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Why You Should Care About What's Happening in Iran

Cyrus Oveissi '23
Guest Writer

Today, I booked a plane ticket to visit my grandfather in Paris. He and his brother are both buried there. They and so many other Iranians have met a similar fate: brutal execution because they believed in basic human rights for their people. Today, more Iranians are being butchered. I am here to plead for your voice and support in our fight for freedom.

My name is Cyrus. If that is not a dead giveaway, I am an Iranian American. I was named after the great liberator, Cyrus the Great of Persia. King Cyrus was known as a liberator and not as conqueror because he respected the individual religious beliefs and customs of each state he ruled over. Those of you that do know me are aware that I have a deep sense of pride not only in who I am but for where I come from. Perhaps, however, less apparent is this: coupled with my sense of pride I carry on my back decades of pain, grief, and guilt. Some 40 years ago, my father came to this country to attend college with hopes of bringing back to Iran a wealth of newfound knowledge. Then, in 1979 the Iranian "revolution" happened. A short time later, his father and uncle were assassinated in Paris in order to stop the spread of "dangerous information." The same men who orchestrated this barbaric and senseless murder of my family are taking aim at innocent protestors in Iranian streets today. This new crisis adds to my already deep sense of exhaustion, but what keeps me going is the simple notion that I am not alone. Iranians around the world shoulder the same weight; none braver than the very men and women pouring into the streets of Iran as I write this.

In a feat of painful irony, I write to speak about these very atrocities. While I may be named after one of the greatest liberators in ancient history, right now I feel hopeless. I am angry, I want to cry, I want to fight, but I need help. Your help! For four decades, the Iranian people, especially women (young and old), have been the subject of a crude experiment where they have been stripped of any and all individual freedoms, basic human rights, and happiness. No, my people are not rising up because they face economic difficulties. We are a resilient bunch and for the better part of the last century sanctions have been synonymous with Iran and so too have economic issues. My brothers and sisters are pouring into the streets demanding change

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Students Walk Out as Congressman Speaks

Pictured: Students walking out while Congressman Good speaks. *Photo Credit:* Ariana Smith '23.

Jon Peterson '23
Co-Executive Editor

On Tuesday, October 4, Bob Good, the U.S. House Representative for Virginia's Fifth District,[1] came to speak to students at the Law School. The talk was originally going to be a small one, set in Brown 104. When I arrived, there were roughly ten boxes of food that had, presumably, been readied for those who RSVP'd to the event. However, far more than ten students were present. Unbeknownst to the administration and the student body at large, the National Lawyers Guild and the Immigration Law Society had planned a walkout for the event.

The walkout was kept secret. According to the organizers, this was to prevent the School's administration from getting involved by sending the University's speech policy to protesters and organizers alike. The speech policy, many claim, is designed to make students second-guess their decision to protest. Ariana Smith '23, one of the organizers, stated that she believes the speech policy is intentionally vague in order to induce anxiety for both organizers and protesters alike when considering whether they will face disciplinary actions for exercising the right. Another purpose of keeping the protest secret, Smith said, was simply to heighten the impact of the protest. "We wanted the walkout to come as a shock, because we think this made our protest more effective."

It certainly was a shock. Rep. Good arrived to a classroom full of what one can only assume he believed to be students interested in hearing his message. After a paltry applause upon his arrival,[2] the instant the representative began to speak, roughly 85 percent of the room stood up and departed. What happened after the departure is anyone's guess.[3] However, protesters did not stop at simply getting up and leaving. One of the most fiery moments came when, as he was exiting the classroom, Spencer Haydary '23 turned and said the following to Rep. Good: "For someone who thinks we're groomers and pedophiles, you sure think about what's in between a trans kid's legs way too much."

Statements like this are levied at Rep. Good for a handful of reasons. Not to mention accusations that Rep. Good is xenophobic,[4] anti-science,[5] and spreading "stop the steal" election lies,[6] Rep. Good's first public vote on the Campbell County Board of Supervisors was to reject the Supreme Court's decision in *Obergefell*.[7] Rep. Good primaried the former representative for the Fifth District, Denver Riggleman, after Riggleman officiated a same-sex wedding, making that officiation a key point in

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1 Our district.

2 Incidentally, it was a lone protester who applauded his entrance.

3 Except for the handful of students who stayed.

4 Mabinty Quarshie, *These 16 Republicans voted against speeding up visas for Afghans fleeing the Taliban*, USA Today, https://www.usatoday.com/story/news/politics/2021/08/17/16-republicans-voted-against-special-visas-help-afghanistan-people/8163392002/.

5 Meagan Flynn and Laura Vozzella, *Rep.-elect Bob Good calls the pandemic 'phony.' Covid-19 has killed more than 300 in his district*, Wash. Post, https://www.washingtonpost.com/local/bob-good-phony-pandemic/2020/12/14/a0f4b504-3e1c-11eb-8bc0-ae155bee4aff_story.html.

6 *Rep. Bob Good's Statement on Electoral College Certification Vote*, https://good.house.gov/media/press-releases/rep-bob-goods-statement-electoral-college-certification-vote. To be fair to Rep. Good's stance in this press release, he does not outright say that Trump should be president—rather, he uses the typical dog whistle of claiming that the votes must be reviewed to ensure electoral legitimacy.

7 Meagan Flynn, *From quiet Falwell Acolyte to bombastic Marjorie Taylor Greene ally: A freshman lawmaker's political evolution*, Wash. Post, https://www.washingtonpost.com/dc-md-va/2021/12/10/bob-good-liberty-university/.

around north grounds

Thumbs up to outlining season. ANG loves competing in lying about how many pages ANG's outline has and watching 1Ls panic.

Thumbs down to Fall Break. ANG thought ANG would get a break from the grind, but turns out all ANG got was the wind knocked out of ANG's sails.

Thumbs up to the rain. ANG loves watching fall leaves turn into muddy paste on the ground.

Thumbs down to Fat Bear Week voter fraud. Is nothing sacred?

Thumbs sideways to job loss. It's time we move forward.

Thumbs down to Meta's decreased userbase. ANG loves the idea of rich people sealing themselves in a personal demiplane run by a lizardman, so the continued failure to gain subscribers is deeply tragic.

Thumbs up to professors who bring treats to class. ANG is hanging on by a thread, and a little surprise sweet is always appreciated.

