students feel comfortable being themselves.

Pride is a time to celebrate how far we have come and a time of reflection. Pride is also a time to focus anew on the challenges facing the LGBTQ+ community. While it is amazing how far we have come since GLLSA was founded, it is amazing how much work is left to do. Lesbian, gay and bisexual youth are four times more likely to attempt suicide than their straight peers. Forty percent of transgender adults report attempting suicide.<sup>3</sup> LGBTQ+ individuals can still be fired in many states just for being themselves.

These are just a few of the challenges that Lambda will continue educating the law school community about. We are thankful for our straight allies here at the law school and in the broader community joining us to work on these issues. If you want to get involved please reach out, if you are questioning your sexuality or gender identity know that there are students here who will confidentially support you.

\*Special thanks to J. Goodwin Bland ('87) and Joe Baker ('87) for sharing their experiences as members of GLLSA for this article.

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<sup>3</sup> <http://www.thetrevorproject.org/pages/facts-about-suicide>

Faculty Quotes

**G. Rutherglen:** "If men were angels, there would be no lawyers."

them if you read the case, but I'm a realist."

**J.C. Jeffries, Jr.:** "Whenever you find a Supreme Court opinion that has part II (i)(g), you're in trouble."


**J. Hylton:** "In all of my hypos I have the husband dying first. That's not some kind of death wish on myself."

**K. Kordana:** "I wanted better squirrels, less mangy, less hungry, less desperate, but what I got was just more squirrels"

**J. Mahoney:** "So what if you say 'I think the Girl Scouts border on some paramilitary organization.'"

**A. Vollmer:** "Here are the facts, you would already know

Heard a good professor quote? Email [editor@lawweekly.org](mailto:editor@lawweekly.org)!



## Virginia Law Weekly

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# Bear Safety Tips

As humidity levels drop and the late summer days become cooler, this time of year is perfect for taking full

Jason Boyle '18  
(he/him/his)  
Guest Columnist



advantage of all the natural environments that Virginia has to offer. Whether you choose to hike Old Rag Mountain in Shenandoah National Park or just go for a leisurely stroll on scenic Old Ivy Road, there is a lot of natural beauty all around us to enjoy. However, we must always be wary of the other natural inhabitants that share these areas. For example, Virginia is home to approximately 6,000 black bears and, according to the National Park Service (NPS), that number is increasing. Human encounters with bears in Virginia are rare, but they are becoming more common as the populations of both bears and humans rise, so I want to provide some tips from the National Park Service and the U.S. Fish and Wildlife Service to prepare everyone in case they encounter a black bear up close.

**Avoid bears:** Bears tend to avoid humans, so if you are hiking and want to avoid a bear, you can try to make your presence known by making continuous noise, such as speaking aloud. You can try to carry a bear bell, but the actual effectiveness of bear

## SOUTH AFRICA continued from page 3

(which contains South Africa's executive capital, Pretoria), and Nelson Mandela Bay, three of South Africa's largest municipal areas. The EFF, meanwhile, made its debut with more than 8% of the vote, entering into municipal coalitions with the DA against the ANC across the country despite their ideological differences.

While the ANC has continued to bleed support, the opposition has to contend with a host of hurdles that will prevent it from dislodging Mr. Zuma's party for the foreseeable future. First, the country's history of racial divisions remains contentious and visceral. The DA is a primarily white party—though it is now led by a black man, Mmusi Maimane—and despite roots in the anti-apartheid movement,<sup>5</sup> it has struggled to win the votes of black South Africans.<sup>6</sup> After its 2016 municipal breakthrough, the party was mired in controversy when its former leader, Western Cape province Premier Helen Zille, was sharply criticized for arguing in a tweet that the legacy of colonial-

<sup>5</sup> <http://www.sahistory.org.za/organisations/democratic-alliance-da>

<sup>6</sup> <http://www.reuters.com/article/us-safrica-election-race-analysis/anc-shaken-to-core-as-south-african-voters-look-beyond-race-idUSKCN10G1BJ>

bells is a questionable.

