Math, struggles, and slash pines

by Carlos Gonzalez

She told me that she did not think she was going to pass her math class, that the teacher was confusing, that she worked full time, went to school full time, and she did not have the energy or time to go to tutoring. She saw herself taking the class once again, she said. It was five minutes before I was taking students on a tour of the Environmental Center. I was drawn into my student's struggle and for a moment wondered what I had to offer her, if anything. In my work I see so many who juggle too much, who struggle and often don't see a way through their challenges because they are so many.

We walked toward the start of our tour, and I felt the heaviness of this conversation. To me it wasn't just one more student merely giving up on a class, but hers was the voice of so many others. Math was not the real issue. It was life itself, life that seemed unfair, harsh, and impossible. Clearly I was hearing her story filtered through my own heaviness, my own sense of struggle, loss, and pain, the past nine years or so of seeing my mother lost to dementia, the breakdown of family bonds, the loss of loved ones, and at times, the loss of hope.

The week before hearing my student's story, I had read over 140 essays. Some of them detailed suicide attempts, painful separations, failed dreams, loss on a scale that surprised me and reminded me how we are more alike than we are different. And as I walked to the entrance of the Center, the air plant growing on the tree caught my attention. It did not do so in a subtle way. It spoke to me and asked me to tell a particular story. This beautiful being, although voiceless, was asking to speak to my student and to me.

The clarity of the communication surprised me. It was now evident to me that I needed to have overheard my student mention her math class. It was also evident that what I was going to do for the next seven hours of teaching was to repeat the message, not so much because of my math challenged student but because I, too, needed to hear a good word. I needed a reminder. We needed a story, this story, as Barry Lopez reminds us, "more than food to stay alive" (1990, p. 8).

The Environmental Center is a nine-acre preserve. One enters it through a colorful mosaic gate and is immediately presented with a radically different space. The Center is on the edge of campus, the edge of time, and a text that often is misread or not read at all. It is a reminder of what parts of South Florida used to be, of how the landscape looked before development. It offers a glimpse of a bygone era where slash pines covered the area and the human footprint was less obvious. It is also a clear reminder of the feeble efforts to preserve the often tenuous relationships between humans and other life forms. It is a place where one can experience great peace and also be in touch with a sense of deep loss. It is filled with life and reminders that death is also part of life and the cycle of beginning and endings is infinite.

So what did the epiphyte say to me? This was no joke. Adaptation = Learning. The rest follows.

As I stood before my students, I told them how at some point, millions of years ago, I was guessing, the ancestors of this plant learned that living on the soil was not to its advantage, and somehow learned to live on the tree canopy, gathering food and water from the falling leaves of the host tree and in the process providing a home for small animals such as frogs and lizards.

This particular air plant was about to bloom, and we could see the emerging structure of the flower, an elegant manifestation of perfectly adapted design. We looked at the plant, I caressed its leaves. Students looked at me as if I were on some kind of drug. I assured them I was not. I told them the message from my plant friend: To adapt is to learn and to take on life's challenges and use them to create what is necessary for survival and the possibility to thrive. We took a moment. I answered some questions. We were quiet. Some were looking at their phones. I hesitated to take steps away from the air plant, but I knew then that I would be able to hear its message the rest of the day. And we walked to the little sliver of slash pine forest.

It was only a hundred feet or so away. At the head of the trail, a beautiful specimen of a tree stands tall. It's probably 60 or more years old. As I came upon it, I told them that this tree was a Ph.D. in South Florida; that it had learned this area so well that it had specialized in living here and nowhere else. This particular species of slash pine, *Pinus elliottii* var densa, is endemic to South Florida (Pine Rocklands—Miami-Dade County). Students looked at me funny. I stared back. I kissed the tree. I thanked it. By now, everyone had been pushed over the edge of weirdness, and they just looked at me and smiled.

I continued with my message and repeated the mantra the epiphyte gave me: Adaptation is learning. It is the means that all of life has to continue to exist. Change is a constant. Adaptation is a dance with change. It is the engagement of the core challenge associated with change. It is the "yes" in all creatures to life, possibility, and existence.

