

Remarks by Angela A. Ciolfi, Recipient of the Virginia Legal Aid Award, Delivered at the Annual Meeting

Good afternoon. Thank you for the wonderful introduction, Simon. One of the best things about my job is there is always so much to learn from my clients and colleagues, and Simon is not only a gifted advocate, but a fabulous teacher as well.

Thank you to Karl Doss and the Access to Legal Services Committee. Thank you to Mary Bauer, Leslie Kendrick, Jonathan Blank, and Jim Ryan for using their finely honed powers of embellishment and exaggeration to make me sound good. And congratulations to Amber Strickland for her many accomplishments in racial justice and international human rights.

Traditionally, this speech has had two main parts: First, expressions of gratitude toward the multitudes of people who make this work possible. And second—as our ever-quotable leader Mary Bauer puts it—“railing at the world.” But I know we are on a tighter schedule than usual. So, this being a celebration of the spirit of legal aid, and you being a captive audience, I’m going to skip straight to railing at the world.

But to my family at the Legal Aid Justice Center and fellow justice lovers in the legal aid community generally—and to my family family—know that you are loved and thanked and so profoundly appreciated. As my brilliant colleague Kim Rolla says, “Practicing law is a team sport.” You all are the best teammates a person could have, and I wouldn’t be standing here without you.

You know, I look around this room and I have some regret and trepidation that I chose to talk about race and poverty in front of so many luminaries who know more about the subject than I do—but no turning back now!

Back home in Charlottesville, we have been talking a lot about how we confront our history of enslavement, violence, and oppression toward people of color, and how we deal with monuments glorifying and romanticizing that history.

For many of the descendants of formerly enslaved people, I am told, those monuments evoke dread, a physically painful reminder of the physical violence against the bodies of black people. But it is not only the monuments to oppression we build in our physical world that should give us pause. It is the monuments we build inside our heads; the stories we tell ourselves about why it is ok to justify the mass oppression of other people.

As scholar Ibram Kendi has written, colonialism was justified by the racist idea that Africans were cursed and needed salvation. This primitive racist idea was gradually replaced by more sophisticated ones about how slavery was a regrettable but largely benign institution that rescued African people from a hot climate.

By way of example, let me read you a passage from a 4th grade textbook called My Country.

On the southern plantations, where tobacco and cotton and rice were grown, [the slaves] worked away quite cheerfully. In time many people came to think that it was wrong to

own slaves. Some of the people who owned slaves became angry at this. They said that the black people were better off as slaves in America than they would have been as wild savages in Africa. Perhaps this was true, as many of the slaves had snug cabins to live in, plenty to eat, and work that was not too hard for them to do. Most of the slaves seemed happy and contented.

[My Country p. 352]

You will be forgiven if you thought this passage was from the 1860s. It's not. If you were in grade school in the 1940s and 50s, you might have read this textbook because it was very popular, not just in the South, but in schools all over the country. If you are white, you may have read it in the 1940s. And if you are black, you may have read it in the 1950s, after the white schools passed on their discarded textbooks as hand-me-downs to the black schools.

That was the case for the federal judge I clerked for who grew up in Birmingham Alabama. Judge Reginald Lindsay was only in 4th grade when Brown was decided, but he never attended an integrated school. His 4th grade teacher used to read the same passage to his class as a prelude to his own railing against the world—a rant against this racist idea, which permitted generations of white people to forget how their wealth and power was created by the forced labor of black people.

And it justified explicitly racist housing and employment policies that segregated public housing by race, subsidized the creation of white-only suburbs, and gave federal certification to white-only labor unions. The segregation we see reflected in our metropolitan neighborhoods and schools today was not just the result of white flight. It was by design.

Today, we see the narrative of white supremacy experiencing an ugly resurgence—which we hope is its death rattle. But there are other subtler narratives waiting to take its place to justify the vast inequities we see growing in American society. Increasingly we see a kind of wealth supremacy, a belief that power and privilege reflect superiority in intellect, creativity, and work ethic—and that poverty is self-inflicted.

Let me give some specific examples from our work of how we as a society create poverty and then shame people for being poor:

- We took away Demetrice Moore's driver's license because she couldn't afford to pay her court costs and fines. And then we asked her, a mom of two with a CNA license, "Why are you on welfare?"
- We told 12-year-old Raymond, a budding artist, to draw quietly at his desk when he was upset, instead of talking back to the teacher or storming out of the classroom. And then we wrongly accused him of drawing "gang" symbols and expelled him from school. And when he became a teenager with no hope of graduating and getting a job, we then asked him, "Why did you join a gang?"
- For being homeless and an alcoholic, we branded Bryan Manning a "habitual drunkard," not to treat or house him, but so that we can repeatedly put him in jail for mere

possession of alcohol, and then when we saw him drunk on the streets, we asked him, “Have you no self-respect?”

- We set up entire dockets just for hospitals to take judgment against uninsured people who can't afford to pay for the medical care they need, and then we asked them, “Why are you so unhealthy? And why is your credit so bad?”

These are not extraordinary cases. These are ordinary cases. And they illustrate how our society has driven people deeper into economic hardship, and then blamed people for their own poverty.

But as Nelson Mandela said,

“Like slavery and apartheid, poverty is not natural. It is man-made and it can be overcome and eradicated by the actions of human beings. And overcoming poverty is not a gesture of charity. It is an act of justice.”

So how do we fight poverty and reject the narrative of wealth supremacy?

Not through charity. As Marian Wright Edelman says, “With true structural change there would be far less need for charity; without it the very best charitable efforts will never be enough.”

Not through passion. As President Obama said, “Passion is great, but you got to have a strategy.”

Our strategy—as members of the legal aid community—is to do justice. To change the structures that create and perpetuate poverty through organizing, educating policymakers, and yes, impact litigation.

Now you might have expected me to use my time today to rail against the new federal war on the poor, which threatens to deprive millions of healthcare, slash food stamps, student loan assistance, and disability payments, and strike terror into immigrant communities who love this country and want nothing more to build lives here.

But this war on the poor is neither new nor federal. It was built on centuries of racist ideas. The federal government didn't force Virginia to put 67,000 Virginians in jail or prison at any given time. The federal government didn't take away a million driver's licenses for being too poor to pay court debt. And the federal government didn't design a regressive education funding system where the highest poverty schools get the fewest resources.

You may already know that the modern legal aid movement was born out of an unlikely partnership between antipoverty activists led by Jean Cahn, a black woman lawyer from Baltimore, and the legal establishment led by Lewis Powell, a white lawyer from the Virginia aristocracy.

We need each other now more than ever. The anti-poverty and anti-racism movements need the bar to influence those in power to create true structural change.

And the bar needs activists to push back on injustice and restore faith in a legal system where dockets are crowded by the haves seeking to evict, foreclose upon, or take judgment against the

have-nots, and where overly punitive criminal justice policies have left 5 million children growing up with at least one parent in prison.

And we can't do it alone. To paraphrase Lilla Watson, we need to recognize that our liberation is bound up with that of those we seek to help and stand beside them in their struggle for justice.

Thank you.