**Avoid bear cubs:** Mother bears are very protective of their cubs and will attack if they perceive you as a potential threat. Never stand between a cub and its mother.

**Hike in groups, if possible:** According to the NPS, bears

tending to charge, then turning away to leave the area.

**Make yourself look larger:** You should make yourself look taller by standing up and spreading out your arms. Try standing on higher ground or a fallen tree.

**Leave slowly:** If the bear is

advises hikers in bear country to purchase an EPA-approved bear spray and learn how to use it properly before hiking. According to the U.S. Fish and Wildlife Service, data has confirmed that bear spray is the most effective tool to deter a charging bear

for attacks by each species. If you encounter a bear in Virginia, it will undoubtedly be a black bear since grizzlies do not live anywhere around here. Black bears may appear as a shade of brown, but can be identified by their tall ears as opposed to the smaller, flatter ears of grizzlies. Black bears also lack the distinctive shoulder hump of grizzly bears.

**If attacked by a black bear:** the NPS advises that you NOT play dead. Instead, try to escape and, as a last resort, fight back with anything you can find, including your fists and feet. Aim for the bear's face and muzzle.

**If attacked by a grizzly bear:** DO play dead, by lying face down on the ground with your hands clasped over your neck. Try to keep your legs wide so the bear cannot turn you over. For grizzlies, fighting back can make them more aggressive. Remain still until the bear has left the area. If the attack persists, then fight back.

But as a reminder, bear encounters are rare and attacks are even rarer. Bears are really fascinating, well-adapted animals and they are fun to watch from a safe distance (at least 100 yards) in their natural habitat. With these tips in mind, you can enjoy the best nature that Virginia has to offer in safety. And remember to always carry that bear spray.

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Photo courtesy of [www.bearmageddonnews.com](http://www.bearmageddonnews.com)

are less likely to approach a group of people, so there is strength in numbers.

**Stay calm:** If a bear is focused on you and not running away, it may simply be curious. Try talking to the bear in a low, calm voice to show that you are a human and not its usual prey. Remember that bears will sometimes bluff that they will attack by pre-

stationary, move away sideways in a calm and slow manner so that you can keep an eye on the bear and reduce your chance of tripping. DO NOT RUN. Bears can run as fast as a horse and they have a natural instinct to chase a fleeing object. Also, keep in mind that black bears can climb trees.

**Carry Bear Spray:** The NPS

and has proven to be more effective than using a gun. Personally, I carry Frontiersman Bear Spray, but fortunately have not had to use it, so I can't personally speak to the effectiveness of that brand.

If you are attacked by a bear, it is important to know if it is a black bear or a brown/grizzly bear because the NPS advises different reactions

## RELIEF continued from page 2

actively accepted donations.

The continental U.S. also suffered significant damage as a result of the hurricane. Southern Florida felt the brunt of the Category Four Irma as it made landfall. Nearly 6.5 million Florida residents across the state woke up to no electricity the week of September 11.<sup>7</sup> The storm also left 10,000 Florida key residents homeless.<sup>8</sup> Florida's economy will experience substantial obstacles after Irma. Damage to Florida's tropical fruit industry was dramatic with an anticipated 70 to 80 percent drop in crop yield. Recovery efforts in southern Florida will have to focus on both residential and commercial losses.

