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## Editor's Note

Kimberly Shi

*Washington and Lee University School of Law*, shi.k21@law.wlu.edu

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## Editor's Note

The *Washington and Lee Journal of Civil Rights and Social Justice* seeks to provide a space for scholars of all persuasions to write about legal issues affecting historically underrepresented classes of persons. Our publication is committed to critical and relevant dialogue. In Volume 27, Issue 2 of the *Washington and Lee Journal of Civil Rights and Social Rights*, we continue some of the conversations begun at our two-day *Race and the Pandemic* Symposium, which was hosted virtually at Washington and Lee University School of Law on Thursday, October 29, 2020, and Friday, October 30, 2020. You can see the schedule for the Symposium on the following page.

In this Issue, we are pleased to publish five articles, beginning with, *Weathering the Pandemic: Dying Old at a Young Age from Pre-Existing Racist Conditions*, Dr. Arline T. Geronimus, Professor of Public Health at University of Michigan, utilizes her structurally-rooted biopsychosocial analytic framework, “weathering,” which describes the effects of sustained cultural oppression upon the body, and considers its impact on mortality rates for people of color during COVID-19. In *Empathy's Promise and Limits for Those Disproportionately Harmed by the COVID-19 Pandemic*, Professor Theresa Glennon, Professor Emerita at Temple University Beasley School of Law, analyzes the role and limits of empathy while advocating for greater representation amongst federal lawmakers. In *School Finance, Race, and Reparations*, Dr. Preston C. Green III, John & Maria Neag Professor of Urban Education, Professor of Education Leadership and Law at University of Connecticut, Dr. Bruce D. Baker, Professor of Educational Theory, Policy, & Administration at Rutgers University, and Dr. Joseph O. Oluwole, Professor of Educational Leadership at Montclair State University, address why and how school finance reform should be part of a reparations program for Black Americans. In *Can “Asians” Truly Be Americans?*, Dr. Vinay Harpalani, Henry Weihofen Professor and Associate Professor of Law at University of New Mexico School of Law, builds on the national conversation on hate crimes against Asian Americans and uses it to delve into a number of more nuanced issues. Finally, in *Persistent Inequalities, the Pandemic*,

*and the Opportunity to Compete*, Professor Rachel F. Moran, Distinguished Professor of Law at UC Irvine School of Law, explores the patterns of racial and ethnic segregation in America's schools and highlights how the pandemic has exacerbated existing inequities. We welcomed the multi-faceted discussion on the disproportionate effects of Covid-19 on people of color back in November, and we hope that the ideas presented in this Issue will challenge you to think about pre-existing racial inequities, as well as racial inequities exposed, exacerbated, and created by Covid-19.

We are also excited to publish four student Notes written by members of the 2020–2021 Editorial Board. The student Notes cover important topics: Why deliberate indifference should be confined to claims arising under the Cruel and Unusual Punishment Clause, judicial review of National Interest Waiver denials, Opportunity Zones created by the Tax Cuts and Jobs Act, and patenting geoeengineering technologies. Each of these student Notes represents countless hours of diligent research and writing, and I would like to congratulate each of the students being published in this Issue. It is an accomplishment worth celebrating!

I would also like to thank Brooke Wilson, our Symposium Editor, for putting together such a fantastic Symposium in the fall. Thank you to Professor Alexandra Klein, our symposium advisor, for constantly supporting and guiding us as we shifted to a virtual symposium for the first time, and thank you to Wendy Rains, who was a wonderful help in planning the event. Thank you, too, to the Symposium's sponsors: the Law School Office of the Dean, the Office of the Provost and the Frances Lewis Law Center.

Lastly, I would like to thank our staff writers for their careful work cite-checking and the 2020–2021 Editorial Board for all their hard work in putting this book together. Thank you to Karlo Goronja, Executive Editor, Ruta Trivedi, Managing Editor, and Hunter Rush, Production Editor, for being the most exceptional, sharp, and personable colleagues with whom to lead and manage JCRSJ this year in the midst of a global pandemic. Thank you to Dean Mason, our dean of students, and Professor Allison Weiss, our faculty advisor. Publishing a journal is no small feat, and I am grateful to everyone who has contributed to this effort. Readers, I hope you enjoy Volume 27, Issue 2 of the *Washington and Lee Journal of Civil Rights and Social Rights*.

Kimberly W. Shi  
Editor in Chief