

Victor Glasberg Bypasses Riches for Rights Cases

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Va. Rights Lawyer Takes the Cases The Others Shun

By Caryle Murphy
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Over the door of Victor M. Glasberg's Alexandria law office hangs a small sign, "Robin Hood Was Right," and a roster of his former clients is anything but a register of the well-heeled.

Taking on difficult or unpopular cases that other lawyers shun, he has carved out a niche as a civil rights and civil liberties specialist—often for clients with a lean pocketbook—in a state not known for liberal jurisprudence. Along the way, his articulate courtroom arguments and his well-crafted, sometimes humorously written briefs have made him a nemesis of local governments, police departments, employers and prison officials.

At the moment, Glasberg represents seven deputy sheriffs who have alleged that Arlington Sheriff James A. Gondles violated their First Amendment rights because he demoted them after they supported his rival in last fall's election.

"There aren't a whole lot of Vic Glasbergs out there," said Chan Kendrick, director of the Virginia office of the American Civil Liberties Union, with which Glasberg sometimes works. "He's actually trying to make a living doing civil rights law; there's not many of them in the country."

Some of his opponents are less complimentary. "He has a tendency to accept what clients say without further critical examination," said one lawyer, who asked not to be named. "And then to exhaust logic to twist facts to conform with his preconceived ideas . . . he gets off on tangents that don't turn out to be factual."

"And he sometimes makes it a red badge of courage to say who he sued. You know, 'I sued so-and-so, so I'm a good guy.'"

Glasberg's looks are a flashback to the 1960s: tinted granny glasses, full beard and longish hair. So are his ideas, which stand in stark contrast to the philosophy of today's baby boomer-turned-yuppie. Civil rights litigation, the 42-year-old lawyer said, "is a way I can use the law to effect social change in a progressive manner."

Having "the sense that you're on the right side of an issue . . . is very important to me. It also gets you involved in human situations that are often intrinsically interesting and . . . reflect the complexity of the

society we live in and its values and prejudices," he said. "It's a real slice of life."

Glasberg's impact on Northern Virginia has been in ways large and small;

He represented inmates suing Alexandria and Prince William County officials over poor conditions and treatment at their old jails, winning reforms in both places in 1984.

Two years later, Warrenton officials agreed to introduce the ward system in elections as the result of a lawsuit brought by black voters with the help of the ACLU and Glasberg.

In the election that followed, two blacks were elected to the Town Council, a first for Warrenton.

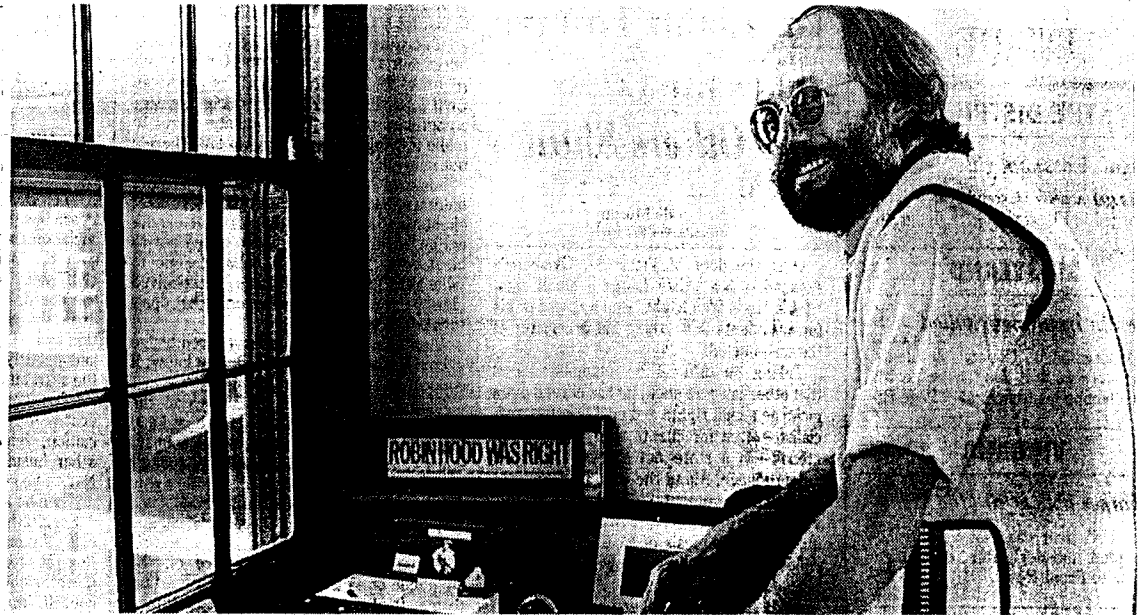
Then there have been the smaller victories for individuals: A transsexual fired by the U.S. Postal Service because he was about to have a sex change operation; black diners who could not get served in a white-owned restaurant in Fauquier County; a bagpiper banned from Alexandria's sidewalks because of an ordinance prohibiting street performers, and a female Navy officer facing a court-martial for posing "mostly naked" in Playboy.