In response to the overwhelming destruction produced by these hurricanes, many organizations have joined the relief efforts. If you are currently a student looking to help with the hurricane relief efforts, there are several different methods to help those in need. As we're all students and our surplus funds are often

<sup>7</sup> Associated Press, "A Look at the Damage from Hurricane Irma in the Caribbean," 09.2017. <http://abcnews.go.com/International/wireStory/damage-hurricane-ir>

<sup>8</sup> Atkins, Katie, "10,000 People in the Keys Left Homeless by Hurricane Irma," Miami Herald, 09.18.17.

ism was not "ONLY bad," noting South Africa's "independent judiciary, transport infrastructure, piped water, etc.," comments for which she later apologized and was suspended from all party leadership positions.<sup>7</sup>

The EFF, meanwhile, is thought to have limited appeal under Mr. Malema's bombastic leadership. Mr. Malema was once a close ally of Mr. Zuma; when Mr. Zuma was accused of rape, Mr. Malema brought up the alleged victim's "breakfast and taxi money" to show that she had "a nice time,"<sup>8</sup> comments which earned him a conviction under South African hate speech laws. But he turned against Mr. Zuma, and was expelled from the party after another hate crime conviction. The firebrand Marxist typically dons a red beret, and is known to engage in heated shouting on the floor of South Africa's National Assembly. While he has been successful in peeling off support from the ANC's left, and his alliance with the DA shows an unexpected pragmatism, it is difficult to conceive of a man who advocates for the nationalization of South African industry<sup>9</sup> and the Zim-

<sup>7</sup> <http://www.bbc.com/news/world-africa-40258949>

<sup>8</sup> <http://www.bbc.com/news/world-asia-pacific-14718226>

<sup>9</sup> <https://mg.co.za/article/2010-02-19-malema-nationalisation-will-become>

babwe-style expropriation of white-owned property<sup>10</sup> being elected to the South African presidency.

As Mr. Zuma approaches the ten-year limit placed on South African presidents, the ANC faces a crossroads: the leadership of the ANC will likely come down to Mr. Zuma's Deputy President, Cyril Ramaphosa, and Mr. Zuma's ex-wife, Nkosazana Dlamini-Zuma (Mr. Zuma, a polygamist, is currently married to four women, with two additional ex-wives, including Ms. Dlamini-Zuma). If Ms. Dlamini-Zuma, an ally of her former husband, wins the leadership with Mr. Zuma's backing, the party can expect to lose more ground on its right to the DA in the cities, and more to the EFF in its rural heartlands. Even short of losing power, the ANC presents western democracies with a cautionary tale about parties in power for too long. If the party of Mandela's triumph can wither and slink into the party of Zuma's shame, no political party is exempt from the one immutable rule in democratic politics: no party wins power forever.

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anc-policy

<sup>10</sup> [https://www.dailymaverick.co.za/article/2017-03-01-malema-if-you-see-a-beautiful-piece-of-land-take-it/#.WbYM\\_siGM2w](https://www.dailymaverick.co.za/article/2017-03-01-malema-if-you-see-a-beautiful-piece-of-land-take-it/#.WbYM_siGM2w)

PANEL

continued from page 1

urging students to push for a more perfect union and to remember that current events cannot be separated from the past.

Chantale Fiebig, of counsel at the D.C. office of Gibson Dunn & Crutcher LLP, brought a uniquely personal viewpoint to the discussion by sharing her experiences as an African American attending UVa as an undergraduate. Born in Central Africa, Ms. Fiebig shared her African mother's disbelief upon learning about the enslavement and subsequent disenfranchisement of black Americans when they first moved to the United States. Ms. Fiebig felt disconnected from the weight other black Americans had to bear until she attended UVa. During an orientation event, she recalled how the university played country rock music on the front lawn and rap music on the back lawn promoting a de facto segregation of students. To this day, she wonders why they couldn't just "turn off the music, and let people talk." During her first experience at a protest, Ms. Fiebig recalls being marginalized by another student insisting that the protestors were protesting being black by wearing black; they were actually protesting a homophobic line in "The Good Ole Song." She denounced those who hide behind ex-

cuses of history and tradition because they often fail to see that the history itself is what feels so oppressive. To fight against this, Ms. Fiebig advises lawyers to stay vigilant and to "choose kindness." When discussing career options, she reminded the audience that private sector lawyers still have opportunities to contribute through pro bono work and choosing to take civil rights cases.