Thumbs sideways to 1Ls. ANG hates you all, but eventually you will be 2Ls and 3Ls, at which point ANG will feel neutral depending on how you play your cards.

Thumbs down to the JAG School monopolizing Justice Kagan. Thumbs down to the JAG school in general, the Law School's eternal rival.

Thumbs down to climate change. Those eight billion crabs were ANG's friends.

Thumbs up to *House of the Dragon*. ANG can appreciate fellow mythical creatures like Meleys asserting their dominance.

C Them Run: Cold Callers Win Crown

Sarah Walsh '23
Staff Editor

It took four games, three fields, and forty-two total runs for the Cold Callers to become the 1L Softball Tournament champions of 2022. The tournament kicked off Sunday morning, with Tortelini-e facing off against the Cold Callers on Copeley, while J's and Confused took on the LLM NFTeam over at Park 6. The nine-seed Cold Callers pulled off their first upset of the tournament and advanced to the next round of play on a 7-3 win over Section E, while J's and Confused cruised to an easy 10-5 victory over the LLM NFTeam. Unfortunately for Section J, they were knocked out in the next round by the three-seed BARbarians in a close 8-9 game. Meanwhile, I's on the Ball eked out an 8-7 win over Public InDecency, only to follow in J's and Confused's footsteps by immediately getting eliminated from the tournament in their following game. While Section I's clever—if a bit overly optimistic—chants of "We believe that I will win" sounded through the air at Copeley during their eventual 5-12 loss against Aiding & Abatting, over on the Park 6 field, Guilty as Charged stormed their way to an 11-1 victory over F for Final Judgment.

It wasn't until the 1 p.m. game, however, that the tournament really began to pick up. After doing some team stretches, high knees, and jumping jacks, the Dandelion champion Habeas Scorepluses took the field to face off against the Cold Callers. Despite a rousing chant of "Go Hoes on three, Go Hoes on three! One, two, three, HOES!" before the start of the game, the one-seed Habeas Scorepluses found themselves in trouble almost immediately, as the Cold Callers took an early lead in the top of the first with a no-outs, three-run home run. Over the course of the next four innings, Section H fought their way back to come within one run of the Cold Callers, who—by the sounds of their heckles—had brought a megaphone to the game.[1] Unfortunately for Habeas Scoreplus, it wasn't enough. With two outs and the score at 9-8 in the bottom of the final inning, Cold Callers co-captain Sam Quinan '25 made a jumping catch to end the game and deny Section H the Triple Crown of Dandelion winner, best 1L section softball team name, and 1L Softball Tournament champion. With that, the once-top-seeded team of the tournament cleared the field, and the semifinals began.

The first semifinal game, featuring Aiding & Abatting versus the BARbarians, started at about the same time as the rain. While the drizzling rain added to the game's atmosphere, the sudden lack of sun threatened to bring the mood down.[2] The BARbarians thankfully brought some much-needed energy, keeping up high spirits and chirping other players, even as they fell to Aiding & Abatting, 5-15.

Pictured: 1L Section C, Champions of the 1L Softball Tournament.
Credit: Sarah Walsh '23.

Unfortunately, by the conclusion of the first semifinal game, Copeley was no longer playable. Rather than postpone the final two games of the tournament (after the tournament itself had already been moved from its originally scheduled date of September 25), it was decided that the second semifinal game would be moved to the turf fields down at the Park. Despite the difficulty presented by the change, both teams graciously pivoted to playing on the turf fields without complaint, and within minutes of arriving at the Park 5 field, the Cold Callers got warmups going with "Eye of the Tiger."

The change of field didn't appear to be a problem for the Cold Callers, who got off to a blazing start, thanks to a leadoff home run from C.J. Wittmann '25. However, the team's fortunes quickly reversed following two stunning plays by Section G co-captain Marie Ceske '25, who recorded the first out of the inning when she made a deep lunge to snag a line drive that would have easily made it past a less-skilled player. A few hitters later, Ceske also got the final out of the half-inning with a lightning-fast stop of a ball coming straight for her chest, which she then cleanly threw to first base.

Whether it was the result of seeing the life of one of their classmates flash before their eyes, the slipperiness of the rain-soaked turf, or just the general difficulty that playing on the turf fields presents, the Cold Callers' early lead was almost immediately erased as Guilty as Charged capitalized on deep hits to the outfield to send multiple runners home. As the first inning eventually drew to a close, it was announced that there would be another change of location, this time to the non-turf Park 6 field, which turned out to be playable, despite the rain (which was still going at the time, albeit significantly lighter than before).

Both teams gladly accepted the change, and the Cold Callers came roaring back in the top of the second inning with seven runs, many of them scored on two outs. Unwilling to go down without a fight, Guilty as Charged answered with more runs of their own, and by the end of the fifth inning, the score was tied at nine runs apiece. It was then—in the top of the sixth and down 1-2 in the count—that Wittmann launched a no-doubter over the Park 6 fence to put the Cold Callers in the lead. Guilty as Charged threatened to come back and defeat the Cold Callers in the bottom of the sixth, quickly scoring their tenth run and getting runners on second and third. With two outs, the winning run at the plate, and the tying run in scoring position, Quinan once again recorded the final out of the game—this time on a shallow infield fly—to pre-

Softball page 5

1 A move that I deeply respect and admire.

2 An effect that was compounded by the fact that otherwise-excellent (and appropriate) walkup songs like "It's Raining Men" couldn't be played because they interfered with the umps' abilities to discern whether or not they were actually hearing thunder off in the distance.

Professor Discusses Marijuana with the Federalist Society

Ethan Brown '25
Staff Editor

On October 6, the Federalist Society at the University of Virginia School of Law hosted Professor Jonathan Adler of Case Western Reserve University School of Law to discuss the legal status of marijuana in jurisdictions across the United States and offer a framework for how federalism should guide evolving discussion on the topic.

The event, which offered free Mellow Mushroom pizza to attendees, began with Professor Adler giving a brief overview of marijuana's decriminalization and legalization in different states since the 1990s.[1] Since California first legalized marijuana for medicinal purposes in 1996, an additional thirty-six states and the District of Columbia have followed suit by permitting either recreational or medicinal marijuana usage. Of those, nineteen states and D.C. allow recreational marijuana. Professor Adler noted that the number of states permitting recreational use is likely to increase in the very near future, with both Maryland and South Dakota poised to potentially legalize recreational weed in referenda next month.