I told them the little I know about slash pines, that there are other relatives of this tree, but that this species is only found here. I pointed out how this particular pine learned to use the wet and dry seasons, the poor soil conditions, frequent fires to manifest a beauty that is a gift to witness and appreciate. I celebrated the tree in front of me. Everyone did so as well. A little attention, at least, from the more hard to reach. We took a moment to breathe deeply and notice the scent the tree gives off. I was filled with wonder. Some were too. Others looked at their phones. They were receiving messages at the time, but not from the epiphyte, the slash pine, or me.

So many unique elements of this tree's knowledge and manifestation of life exude in this place, the fringes of this campus where concrete replaced its kin. Its bark is fire resistant, a useful trait given lighting strikes that in the past burned the under story. These fires took place in the wet season and were not destructive. They were energy deposits into the area that these trees knew how to use. The slash pine drops its seeds after a fire into the ash-enriched limestone and the seeds take root.

The specialization worked well for thousands of years. It stopped working once large numbers of people moved into the area. The Dade County slash pine did not specialize in humans, however. It did not take us into account and our aversion to fire. Not surprisingly, the slash pine has lost out to our home building and fire suppression. In a matter of less than 100 years or so, about one to two percent of the endemic slash pine forest is left (Pine Rocklands—Miami-Dade County). This tree adapted to the area but has not been able to adapt to our presence.

The lesson in this is difficult. It presents us with many questions. Primarily, "What's our responsibility and role in preserving those life forms that don't have the capacity to adapt to the rapid change we are creating?" and "How do we address those who are not able to learn at the pace of change all around us?" These were big questions, but not the thrust of what I was hoping I was conveying to my students. The message of the air plant, though a species that supposedly lacks judgment, seemed more direct: To adapt means to learn. To stop learning or not learn fast enough means death.

So about one to two percent of the original Dade County slash pine forest is left. Our campus has a couple of patches where once the entire area was dominated by these trees. We walked away from this small patch and felt ambivalent.

The beauty of the trees is obvious; their fate also seems sealed. But. There is always a "but" that carries the possibility of surprise. On the way out of the slash pines, I spotted one solitary atala butterfly heading for its morning breakfast. This small dark blue butterfly with a red belly and metallic blue dots on its wings echoed the epiphytes message and gave it a slightly different intonation.

We paused before leaving the forest and observed the atala dancing amongst the flowers. I mentioned how this exquisite creature was believed to have been extinct as of 1965 and that in 1979 a small population had been discovered in Key Biscayne (Pine Rocklands). The atala had almost disappeared because it, too, specialized and had adapted exclusively to the South Florida environment. Like the slash pines, it found itself challenged to live because we interfered with its environment and eliminated the coontie plant, a once prevalent plant of the hammocks and rock pinelands. The coontie, an ancient cycad, is the sole host plant for the atala. This specialization meant that when the coontie was virtually eliminated from the area, the atalas disappeared as well (Pine Rocklands).

I told students to pay attention to this story. That it offered a detail that was not fully developed in the earlier message of the air plant. What was interesting about this story was that the atala did not die off. Against significant odds, it came back. It was not supposed to survive. But an effort to encourage gardeners to plant the coontie allowed the butterfly to return. This was not an all-out plan by a monied government agency or environmental group. Butterflies are not big money makers! And so I reminded them and me that not all is loss. Not all is a sealed fate. Sometimes we get surprised by the beauty of small miracle stories that don't allow us to give up. More significantly, the atala reminded us that there's always a possibility for the creature with the greatest ability to adapt, us, to do so and allow others who may not have the same capacity to survive and thrive.

Our journey through the Environmental Center came to an end as we approached the chickee next to the lake. We sat there and felt the cool breeze. The pitched roof thatched with native palm fronds, the cypress columns, and the setting offered a perfect conclusion. We were sitting under a structure built by members of the Miccosukee Tribe of Indians. The structure was one last reminder of adaptation, where lessons from math, life's struggles, and slash pine can collide.