Angela Ciolfi, Director of Litigation and Advocacy at the Legal Aid Justice Center and UVa Law alumna, addressed what the August 12 rally meant and what it changes. Ms. Ciolfi contended that it may have started a discussion, but that racism was present before and is still present today. Citing multiple statistics, including the fact that black Americans are stopped and frisked by police nine times more often than white Americans and that 0.04 percent of government contracts in the local area go to female, veteran, or minority owned companies, Ms. Ciolfi challenged the audience to seek structural change at the state level. Although charity and passion are important, she implored the audience to understand the need for a strategy when confronting systemic injustice. Ms. Ciolfi also reminded the audience that change is not about politics; it's about reaching across the spectrum to build the right policies.

The final panelist, James Hingeley, a public defender for Albemarle County and elected member of the executive committee of the Albemarle-Charlottesville NAACP, started his remarks by commemorating the 67th anniversary of Gregory Swanson enrolling as the first African-American UVa Law student. After recounting the UVa Law faculty's unanimous support through Swanson's court battle, Mr. Hingeley called Mr. Swanson a hero and urged the audience to remember his legacy. Then, Mr. Hingeley pivoted his speech towards the August 12 rally and the ways the legal system could have been used to procure a better outcome. Following the July 8 protest, Charlot-

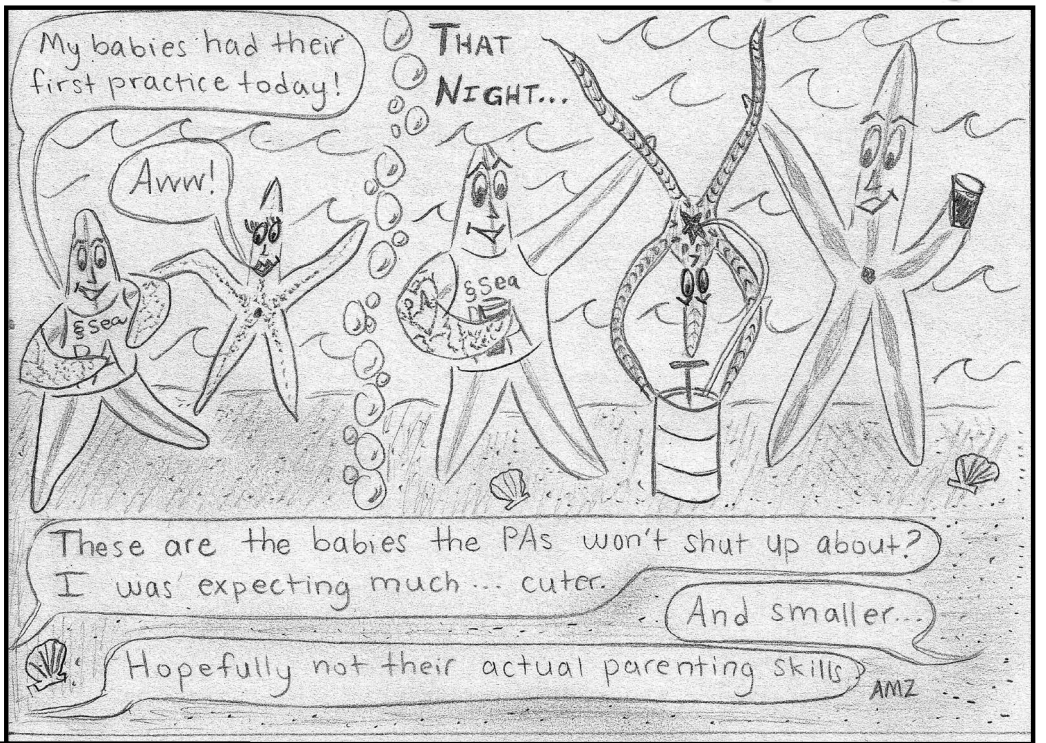
tesville was inundated with requests to silence the white supremacist group by denying their protesting permit. Recognizing the hateful message this group perpetuated, Mr. Hingeley said the city did a poor job of communicating to its citizens that the First Amendment still allowed this speech. Rather than even insisting it was a negative consequence, Mr. Hingeley urged the audience to understand and celebrate the power of the First Amendment in combatting inequality. He felt that focusing on the expression the white supremacist groups would espouse instead of the high amount of violent threats leading up to the August 12 rally was the reason the city was