Despite shifts in public opinion suggesting rapid increases in the percentage of Americans who approve of legal weed, Professor Adler emphasized the central conflict inherent in modern marijuana legalization: The drug is still illegal for purposes of federal law. Federal illegality has far-reaching effects, especially in areas of banking, firearm background checks, and employment clearances.

Professor Adler said the tension between state and federal legality is, at times, volatile and messy.

"This situation is, in some respects, less stable, and certainly for those of us in the legal profession, more precarious . . . because even though there is not routine federal enforcement of marijuana laws, the mere fact that marijuana is illegal under federal law has far-reaching effects on other areas," Professor Adler said.

Professor Adler pointed out two spheres—banking and legal counsel—where the federal prohibition of marijuana has impaired states' ability to set up dispensaries within their borders. Any bank contact with transactions related to the sale or production of marijuana could be interpreted as supporting illegal activity in the eyes of the federal government; therefore, states have had to rely on local credit unions, which are not federally regulated, in order to finance the industry. This adds a significant obstacle to dispensaries and other marijuana-related businesses trying to set up shop, even in states with recreational usage.

Conflicting professional obligations for lawyers and other advisors also hinder these businesses' operation. While lawyers are obviously able to counsel those convicted of a crime, they cannot advise their clients on how to engage in prospective illegal activity—and advising dispensary owners how to produce or sell marijuana would constitute an illegal act under federal law. This tension puts both sides—marijuana-related business owners and lawyers—in an uncomfortable position.

Besides ramifications for states as they attempt to implement legalization, Professor Adler also pointed to employment clearances as an area of concern for the drug's continued federal illegality. Some people who used marijuana in legal jurisdictions have been surprised to see federal employment offers and security clearances affected by that usage, a phenomenon seen as high up as the White House.

"It's still a question you get when you have a security clearance, as some would-be appointees to the current administration discovered, to their chagrin," he said.

Professor Adler noted that there have been some steps towards a modest relaxation of the federal ban. In 2009, then-Deputy Attorney General David Ogden issued a memorandum clarifying the federal government's decision to prioritize marijuana-related prosecutions involving drug trafficking and sales to children, and this memo was renewed throughout the Obama, Trump, and Biden administrations. Last year, a federal research grant for medical marijuana was granted, the first one since 1968.[2] And perhaps most significantly, the day of Professor Adler's talk, President Biden announced a pardon of all prior federal offenses for simple possession of marijuana.[3]

Still, these slow changes will not solve the tension between federal and state governments overnight. That task, Professor Adler said, can be tackled by employing principles of federalism.

"At the end of the day, I think federalism has a lot to offer us in marijuana policy, both in terms of allowing people to live under the laws that they want, but also in helping us learn what sorts of laws related to marijuana would make the most sense," he said.

Professor Adler said one potential way for federal and state governments to coexist on marijuana is to treat the drug just like alcohol. He said that marijuana could be handled just as alcohol was at the end of Prohibition, when the federal government took itself out of the legal-

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1 Kudos to the clever person who chose Mellow Mushroom—whose signature mushroom mascot looks high as hell—to cater an event about weed. (The decision to have pizza also fit the bit well).

2 https://www.npr.org/sections/health-shots/2021/05/30/1000867189/after-50-years-u-s-opens-the-door-to-more-cannabis-crops-for-scientists

3 https://www.whitehouse.gov/briefing-room/statements-releases/2022/10/06/statement-from-president-biden-on-marijuana-reform/

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his campaign.[8] Further, Rep. Good has recently co-sponsored a bill that would render the provision of gender-affirming care to trans youth a felony nationwide.[9]

It is because of this record that the organizations planned the protest. They believe that, by welcoming Rep. Good to speak at the Law School, the Law Republicans have given "a platform to—if not actively endorse[d]—everything that [Rep.] Good stands for and has stood for." Their goal when organizing this protest, said Warren Griffiths '23, another organizer, was to challenge the "public conception of UVA Law as a conservative safe haven." Griffiths went on to point out that, while this vision of the Law School does exist, "you could count on one hand the number of students who actually wanted to attend this event." For the organizations involved, Griffiths stated, "this protest meant proving to everyone in our community . . . that UVA Law is not a space where these harmful opinions can be invited and voiced comfortably and without resistance."

This method of protesting raises questions. Questions both about the protest's efficacy, and about the role that students and student organizations should have when inviting controversial speakers, especially those who are elected representatives, to speak to our community. For organizers like Griffiths, individuals with viewpoints like Rep. Good simply have no place. They are out of step and harmful. Smith, on the other hand, believes that while speakers like Rep. Good cannot be prevented from coming to the Law School, when they do choose to come, they should expect to be met with resistance. "Come if you want, but be prepared to answer for what you've said and the atrocious harms you've committed," says Smith. Both speakers, however, do believe that the Law School neither can nor should play a role in either inviting speakers like Rep. Good to the school (either endorsing or sanctioning the decision) or in preventing or encouraging students to protest such events, as the administration often does by circulating the speech policy.

A question raised by this event is whether a speaker can be simply too controversial to be brought to the Law School. While nobody would expect an organization to pull a random person with Rep. Good's views off the street to come speak, it is another question when that individual is a duly elected representative. Especially when they represent the district in which we currently reside. In many respects, this was a matter of Rep. Good coming to speak to his constituents—young, conservative law students, some who agree with many of his views, and others who do not. Simply put, the fact of Rep. Good's position as a representative complicates opinions on whether he should be welcome.

It also raises the following question: Are some views, even if held by a majority of the constituents in an area,[10] simply too harmful to a community, which represents a subset of that larger constituency, to warrant giving an individual with those views a platform? What if Rep. Good was not a representative, and was instead an influential legal theorist, or a corporate lobbyist? Would his views be less worth airing out in the public forum of a Law School community that is, truthfully, not represented by Rep. Good in the slightest? In short: At what point does an individual become simply too harmful to speak, and how should that individual's position affect the calculus? There are no easy answers to this question.