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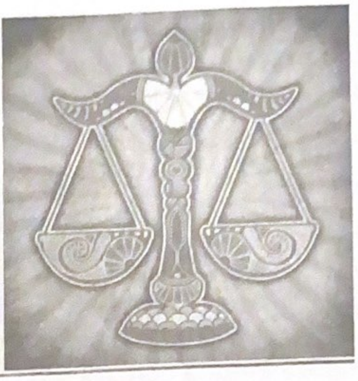
Generations Connect: Variation on "Om Namah Shivaya"



by Carlos Gonzalez

Patience
For now there is destruction
Later
much later
gate gate paragate parasamgate
under the rubble
a strong vulnerable sprout breaks ground
and embraces
the sky.

I began to write this piece above as I was listening to the wind rustling the leaves of the trees in the valley below. I'm sitting on a grassy knoll, under the overhang of what serves as the front porch of the Straw Bale Lodge donated to Narrow Ridge, a retreat in Tennessee, by Mac Smith, a former professor in Miami who taught for 30 years at the college where I've worked for 22 years now. He also launched a series of programs that have blossomed into a several communities that focus on Earth literacy.

I'm not sure why I need to write the paragraph above, but it seems important to name him, name the place where I'm working, and in doing so remind myself that the work I do is somehow tied to others who have come before me. This "before me" part has been important in the past. Connecting to the ancestors has been a lifeline that in some of the more challenging times of teaching has allowed me to find my way when the path was unclear or encumbered by my own confusion. What I'm noticing more and more is that those who follow are becoming more relevant. What is dawning on me is that I am now becoming more of an elder or lifeline to those who come after me.

I'm also realizing that I'm coming to the end of the summer of my teaching life. I sense the beginning of the fall season and note a number of things.

One that stands out vividly is the notion that the kind of education that interested in is not one that easily translates into objectives and goals. I re ize that I'm interested in the ancient notion of education, which the wo itself suggests, is to draw out, to invite into awareness. This is what I consi to be my role as a teacher in relationship to my students. It's also the type role, that when I'm at my best, students invite me to play and they play well. Together we draw out for one another what is already there but may overlooked. And the drawing out is not exclusive of learning a skill. involves and requires so much more than merely writing an essay, resume, figuring out a complicated calculus.

These reflections and my writing came after spending an afternoon tourir Narrow Ridge, an Earth Literacy Center and community in East Tennesse in the foothills of the Smokies, where my school sends students every sprin I came up this time as a chaperone. As I live among 13 young people for th short time, I'm challenged to hold the tension of living from one's idea while often finding that the choices made don't come close to reflectin those. Like the young people I have accompanied, I live with the disorder o my own mind and life, wanting to live consistently within my ideals and coming up short time and again. This understanding does not jive well with m notion of being an elder.

The disconnect and discomfort in my own mind regarding elderhood is par of the generational gap and chasm that has existed for far too long. Th young and old don't relate to one another enough by living and working close together. The segregation that started with industrialization and children being put in schools that were away from their grandparents and parents most of the day, and that were modeled after the factories the parents worked in, planted the seeds of a wisdom deficit that we keep bumping into and find no real way to address. We have become an uninitiated culture unaware of how to be. This is true of young people and of those who are not quite old but getting there.

These particular 13 students remind me in their youthful exuberance of wanting to be, and of being aware of life itself, of exploring the possibilities of living in a way that affirms rather than denies life. They are able to do this so freely and quickly as they step away from the constraints of the classroom and find themselves in a quiet space meant to invite awareness rather than distraction. When joining them at meals, it is clear as I hear them share that they also search for ways to live with the brokenness and disjointedness of life. Our lives are lived in the up-rootedness of urban spaces, where neighborliness is often absent, where green spaces are islands engulfed not only by roads and buildings, but surrounded and steeped in the "always on" culture of social media and smartphones. What's different, it seems, for them is that their desire for wholeness has not yet spiraled down through the challenges of living long enough to experience many of the obstacles inherent in existence itself. They haven't yet experienced the tendency that happens as we grow older to give up or grow disillusioned and disheartened by the alienated culture.

Narrow Ridge is named after a line in Martin Buber's book *Between Man and Man* (2002). It's a pertinent thought that can serve as a signpost for all of us: "I do not rest on the broad upland of a system that includes a series of sure statements about the absolutes, but on a narrow, rocky ridge between the gulfs where there is no sureness of expressible knowledge but [only] the certainty of meeting what remains, undisclosed" (Buber, 2002, p. 218).