"They had the gall to criticize naked ladies," said Glasberg, who relishes finding the absurd in his opponent's position. "Take a look at what's on the prows of their ships—mermaids and all."

At the time his Navy client was under fire, he said, the Washington Navy Yard NCO Club's nightly entertainment included scantily clad go-go dancers.

Another client was a paraplegic whose wheelchair could not negotiate the steps of the federal courthouse. When Glasberg sued the government for not complying with its own regulations on the handicapped, a temporary ramp was erected at the courthouse steps "in one night," said Court Clerk Doris R. Casey.

Glasberg is not past noting the irony in some of his own legal situations. When the Virginia State Bar turned down the application of a lawyer because she was living with her boyfriend, Glasberg wrote a brief attacking the bar's position as a violation of her constitutional right to privacy. "I wrote that while I was cohabitating with my girlfriend [whom he later married]," Glasberg chuckled.



Victor Glasberg, in his Old Town Alexandria office, says, "I had to get into something that involved pressing social issues, not on the side, but as what I did."

And in recently filed papers ridiculing the legal arguments of Sheriff Gondles' counsel, Glasberg notes, "There is nothing so clear that a lawyer cannot make a muddle out of it." He then quotes Carl Sandburg's poem "The Lawyers Know Too Much":

"When the lawyers are through/ What is there left, Bob?/ Can a mouse nibble at it/ And find enough to fasten a tooth in?"

Fairfax lawyer Joseph P. Dyer, a frequent Glasberg adversary in the courtroom, praises his ability to "put the other side into a box" through pleadings, the written papers and questions filed by both sides in the course of a lawsuit. "Victor is to pleadings as a chess master is to that game," Dyer said. "He really has a flair for it. Every move he makes is calculated."

"I think what sets him apart from the vast majority of lawyers is the type of interest he's elected to represent, which in many ways would otherwise go unrepresented," said Philip Sunderland, who also specialized in public interest cases before he became Alexandria city attorney in 1986. "[There are] people who can't get lawyers, who can't pay them."

In handling public interest cases, Glasberg has sacrificed the impres-

sive fees charged by some of his colleagues. Still, he has done well financially. Glasberg supplements his civil rights caseload with personal injury lawsuits, and doesn't take every case that walks through the door.

"Someone comes in," he explained, "and says, 'I was fired and it was racial discrimination.' The first question I ask them is, 'What's your religion?' They say, 'I'm Episcopalian.' And I say, 'How do you know you weren't fired because you're Episcopalian?' You have to be able to prove you were fired because of racial discrimination."

"Most of what I turn down are prisoner complaints and employment discrimination cases which cannot be substantiated."

A native New Yorker, Glasberg initially set out to become a teacher. But the slaying of the Rev. Martin Luther King Jr. in 1968, and the subsequent race riots and campus revolts, caused him to reconsider. At the time, he was a graduate student in history at Harvard University.

"I'm sitting there reading about 19th century social history, you know, Rousseau and Locke, and I start confronting the issue of what I was doing with my life and what I should do with it," he recalled. "I

decided I had to get into something that involved these pressing social issues, not on the side, but as what I did."

He switched his field of study to American race relations, wrote his PhD dissertation on the history of the NAACP and became the only white teacher in the new Afro-American studies program at Harvard. He also got his picture in Time magazine—tearing a red cloth into armbands for a student strike.

After graduating from the University of Pennsylvania Law School in 1976, he joined the Alexandria firm of Philip Hirschkop, a longtime civil rights litigator. "Phil's been my mentor here," said Glasberg, who struck out on his own in 1982.

Recently, he thought he had begun at last to be regarded as an expert. "I got a call from an attorney for whom I have the utmost respect, and he said he wanted to ask me a question," Glasberg said. "So here I am preening myself on being asked advice from such distinguished counsel."

"And he asks me, 'How do you spell chutzpah?' So I told him.

"Later, I found out I misspelled it."