Suffice it to say, the number of protesters at this event far outweighed the number of attendants. So, while Rep. Good may represent some people, it seems that he does not represent us. Perhaps this is an argument for complete exclusion of people with views as incendiary as Rep. Good's. Perhaps this is all the more reason to present those views here, in a place where they will actually be challenged. Ultimately, however, the protest and Rep. Good's presence itself were examples of appropriate political discourse occurring at a dangerously influential institution. And, if nothing else, coming together in protest is a powerful thing. "I felt a strong sense of unity with my peers," said Smith, when asked about why she helped organize the event. That unity, and that sense of community, were some "of the things we had initially hoped to accomplish when we planned the protest." And, if nothing else, that aspect of the protest was an undeniable success.

The Law Republicans were asked to comment. They declined to do so.

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8 Catie Edmonson, *G.O.P. Congressman Is Ousted from Right After Officiating at Same-Sex Wedding*, N.Y. Times, https://www.nytimes.com/2020/06/14/us/politics/denver-riggleman-virginia-primary-bob-good.html. This wedding was between alumni of both the Law School and the business school.

9 Jennifer Shutt, *Va. Rep Good joins GOP drive to criminalize gender-affirming care for transgender youth*, Va. Mercury, https://www.virginiamercury.com/2022/09/20/marjorie-taylor-greene-leads-gop-drive-to-criminalize-gender-affirming-care-for-transgender-youth/.

10 This is not to imply that Rep. Goods' views are actually held by a majority of his constituents—they may very well not be.

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ization process and instead opted to enforce boundaries between so-called "wet" and "dry" states that made their own independent decisions on legalization.

Ultimately, Professor Adler said that a federalist approach would empower states and local jurisdictions to experiment with different policies that work for their specific circumstances. Then, these lessons could be applied to other areas of the country or discarded in favor of more compatible policies. It would also give jurisdictions the opportunity to test ways of combating some of legalization's possible ill effects, including minors' increased access to the drug and potential risks to public safety.

"Part of the point of federalism is to allow jurisdictions to try things, and some of those things will be mistakes. But we learn from them, and we ultimately get better policy as a consequence."

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Remember Signing Up for Classes? Here's Some Tips from a 3L

Sai Kulkarni '23
Production Editor

Scheduling classes is hard. It's tough enough to use the lottery system, for everyone from 1Ls to 3Ls. That's without mentioning trying to use the SIS system to build a calendar. In short, it is yet another complex hurdle on your path to stumbling towards your J.D. and a job that will *definitely* fill the hole in your heart where your parents' love should be. Everyone has a different strategy, depending on their goals, but the wide range of classes available provide a scheduling quagmire that not even Daemon Targaryen could cut his way out of.[1] But no need to stress. If there is one thing that I am good at, it is advocating for finding the easy way out of law school—I refer you to almost anything I have ever written for this paper. So, it's time to provide you with an easy cheat sheet of how to sign up for classes throughout law school.[2]

The first time any of us signed up for classes in law school was for Spring of 1L. So, to our dear 1L readers, I want to tell you this: You have more energy to study than you ever will for the remainder of law school. I recommend you sign up for as many credits as you possibly can during this round of scheduling. Get yourself up to seventeen or eighteen credits because you are on such a study high—you need to take advantage of it. You will reap the benefits for the next two years. Imagine having nothing but twelve-credit semesters for the rest of law school. Maximizing credits in your first spring semester is the One Ring to rule law school—you can stunt on everyone else and take it easy in the years to come.[3] Pausing on the jokes for a second, it is important to note that having less credits in 2L and 3L will help you focus on other things. This strategy would work for gunners, as well. Clinics may be listed as four credits, but as anyone (myself included) who has done one can tell you, they should be worth more. Extracurriculars and journals will become more demanding as you achieve leadership positions. Much more than that, this is a high-stress career and educational experience. Giving yourself some grace, and planning to give yourself a break, are crucial to surviving long-term.

Which leads me to 2Ls. To all of you, I say: Chill. Calm down. By the time you begin the classes you are signing up for now, you will be halfway through law school. You have worked so hard so far, and you need to give yourself the grace I was just talking about. Sign up for classes with professors you like. Most importantly, sign up for classes you are interested in. Law school is meant to provide you with an intellectually stimulating experience. Most of you came here because you had a genuine desire to learn about something in the law. I know you are all worried about whether you are learning things that will be applicable at your job this summer, but don't think about that too hard. Being a summer associate is about learning to be at the firm. You will learn most bar subjects while studying for the bar, even if you took those classes. The vast majority of your training for work at a firm will occur while you are at the firm. All of you are in the year of working yourself the hardest for clerkships or public interest jobs, or pushing yourself hard for extracurriculars. I know you can't take it particularly easy on those fronts, because no one in my class did. Just learn to be kind to yourself most of all.

And now to my fellow 3L degenerates. I don't even know why I am writing this section. Most of you have already signed up for classes for the last time. We all have our strategies finalized by this time. I prefer to take any class that sounds great, while prioritizing the class timings to my comfort. Many of you sign up exclusively to take classes with your friends, which is another valid approach. I don't feel particularly equipped to give any advice to 3Ls, but I guess this is for future years as well, so I will say this: This year is the last we have before we go out into the real world. For almost all of us, this is it: no more school. If any 1L or 2L reads this section, I want you to keep all of this in mind. Do what makes you happy this last semester. Focus on making memories that last forever—they will likely be what fuels you in the darkest days of our intense professional lives to come.

So that's it. I signed up for my classes a few days ago. It's just now hitting me how close I am to the end of law school, and I wanted to share some thoughts during my usual late-night writing session. Take it with a grain of salt. All of these are 1 a.m. ramblings from a person who spent their Sunday watching fantasy shows instead of doing their readings. But choosing your classes in a way that provides comfort can give you the opportunity to do the same without any fear that you might fall too far behind your classmates.

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1 Did I write this entire article to put one single *House of the Dragon* reference in... no, why would you say that?

2 As a quick note, I will not be commenting on any professors. Come watch Libel or read the professor quotes section of this paper for content like that.

3 Reference number two! Can't show my bias of weekly fantasy shows. That *Rings of Power* finale was great, despite what Pi Praveen '23 has to say about it.

LAW WEEKLY FEATURE: Court of Petty Appeals

The Court of Petty Appeals is the highest appellate jurisdiction court at UVA Law. The Court has the power to review any and all decisions, conflicts, and disputes that arise involving, either directly, indirectly, or tangentially, the Law School or its students. The Court comprises eight associate justices and one Chief Justice. Opinions shall be released periodically and only in the official court reporter: the Virginia Law Weekly.
Please email a brief summary of any and all conflicts to dl9uh@virginia.edu

In re Suspicious Military Exercise(s) at the Park at North Grounds
75 U.Va 7 (2022)

Morse, J. delivers the opinion of the court, in which Lake, C.J., Bninski, J., Grubbe, J., Walsh, J., Brown, J., Peterson, J. and Kulkarni, J. join.