The narrow ridge of which Buber and this place remind us is that tenuous spot where we meet all of life not as objects but as subjects. It's a tenuous spot because we do not stay on the ridge easily. We walk it with great care and humility, honoring and becoming aware of the ultimate mystery of existence and life itself. Too much effort or too much trying, and we fall off the ridge. Too little effort and too little awareness and the same thing happens. I'm not even sure that we can use the word tenuous. The narrow ridge is a point that seems out of reach for most. For me, I don't know if I'm on it for more than mere moments, and then off again.

On this particular day, without the use of a textbook or PowerPoint, my students and I got a small glimpse of living in that balance and awareness, of living as Daniel Berrigan says in his introduction to Dorothy Day's autobiography *The Long Loneliness*, of living ". . . as though the truth were true" (Day, 1981, p. xxiii). This happened as we walked up and down hills and saw and heard the story of Narrow Ridge. We spent a couple of hours not only walking, but seeing first hand a physical manifestation of a vision where humans attempt to live in conscious awareness of their own place in the Universe. Through its relationship to the land, built structures, and governance, the Narrow Ridge community shows visitors how a small community tries to walk the ridge together, to navigate between a culture of mass consumption and one of great care.

As we walked, we visited with a number of the human residents of Narrow Ridge. Each offered us a part of their story. Each left us with a bit of the stirring that happens within when we meet another person who has tried her best to live life in service, in love, in truth.

In the process with these 13, I was reconnected with the question of what happens when young and old gather to intentionally learn from one another. And all along the ridge, I'm thinking again and again about the lifeline of ancestors and my own role as an emerging lifeline to others. As often happens from these gatherings when we invite the ancestors, ourselves, and the young together on a journey, we learned the unexpected.

Near the end of our week at Narrow Ridge, we took a day trip to Eagan, just south of the Kentucky border. Eagan is a border town, on the margins so to speak, and as such has been a mining town since the early part of the twentieth century. As we approached the town, it was clear to see that we were entering another America, one that was rich in beauty, culture, and so-called resources, but one that had been used as the source of cheap energy for more than 100 years. All around us we could see the effects of coal extraction, sides of mountains cut in perfect angles, exposing veins of coal that were the remains of our prehistoric ancestors. Our bodies also knew we were in a different America. Many of us had difficulty breathing the air. It was as if the air had become heavy. In reality, the air was heavy with the coal dust of the mountain that was being removed right in front of our eyes.

The point of this trip was to visit the site of a mountain top removal. This is a euphemistic term for something much more gruesome. We were there to witness the decapitation of a mountain, a slow execution fueled by my own, our own, desire and need to cheaply power our modern way of life. I say cheaply because none of us have paid the full cost of the coal that has been extracted from the mountains there. But the mountain and the whole communion of beings who call it home have and are paying the full price.

Eagan felt like a developing country where large landholders control most of the land and do with it what they will, even when this means that area residents suffer dearly with the poisons that are the detritus of extracting energy—either in the form of food (always in the form of some kind of monoculture) or of fossil fuel to keep the economy running.

It was raining on this day and what we could see was the torrents of brown runoff coming down from the side of the mountain. Every barren or almost barren hillside was a flowing river of milk-chocolate-colored water, all flowing to the bottom where mountain streams brim with a cocktail of chemicals and dirt that kills most if not all of the fish and wildlife who call these streams home. The effects on humans of this runoff is equally disastrous as flash floods because the erosion is now commonplace. No trees on the mountain means no roots to hold the soil in place. We are an uprooted culture in so many different ways.