enjoined from moving the protest to an area that could have been controlled better. For this reason, he pushed the importance of communicating and giving weight to the proper arguments in this type of legal work. He urged the audience to use non-violent tactics and celebrate the First Amendment even when it seems like an assault on our values.

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Cartoon By Ali



THE DOCKET

| TIME                                  | EVENT  | LOCATION                           | COST | FOOD?  |
|---------------------------------------|--|------------------------------------|------|--|
| <b>WEDNESDAY – September 20, 2017</b> |  |                                    |      |  |
| 11:30 AM                              | Say "Hey SBA": FYC Spotlight AT  | Hunton & Williams Hallway          | Free | No.  |
| 11:45 AM                              | Neil Eggleston - The Role of the White House Counsel and the Rule of Law   | Caplin Pavilion                    | Free | Yes, Ivy Provisions                                      |
| 5:00 PM                               | Student-Faculty Wine and Cheese Night  | Caplin Pavilion                    | Free | Wine, probably cheese                                    |
| <b>THURSDAY – September 21, 2017</b>  |  |                                    |      |  |
| 11:30 AM                              | Textualism and the 14 <sup>th</sup> Amendment  | WB 128                             | Free | Chick-fil-A  |
| 12:30 PM                              | Common Law Grounds Lunch Discussion: The Similarities and Differences Between "Free Speech" and Academic Freedom/Discourse | Purcell                            | Free | Maybe, it says lunch, but that might just be free speech |
| 6:00 PM                               | 2017 Joseph Smith Lecture Panel Discussion   | Spies Garden                       | Free | Probably not.  |
| 10:30 PM                              | The Official University of Virginia Law School Band Gunners n' Roses   | Crozet Pizza at Buddhist Biker Bar | Free | Hot pizza and cool tunes                                 |
| <b>FRIDAY – September 22, 2017</b>    |  |                                    |      |  |
| 12:00 PM                              | Downtown Street Fair and Sidewalk Sale   | 100 West South St.                 | Free | For purchase   |
| 5:00 PM                               | Start of Tomtober Fest   | Emancipation Park                  | Free | Food trucks for purchase                                 |
| <b>SATURDAY – September 23, 2017</b>  |  |                                    |      |  |
| 12:00 PM                              | Downtown Street Fair and Sidewalk Sale   | 100 West South St.                 | Free | For sale   |
| 7:30 PM                               | Mute Math  | Jefferson Theater                  | \$23 | No.  |
| <b>SUNDAY – September 24, 2017</b>    |  |                                    |      |  |
| 10:00 AM                              | Foxfield Races Family Day  | Foxfield Trak                      | \$25 | Soggy Raising Canes courtesy of the 1Ls                  |
| 1:30 PM                               | Democratic BBQ   | Pen Park                           | Free | BBQ and progressivism                                    |
| 3:30 PM                               | Concert for Charlottesville  | Scott Stadium                      | Free | JT, yum  |
| 6:30 PM                               | Art House Theater Day: Titicut Follies   | The Violet Crown                   | \$11 | For purchase   |
| <b>MONDAY – September 25, 2017</b>    |  |                                    |      |  |
| 6:00 PM                               | iTrek 2018 Information Session   | WB 102                             | Free | Pizza  |
| <b>TUESDAY – September 26, 2017</b>   |  |                                    |      |  |
| 6:00 PM                               | Don'ts of Security Clearances  | Garrett Hall (Main Grounds)        | Free | Information classified                                   |
| 7:00 PM                               | Art House Monthly: Sin Nombre  | The Violet Crown                   | \$9  | For purchase   |

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