Tonseth, C.J. Emeritus, dissents.

Morse, J. delivered the opinion of the court.

I.

The case before this Court concerns one of the most critical and pervasive issues since our nation's founding: the size and autonomy of our military. Petitioners allege that on several recent mornings, when they attempted to park in the North Grounds Park parking lot,[1] they were prevented from doing so by what they described as "hundreds, if not thousands" of individuals clad in black t-shirts reading "ARMY" who were engaged in various physical exercises. Specifically, these military exercises included running around the track at "inhuman" speeds, kettlebell workouts, and every manner of Olympic lift.[2] Petitioners argue that the presence and physically intimidating manner in which the military personnel occupied the parking lot amounts to constructive eviction of anyone wanting to park their cars without being made painfully aware that they are a skinny graduate student who struggles to carry more than two casebooks at once. Petitioners note that they were so intimidated, they awkwardly backed all the way up the hill they had just driven down and ended up not going to the gym themselves, out of lack of a parking spot they didn't have to pay for. The petitioners filed an emergency petition with this Court to seek an action for ejectment and an injunction on all future military exercises (in every sense of the term) on Law School property.

We hold first that the parking lot and the adjoining Judge Advocate General School (henceforth, "JAG School") are hereby annexed and incorporated as part of the Law School. We also hold that, as part of Law School grounds and as an exercise of civilian control over the military, the military personnel are enjoined from continuing their physical exercises indefinitely.

II.

The first issue we consider is our jurisdiction over this case and how it relates to ownership of the North Grounds Park. While it is unclear who "technically" owns the North Grounds Park and parking lot, we remind our readers that, per the third Petty Rule of Civil Procedure, this "Court has the power to review any and all decisions, conflicts, and disputes that arise involving, either directly, indirectly, or tangentially, the Law School or its students." However, keeping in mind that though our jurisdiction is expansive and our powers limitless, we are nonetheless a judicial body and refuse to do more work than we have to. It falls to the Petty Executive (a.k.a. the Law School Administration) to enforce our rulings, and we recognize that if the Law School does not own the property at issue, it could present technical difficulties. As such, we will also read the petition here as one to quiet title, and accordingly, we rule that the North Grounds Park, parking lot, and (for good measure) the adjoining JAG School are henceforth owned by the Law School. This ruling is both necessary for the disposition of this case, and builds upon this Court's precedents, which support any action which empowers the Law School.[3]

III.

Having asserted and expanded this Court's benevolent dominion over another portion of the North Grounds, we turn now to the primary claim of this case. What do we make of these strange, early-morning parking lot exercises that the military is conducting? At a minimum, it is highly suspicious. Some might urge this Court not to engage in reckless speculation, but such judicial humility and discretion is irreconcilable with the First Petty Rule of Civil Procedure, "we do what we want," and importantly, even *asking* us to consider being more thoughtful is "unbecoming of this Court to consider."[4] So, let the fear mongering commence.

The first possibility of the military's exercises is that they are plotting an overthrow of this Court. This is the most likely case, given that our own former Chief Justice, who had a notable penchant for Petty tyranny,[5] has joined our neighboring JAG School. Is it possible that Phil "Thunderdome" Tonseth has gained a position of authority within the military and now, drunk with power, seeks to overthrow this judiciary, which stands as a bulwark against all tyranny?[6] Yes. This is undoubtedly the most reasonable explanation for why, in the early morning hours on weekdays, before the sun has risen and when any honorable and innocent student is still fast asleep, packs of ARMY t-shirt-wearing individuals are training. Jealous of the immense power we wield and led by a man who likely wishes to raze this school and replace it with a softball stadium as a monument to himself, they are coming for us all.

But even if their aims are more modest and they only wish to practice healthy habits, this Court cannot let this suspicious behavior go unchecked. It is a principle fundamental to our republic that the military must be subordinate to the civilian government. The Founders expressed a deep wariness of standing armies, with George Washington himself calling them "under any form of government inauspicious to liberty, and [they] are to be regarded as particularly hostile to republican liberty." This Court recognizes and shares the Founders' unease, and we believe that if we must have a military on our Grounds, let it be one made up of spindly-armed, tofu-eating fellows. They ought only to be able to exercise when the people's duly-elected representatives, or this Court, say so.

> *"It is a principle fundamental to our republic that the military must be subordinate to the civilian government."*

1 This is, of course, the large parking lot adjacent to the turf soccer fields and softball fields, famous for being the location of the Law School's annual Dandelion performance by 1Ls. It is also well-known for rarely being checked by the parking ticket commissars.

2 Petitioners' brief is replete with references to how "hardcore" and "scary" it was to see dozens of military personnel performing power cleans, overhead presses, and deadlifts on the parking lot asphalt. We share their concerns and express a strong preference for mild bowflex and elliptical workouts.

3 *See 2L v. COVID Protocols*, 74 U.Va. 16 (2022) (Morse, J., concurring) ("I . . . encourage the Law School . . . to EMBRACE and EXPAND its power, *at all costs*.") (emphasis added).

4 *Readers of the Virginia Law Weekly v. Virginia Law Weekly*, 75 U.Va. 4 (2022) (Peterson, J., concurring).

5 *See generally* Phil Tonseth, *Welcome to the Thunderdome: Chief Justice Phil Tonseth Takes the Gavel*, Va. L. Wkly. Mar. 3, 2021; *see also Tonseth v. The Haters II*, 74 U.Va. 24 (2022) ("As I wrote in my dissent and will repeat now, if you come at the King, you best not miss. Look who has the last laugh now!") We do.