We tried getting to the top of where the coal company had removed the mountain, but we could not. The rain was too much and the road was becoming impassable. Instead, our guide, Gary Garret, a resident of Eagan, an elder in training, and a volunteer at the Clearfolk Community Center, showed us a cemetery on the side of the road. It was the part of the mountain top that had not been carved out for coal. The cemetery stripped of the mountain all around was left as an island of the dead, a monument to shortsightedness on all levels. That it had not been carved out like everything else vas a miracle. We suppose that it was left there to respect the remains of the esidents who once called the mountain home. But what we witnessed was bscene. The dead in that cemetery like the living have no real resting place s the mountains continue to be chopped up and killed. Chief Seattle's words ung in our ears:

> And when the last Red Man shall have perished, and the memory of my tribe shall have become a myth among the White Men, these shores will swarm with the invisible dead of my tribe, and when your children's children think themselves alone in the field, the store, the shop, upon the highway, or in the silence of the pathless woods, they will not be alone. In all the earth there is no place dedicated to solitude. At night when the streets of your cities and villages are silent and you think them deserted, they will throng with the returning hosts that once filled them and still love this beautiful land. The White Man will never be alone (Smith, 1887)

As we left Eagan, we more fully recognized the value of the solar panels we had noticed in Narrow Ridge during our first tour of the retreat. They are a small response to the mountain top removal/decapitation/execution. As we traveled back to our little oasis, many of us thought and talked about memory and the loss of memory that our culture is based upon. The key to the complete loss of this memory is tied to the disrupted way we learn or don't learn from one another. Without the generations coming together and sharing what's of value, what's of interest, all we have left is a flattened ecosystem both outside and inside of us.

For the youth in the group, the anxiety and questions of what to do with the gift of life in light of the enormity of the challenges before us, how to live in a world that feels out of sorts in its speed, focus, and ultimate goals were offered as the base of much of the conversations during the week. The elders and elders in training, who clearly did not have any specific answers to these heartfelt questions, but, who, because of the grace of sometimes living with some awareness, could point out sign posts that have kept them close to the narrow ridge. The opportunity to be in communion with these young people served as a balm for the achiness of spirit that too often plagues those who have awakened from the dominant culture's hypnotic spell to merely consume and forget. For me, and I suspect for the others above 40 in the group, coming together to enter into dialogue with young people offered the blessing of renewal, a reminder to remain vulnerable, open, and strong all at once.

Walking the narrow ridge in this regard has something to do with that blessed space that is described by many spiritual traditions as sensing the divine presence not in some far off place but in the midst of the current time with its mixture of beauty along with the oppression, hurt, and ugliness of a human constructed system bent on domination of the many for the benefit of the few. Walking the narrow ridge is a movement from disconnection to communion and awareness.

When together we face the youthful not knowing, the pain of the current moment, and the elder's understanding of the inherent incompleteness of all of our efforts, we can sense, if there is honesty and grace in the container of sharing, that we offer one another what is needed. We bring ourselves with all of our limitations into a space of healthy interrogation of life's ambiguity.

Any uncertainty about the future becomes an entry point to the mystery that all we need is right before us, that we are the ones we have been looking for all along. In this meeting place, or narrow ridge, the now of this moment allows all of us, young and old, to be fully ourselves and stop the continuous effort to cover over our inherent qualities as *Homo sapiens*, a species among many, a species with a deep desire to reflect upon its own place in the family of life.

As I look back at my own teaching life, I realize that my development and growth as a teacher often takes off as I enter or create the kinds of diverse communities where the old and young come together in a spirit of listening and sacred sharing. These communities have never been committees. They have always involved effort in either joining or creating them. Sometimes they emerge suddenly and with great force. Their intensity brightens up the path for all who participate. They exist in the margins, in moments—lasting long enough to serve as reminders to all who are there to witness to wake up to possibility, empathy, and action.

Over the years, this practice of not just stepping outside of the classroom but outside of the philosophical underpinnings of a schooling system based on transaction and objectification, has served to bring me back to myself as a learner, a seeker, and one who wants to live with integrity. Interestingly, I have been able to experience this not only outside of the physical structure of schools such as a place like Narrow Ridge, but also even within the walls of my own institution, that I sometimes in frustration and playfulness call Rockland, the psychiatric hospital in Ginsberg's "Howl" (1956).

I point this out, because the magic of this time in Narrow Ridge had more to do with this community container than the actual place. The container can e created anywhere, even in the midst of systemic craziness. I believe that he narrow ridge Buber describes is any space where such gatherings of the oung and the elder as well as peers can emerge with integrity; we need these help us find our way and balance. I know I need these to find my heart nd soul when both become opaque or clouded over.