6 Except for its own, of course.

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Faculty Quotes

C. Barzun: "That's an interesting thought: romance without sex...call that marriage."

P. Verdier: "You could craft an infinite amount of policies...that qualify as 'necessary.'"

A. Frost: "I mean, people got run over by horses all the time."

G. Geis: "Who is Borg? Borg is a new buyer trying to ASSIMILATE the Chicago property."

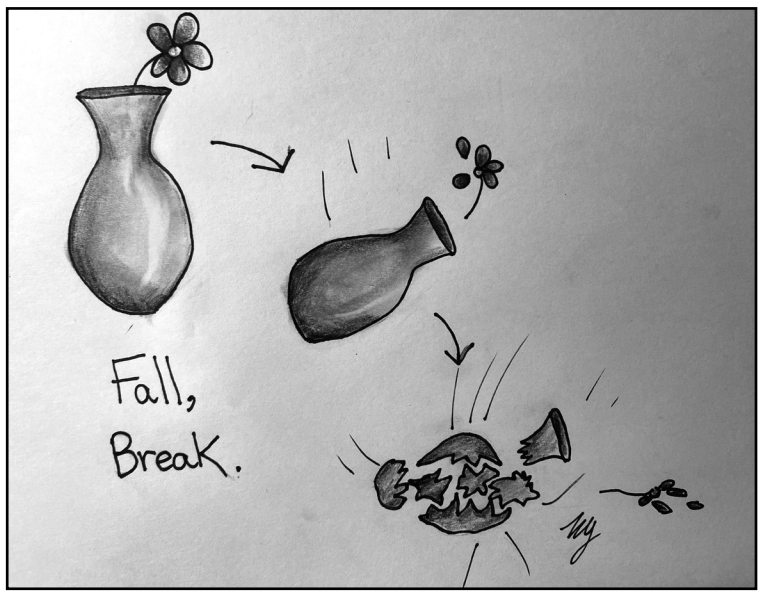
D. Brown: "This is a low-security federal pen which housed minor-celebrities, like Martha Stewart."

J. Harrison: "Am I going to tell the story?... We only have six minutes left... of COURSE I'm going to tell the story."

Heard a good professor quote? Email us at editor@lawweekly.org

Cartoon

Created by Monica Sandu '24



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COPA

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IV.

Whether it be the result of "machinations, hollowness, treachery and ruinous disorders"[7] or good intentions that are nonetheless an impermissible show of independence by the military, this Court must intervene. We hold that the North Grounds Park, its adjoining parking lots, and the JAG School are now the property of the Law School. We also hold that, until such a time as the democratic representatives of the Law School[8] or this Court hold otherwise, the military is enjoined from conducting these early morning exercises on any of the Law School's North Grounds property. And to those who question the wisdom of enjoining a fighting force from physical exercise or worry about the consequences of our decision's wholesale annexation of the majority of North Grounds: "Our name is the Court of Petty Appeals, Court of Courts; Look on our Opinions, ye Mighty, and despair!"[9]

Tonseth, C.J. Emeritus, dissenting.

Blasphemous. Borderline Socialist. Bad.

Justice Morse's legal analysis, or lack thereof, may explain all of the B's I presume dot his transcript. It nevertheless falls upon my esteemed Esquire-self[10] to do an educate to y'all. I am gravely concerned that since I closed the door to the Thunderdome,[11] Justice Morse has distorted the Court of Petty Appeal's Constitution into tests as incomprehensible as those stemming from a Justice Breyer opinion. If Justice Morse would have done a scintilla of research, he would know he is clearly violating established doctrine from this Court.

In my humble opinion, the Court's greatest COVID case was *NGSL v. UVA IM-Rec Sports*.[12] Here, IM-Rec was enjoined for violating NGSL's free exercise rights under the First Amendment. Yet, Justice Morse attempts to stifle any sort of early-morning exercise, while also attempting to quarter troops in the UVA Law campus, in direct violation of the Third Amendment. "As my boi Antonin would say, paraphrasing slightly, '[Justice Morse's] opinion serves up a freedom-destroying cocktail consisting

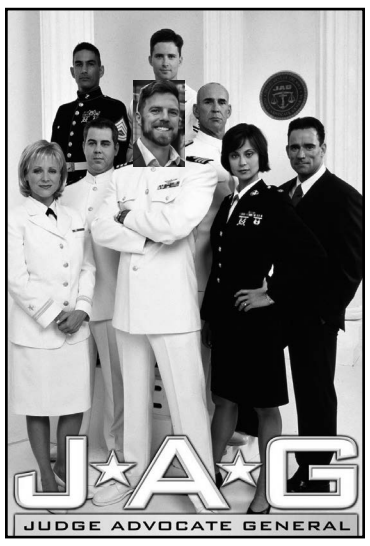

Exhibit 1

of two parts patent falsity'[13] when you look at their rules and how they were applied to [the JAG School]."[14]

If the legal argument holds no sway, let me ask you this, dear reader: Would you prefer your military to be brains over brawn, to be mightier with a quill than a barbell? Additionally, shouldn't you be more concerned for your classmates who are attempting to get to school at 6 a.m., instead of what Army weirdos are playing with kettlebells at the same time?

For patriotism, the Bill of Rights, and my love of pumping iron, I dissent with every muscle fiber I possess.

7 William Shakespeare, King Lear act 1, sc. 2.

8 We suppose that this is the SBA, but we would like information on voter participation before lending our already-tenuous legitimacy to them.

9 United States v. Law Weekly, 109 U.Va. 926, 928 (1948).

10 S/O Missouri—only needed a 260 on the MBE to pass!

11 *Supra*, or something.

12 73 U.Va. 9 (2020). A true legal genius wrote this case, don't worry.

13 *Navarette v. California*, 572 U.S. 393 (2014).

14 *NGSL*, 73 U.Va.

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Softball

continued from page 2

serve his team's lead and send them to the tournament finals.

To give some perspective on what the Cold Callers were facing, here are some facts about the two teams that made it to the final game of the 1L Softball Tournament: Going into the tournament, Aiding & Abatting was 4-0 in the regular season, with a run differential of +42. In contrast, the Cold Callers were 1-3, with a run differential of +4 and their first win of the softball season coming less than forty-eight hours before their eventual tournament run. It was thus unsurprising when Aiding & Abatting held the Cold Callers scoreless in the first inning and got on the board first with six runs. However, the Cold Callers showed why they had made it this far in the tournament, immediately racking up six runs of their own to tie the game going into the bottom of the second inning. From then on, the two teams kept the score close—hitting three over-the-fence home runs along the way (two from Section C and one from Section A)—going into the sixth inning, where they were faced with a new problem: the sun setting.

Because the use of Park 6 this late in the day had been an impromptu decision, there was no expectation that the field's lights would go on, and the game would thus have to end before daylight did. The neon yellow of the softballs can only do so much for visibility, so the sixth inning began with the understanding that it would almost certainly be the game's last. Then, with Section A down two runs going into the bottom of the sixth, the grace of the softball gods shone down on Park 6, turning on the field lights and allowing the game to go a full seven innings. It was under these Sunday night lights that the Cold Callers pulled off their miracle victory, holding off the tournament favorites to win 14-11.

The ending of the tournament can only be described as cinematic: The second that the final out was recorded, players on the field jumped onto one another in celebration, and teammates streamed out of the dugout to join in the hugging and cheering, illuminated by the bright lights of the field as the rain came down around them. Head Umpire Sean Onwualu '24 presented the team with their trophy and championship t-shirts, and the team posed for victory photos. When Wittmann, winner of the Phil Tonseth Memorial 1L MVP Award,[3] was asked how the team got to their victory, he credited the team's talent and positive energy, saying that he knew from the start that the team was capable of winning it all in the tournament. Quinan closed things out with one final message on behalf of the team: "Shoutout to G.E. White."

3 Also known as the Tonseth Swagalicious Award, this is a *Law Weekly*-created award for the player who "balls out the most" in the 1L Softball Tournament. It should be noted that Tonseth '22 is not, in fact, dead.

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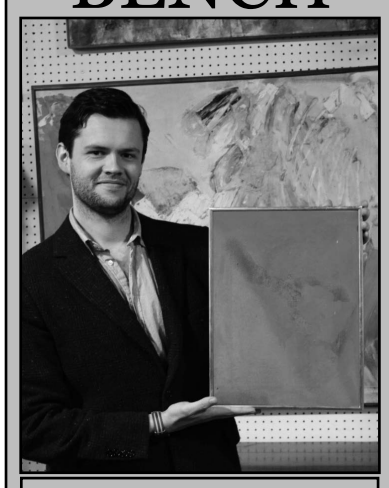
HOT BENCH



William Schweller '25

Interviewed by Garrett Coleman '25

Mr. Schweller, welcome to the Hot Bench. First, introduce yourself to this publication's vast readership.

I grew up in Cincinnati, Ohio. I then went to Bowdoin College, in Brunswick, Maine where I majored in Art History. I graduated in 2017. For five years following undergrad, I worked for a regional auction house in Westchester County, NY, just north of NYC. I started as a cataloging assistant, helping to put together sales, but after a year, I took over as the fine art specialist, auctioneer, and appraiser, responsible for all fine art lots.

Perhaps unsurprisingly, I quite enjoy looking at and learning about art. I also love to hike, both on trails and sidewalks.

So, your career in the art world is quite interesting. Tell me about what the day-to-day was like for you.

For much of my time at the auction house, I was the sole person responsible for the sale of fine art lots. We'd run auctions every four weeks, and in each sale, I averaged anywhere from 100 to 150 works of art. My days were quite varied. I spent a lot of time interfacing with potential consignors, evaluating and appraising their collections to determine what I could sell and what it would likely bring at auction. Sometimes this was done via email, but often I would visit folks in their homes. I've been in some pretty wild places, ranging from Fifth Avenue co-ops to storage units in rural Connecticut. I was also responsible for cataloging the art, which involved taking photographs, assessing the works' condition, and putting together brief descriptions of the works. I'd then market the pieces, discussing them with potential buyers. I most enjoyed actually auctioning the works. These days, most bidders participate in auctions online, so there isn't much of a physical crowd, but it is still quite thrilling to stand up there marshaling bidders, trying to get the highest price possible for my consignors.

What was the most interesting piece of art that you dealt with?

That's a tough question. I don't know if I could pick a single work. I was able to handle a tremendous range of works, ranging from Seventeenth Century Dutch drawings to hyper-contemporary paintings. Some works were by household names, others by artists who had never before been to market.

Do you find that the skills are transferable? This is not your admissions interview... "of course not" is an acceptable answer.

Well, I'm not looking at many paintings anymore, except for the sheep and cows hanging in Brown Hall. But, I often had to explain things to folks who weren't particularly knowledgeable about art or the art market, and that required me to get good at distilling issues down into clear, simple answers. Professors, feel free to correct me, but I think that has helped me with cold calling.

Out of our current professors, who do you think has the best taste in art? Who would be most likely to negotiate down to half of the asking price? Feel free to answer like you're using a blind grading number.

Oh, such a tough question. I'm not one to speculate. How do you quantify taste in art? I'm tremendously grateful that classes are in person, but it must have been interesting for those students who had Zoom lectures to see their professors' houses in the background. I love seeing how people decorate their homes and what art they choose to live with.

You have a remarkably distinct gait. Any reason for that? I mean, seriously, I can identify you from a mile away with the effortless flow.

It could be because I've spent 10,000 hours in front of a mirror, perfecting my ramble, or it could be because in ninth grade, I really wanted to be cool, so I sagged my pants. I had to walk in a certain way, or else my Gap corduroys would be at my ankles. I use a belt now, but the walk's remained the same.

Where do you see yourself in five years? Back in the Midwest? In Alaska? Raking in money for plaintiffs or defending the downtrodden?

I don't really know where I'll end up after law school. I am interested in the law in part because of my work at the auction house, where I encountered legal issues surrounding fine art transactions. Whether that interest will lead me to corporate work or litigation remains to be seen.

A media personality, with about as much reach as me, asks what three books you would recommend. But we don't have time for pleasure reading. What are three hikes you'd recommend?

If we don't have time to read, I'm not sure we have time to hike. That said, I really enjoyed hiking the Riprap Trail, up in Shenandoah. Closer to home, I've loved having access to the Rivanna Trail. While the sections of it closest to North Grounds do parallel the highway, it's great being able to walk out of the library and into the woods. Next time you're in Maine, I recommend climbing Mt. Katahdin, the northern terminus of the Appalachian Trail. Remarkable views. Relatedly, I recommend Googling Marsden Hartley's paintings of Katahdin. True masterpieces of American art.

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Iran

continued from page 1

because we are at a breaking point. On September 16th, the barbaric regime lit a match and started a fire within all Iranians; that match goes by the name of Mahsa Jina Amini. 22-year-old Amini was beaten, tortured, and killed by the so proclaimed "morality police" (a state sponsored police force meant to ensure everyone is adhering to their strict Islamic law regime) for wearing her headscarf improperly. If you have not already seen the chilling video of the aftermath of her torture, she was struck in the head so many times she collapsed while standing and died after going into a coma. As we soon found out, she was only the first victim in a wave of torture murders focusing on silencing any hope for change.