I started this essay with a short poem inspired by an ancient chant to Shiva, the Hindu deity associated with creation and destruction. I did so honoring the pattern within me of creation and destruction. The poem is a reminder that all is not lost. When we find ourselves in the rubble and off the ridge, we have work to do. In this precious and precarious time, the need to connect old and young and form diverse communities of wisdom is not optional because these communities are the medium and the narrow ridges by which and in which all that is vulnerable and truthful can take root, emerge, reach for the sky, and create anew.

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Constitutional Eras for "We the People"[1]

by Robert P. Moses

Almost 55 years ago, in August of 1960, nine months before the Freedom Riders[2] made the route infamous, Ella Baker and Jane Stembridge of SNCC[3] put me on a Greyhound bus in Atlanta, headed to Mississippi. Representing the sit-in movement, but more deeply aware of my ride, I slid to the back of the bus as it approached Anniston Alabama, where the state trooper climbed onboard to take a look. A newly minted SNCC scout, little did I know that I was riding into history and an insurgency grounded in the Mississippi Amzie Moore NAACP World.

Amzie, home from WWII, turned himself into a tree for Delta blacks to transform themselves, in spite of whomever and whatever, from second to first class citizenship. A first-class insurgency, that's what Amzie had in his mind and managed to layer, in all due time, into mine.

In all due time, two and one-half years later, in the early darkness of a winter evening in February 1963, Jimmy Travis slips behind the wheel and Randolph Blackwell crowds me into the front seat of a SNCC Chevy as we leave the Greenwood Voter Registration Office. We were to drive from Greenwood to Greenville on U.S. 82 straight across the Mississippi Delta. Jimmy zigzagged out of town to escape an unmarked car that had been circling the office, but as we headed west on 82, the car spots us, trails us, and sweeps past near the turn off for Valley State, firing a hailstorm of bullets. Jimmy cries out, slumps over; I reach over, grab the wheel, fumble for the brakes; we glide off the icy highway, snuggle into the ditch—a bullet-tattooed

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A keynote address written and delivered by Bob Moses at Emory University, Atlanta, GA. January 20, 2015.

A series of bus trips through the American South to protest segregation in interstate us terminals, begun in 1961 by African-American and white civil rights activists.

Student Non-Violent Coordinating Committee of the Southern Freedom Movement.

Chevy, windows blown away, a hole in Jimmy's neck. 1963, the year th began with a grease gun terrorist highway attack, ended with the assassin tion of a President. First-class black insurgents were not the only on paying dues.

This is a talk about an abstract American idea, the American concept of Constitutional Person—a talk to help make that invisible abstraction visibl America's Constitutional people need outfits, clothes, so they can be seen the stories we Americans carry in our heads about who we are, where we ar and where we are headed: This, therefore, is a talk about the American Liv Constitution.

The concept of Constitutional People is everywhere in America's ongoin story. Over 156 years ago, on June 16, 1858, in front of 1,000 delegates to the Republican State Convention in Springfield Illinois, a candidate to b Senator of Illinois opened his talk with these words: "Mr. President and Gentlemen of the Convention: If we could first know where we are, and whither we are tending, we could then better judge what to do, and how to do it" (Lincoln 1858)

But flash forward for a moment to the words of another citizen and president. In 1988, when Kingman Brewster died,[4] it fell to Sam Chauncey[5] to say how Kingman should be remembered and to plan a memorable space in the Grove street cemetery where all presidents of Yale rest. Sam designed a low black marble wall to enclose Kingman's grave. On it he etched two sentences that encapsulate the interface between constitutional and common law; two sentences to illuminate how, on planet Earth, the ocean of lore humans inherit ought to instruct and inform the constitutional law humans create: "The presumption of innocence is not just a legal concept. In common sense terms it rests on that generosity of spirit which assumes the best, not the worst, of the stranger"[6] (Carter, 1999, p. 292).