The residents of more than 60 Iranian cities have taken to the streets seeking justice. These heroic protests continue as the people of Iran face reprisal so savage it seems as if they are living in a nightmare. Imagine for a moment that your law school, one of the preeminent institutions in your country, is surrounded by people who are there to beat you silent. Welcome to the nightmare that is Sharif University in Tehran. Imagine for a moment you are walking the streets and see an ambulance drive past you with the hope that they are there to help treat your fallen brother who was beaten blind after protesting for your basic human rights. Instead, the ambulance lowers its windows and state sponsored assailants fire metal pellets in your direction. Welcome to the Islamic Republic of Iran.

If this is the first you are hearing of this humanitarian crisis, you will understand why there is an added layer to my pain. It is almost impossible to find anyone outside the Iranian community talking about this. Even so, I refuse to believe my close circle of friends or colleagues do not care about young people just like me being slaughtered in the streets merely for peacefully voicing their opinions. Instead, I assume the broader issue is with the lack of access to relevant information. This is me doing my best to shine a light on a fight that should be personal to all of us; not just to bring peace to my late grandfather's name, but to ensure that another generation of young women in Iran do not have to shoulder the pain that millions before her have. I am pleading for your help in this fight. Your help can take many forms, but step one is sharing this story. There is nothing more powerful than your voice of support. Please, use it. Silence is the language the oppressors favor. Share relevant posts on social media, inform your friends and families, and hug your Iranian friends. With your help, maybe one day soon my dad will be able walk streets he has not seen in 50 years alongside his sisters who are free to exist as they see fit. In our quest for freedom, three words continue to guide us: Women, Life, Freedom. Say it with me and say it with the millions of Iranians who are tired of living in terror: Zan, Zendegi, Azadi.

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Counsel's Counsel

Counsel's Counsel is the world's preeminent advice column for law students. Written by recent UVA Law graduate, Jane Doe, J.D.

Question:

Hi, I am in the First-Generation Professionals group at UVA Law, and recently a friend of a friend asked if he could join. I'm normally all about outreach, so I told him about the group and told him to come to an event.

Later, I found out that not only are both of his parents professionals, making him *not* a first-generation professional, they're both lawyers! That went to UVA Law! After I found that out, I told him that he shouldn't join the organization. He seemed confused, which made me confused. He said I was "gatekeeping" the organization. That was frustrating. It seemed that he wouldn't listen to reason when I tried to explain the purpose of the organization.

He's being some type of way about it because he said one of his parents is retired and the other parent is a professor, so they don't really count. This isn't so much an advice question as it is a reality check. How does this person exist? Am I missing something?

Sincerely,
Quite Confused

Answer:

On the surface, it might seem obvious that a person who is by definition not a first-generation professional should not be in the First-Generation Professionals group, but the issue is more complex than that.

Clearly, you are dealing with a privileged person. Privilege has a funny way of blinding people to social dynamics that are apparent to everyone else. We can liken his "blindness" to the very real struggles of blind people, for which our legal framework provides certain measures. In the employment context, the law provides for "reasonable accommodations," which are designed to make it possible for employees to enjoy equal privileges of employment.

Your colleague's perspective is a social impairment. Sure, you said they weren't the right fit for the organization, but *gatekeeping* is way too strong. At the same time, you are in a position to accommodate your colleague. The question is, is letting a person who is not a first-generation professional into a group for first-generation professionals a "reasonable accommodation"?

There may be some benefit to letting him in. His privilege has led him to be delusional about his place in the world. Perhaps these delusions would provide good contrast for discussions during meetings. In addition, the law is dominated by privileged people delusional about their place in the world. Thus, it is reasonable in the context of a law school student organization to allow him into the group.

Not only is it reasonable, there's a moral argument for it. We should seek to create a more diverse and inclusive society. Allowing him into the group would certainly increase diversity of background and diversity of thought. Besides, UVA Law has such a strong legacy of collegiality; you don't want to compromise that, do you? We need to keep students happy so *Above the Law* keeps writing articles about how great a place UVA Law is to go to school.

Even if you disagree with my reasoning, there may be other benefits to letting him in. When I went to law school, I was floored by the levels of privilege I witnessed. At the beginning, I felt the need to call it out, find trusted people with similar backgrounds to talk to, do *something* about it.

My perspective changed during a conversation I had with a professor. This professor said something to the effect of, "Worse comes to worst, you can always be fake. Often, it's in your best interest to be fake. These people are your future clients, for God's sake. Do you even care about money?"

This piece of advice has done wonders for me. Being something you're not is a key aspect of practicing law. I can guarantee that at some point in your career, you will be paid to defend an idea that you not only fundamentally disagree with, but that you think would be a detriment to society if applied broadly.

Law school molds people into cogs for use in systems that, despite their benefits, produce a lot of evil. Pick your poison. It could be the military-industrial complex, it could be big oil. Part of dealing with that is learning to be fake. You might consider leaning into that now. You'll want to be thoroughly cynical by the time you're on the partner track. -JD

For a serious response to your serious inquiries, please access the anonymous submission form using the QR code below.

The End of the Line

Sometimes in laying out the *Virginia Law Weekly* there is an extra blank column. Sometimes that column is at the bottom of the last page. You may think an experienced publishing apparatus would be able to avoid issues like this, and you would be right. The word count our editors are assigned for their articles corresponds to a certain number of inches in a column—800 words is long enough to neatly fill four columns that are half a page tall. But sometimes we have an unusual amount of articles, and sometimes our editors ballpark their word count. The result is the creation of unusual spaces that aren't easily filled with images or other features, like the Docket. Sometimes these weird leftovers can be filled with the Virginia V, and sometimes we can shorten an article to avoid the issue altogether. But sometimes—sometimes, we are faced with a situation where there is no other option than filling that space with words. The result is the creation of something that is a waste of time for not only the writer, but also the Production Editor who has to lay it out with the same sincerity as the thoughtful, well-researched pieces in the rest of the paper. It's also a waste of time for the reader, who gains nothing from the experience beyond a vague sense of annoyance. It's a real accomplishment when you think about it.

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