Now lurch backward in time. In 1749, A West African boy, nine years old and captured, sailed the middle passage to Virginia and survived. In August of that year, a Scottish born merchant slave trader peered into the pluck of that nine year old and bought him. Up and coming Charles Stewart bought Somerset of West Africa to be his personal slave (Blumrosen 2005).

Twenty years pass, it's 1769. Stewart is 44; and Somerset, 29, accompanies him to London to help care for Stewart's sister's family when her husband dies. London is awash with Africans from the British Empire. Slaves and runaways, beggars and workers, sea-goers and artisans, and Somerset, running errands everywhere for his master, meeting blacks on the streets, in the stores, along the docks, makes a plan. He arranges a baptism, acquires English Godparents and flows, on October 1, 1771, into London's stream of Insurgent Runaway Slaves (Blumrosen, p. 10).

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[4] Diplomat, Harvard law professor, and President of Yale University, 1963–1977.

[5] Administrator for Brewster, and son of Henry Chauncey, founder of Educational Testing Service.

[6] Tombstone inscription are words from Brewster's writings.

Charles Stewart, feeling "betrayed and publicly insulted," posted notices to get Somerset back. And on November 2, slave catchers deliver Somerset to a ship bound for Jamaica. Seven days later, Somerset's Godmother, Elisabeth Cade pays to petition the Court of Kings Bench for a writ of Habeas Corpus to release him (p. 10).

Lord Mansfield, the Chief Justice, issues a writ requiring Captain Knowles to explain the reason for detaining Somerset on the Anne & Mary vessel. Six days later, Somerset appears before the King's Bench with Captain Knowles, who declares: "Charles Stewart, a colonial from America, delivered his slave, Somerset, to be sold in Jamaica" (p. 7). But Lord Mansfield releases Somerset pending a hearing, suggesting he be set free. West Indian planters, however, want a decision upholding slavery in Britain to keep prices stable in the commodities markets.

Lord Mansfield cautions them that if they think the question of great commercial concern is the only method of settling the point in the future, they should prepare an application to Parliament. But Parliament, content to let the matter rest at the Kings Bench refused the merchants a hearing.

On June 22, 1772, while the clerk called the case of "James Somerset, a Negro on Habeas Corpus," Lord Mansfield, bewigged, the chief justice of the oldest and highest court in England, mounted the bench to deliver his judgment:

> The state of slavery is of such a nature, that it is incapable of being introduced on any reasons, moral or political. . . . It's so odious, that nothing can be suffered to support it but constitutional law. Whatever inconveniences, therefore, may follow from the decision, I cannot say this case is allowed or approved by the law of England; and therefore the black must be discharged (p. 24).

So why did Slave Owner Stewart feel "betrayed and publicly humiliated?" Almost 200 years pass, and the matter at the heart of that matter resurfaces in a provocative letter that novelist James Baldwin wrote in 1962 in a letter to his brother's son, James:

> The crime of which I accuse my country and my countrymen . . . that they have destroyed and are destroying hundreds of thousands of lives and do not know it and do not want to know it. One can be . . . tough and philosophical concerning destruction and death . . . But it is not permissible that

> the authors of devastation should also be innocent. It is the innocence which constitutes the crime (Baldwin pp. 5–6).

It was then in 1772 as in 1963, a question of innocence. After all, saturated with the lore humans inherit, Stewart's generosity of spirit saw the "best" not the "worst" in a nine year old "personable" African stranger. But Stewart who could not clothe his personal property with English Common Law and imagine Somerset into a Constitutional Person, instead imagined himself, a slave owner, an innocent, a victim, "betrayed and publicly humiliated" by an abstraction.

Flash forward in history again. In 1960, after Jimmy caught that bullet in his neck, Snick[7] regrouped to converge on Greenwood, and black sharecroppers lined up at the Court House to demand their right to vote. When Snick field secretaries were arrested, Burke Marshall, the Assistant Attorney General for Civil Rights under Robert Kennedy, removed our cases to the Federal District Court in Greenville and sent John Doar to be our lawyer. From the witness stand I looked out at a courtroom packed with black sharecroppers from Greenwood, hushed along its walls, packed onto its benches, and attended to the question put by Federal District Judge Clayton: "Why are you taking illiterates down to register to vote?" (Moses, 2010)

Wrong question Judge: These delta blacks are dressed up in their new outfits: constitutional clothes. Can you see them and incorporate them in the story you carry in your head about who they are, where they are, and where they are headed?

This conundrum of constitutional outfits, the ongoing dilemma about who gets to wear what constitutional clothes, surfaced at the 1787 Constitutional Convention, and resurfaces time and again: In Lincoln's House Divided speech; in Judge Clayton's question; in Ferguson; in the nation's theory of "undocumented "people"; in the national education conundrum of constitutional, but naked school children, sent to school, with no constitutional clothes.

In all due time, we have circled back, in our story, to Abraham Lincoln, that 1858 Republican Senate candidate, who went on to invoke a House Divided: "A house divided against itself cannot stand. I believe this government cannot endure, permanently half slave and half free. I do not expect the Union to be dissolved—I do not expect the house to fall—but I do expect it will cease to be divided. It will become all one thing or all the other" (Lincoln, 1858).

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[7] Student Non-violent Coordinating Committee (SNCC)

on't be fooled, the conundrum of Lincoln's House Divided speech was not e Nation, the Union, nor the "it" in "It will become all one thing or the ther." Not even close: SNCC was on the witness stand a century later precisely ecause the country had figured a way around that "it." No, Lincoln's conun-rum was that other two letter word, "We." At the 1787 Constitutional Con-ention, James Madison rose to clarify the background that paved a path into incoln's conundrum. It seems now to be pretty well understood that the real ifference of interests lay, not between the northern and southern states. The nstitution of slavery and its consequences formed the line of demarcation.

Move forward in time to April 1952. President Harry Truman, in the middle of the Korean war, declared that an impending steel strike "would immediately jeopardize and impair our national defense" and ordered the secretary of commerce "to take possession of all or such of the plants, facilities, and other property of the steel companies" (Truman 1952) as he may deem necessary in the interest of national defense (Corwin 1953; Loftus 1952).

The Steel Seizure case, which followed Truman's declaration, culminated in a Supreme Court injunction prohibiting the secretary from obeying the president's order. Six justices explained their reasons, separately, for deciding the order was unconstitutional. But the opinion of Justice Robert H. Jackson has most clearly withstood subsequent legal scrutiny:

> The actual art of governing under our Constitution does not and cannot conform to judicial definitions of the power of any of its branches based on isolated clauses or even single Articles torn from context. While the Constitution diffuses power the better to secure liberty, it also contemplates that practice will integrate the dispersed powers into a workable government (Clayton 2002 p. 69).

In advance of any practice, the founding fathers at the Constitutional Convention of 1787, who contemplated the actual art of governing when the institution of slavery and its consequences formed the line of discrimination, faced a conundrum. While the 1787 Constitution contemplated a class of Constitutional People in its "We The People" Pre Amble, and diffused power, the better to secure their liberty, it also contemplated a class of Constitutional Property, outfits for Somerset's constitutional clothing designed as Article IV, Section 2, Paragraph 3: "No person held to service or labor in one state, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor is due" (Constitution). Thus, "We the People" does not include slaves.

The Somerset clause contemplated a Constitution that diffused power—the better to secure slavery—because as James Madison understood only too well, slavery was the indispensable practice required to integrate th persed powers into a workable government. Without slavery as its econo engine, the nation and the government were not "workable."

America, the land of democracy and freedom, is also a crime scene, crime of which I accuse my country and my countrymen. . . . We have wolf of terrorism by the ear, and we can neither hold on to it, nor can let it go; but it is not permissible that the authors of destruction should be innocent. Weapons of mass destruction! *It is the innocence which constitu the crime.*

For three quarters of a century, the Government of Constitutional Peop and Constitutional Property tried workability all the while, a Young People Project, Africans, central actors in the Constitutional Drama, acting o coming of age insurgencies, invisible, mutating viruses, popping up here a there, infecting the Constitutional Scene. Until, inevitably, in the persona Dred Scott, the central character in the 1857 decision by Roger B. Tane Chief Justice of the Supreme Court, their project metastasizes into a catalyst of mass destruction that divides Lincoln's House, sets into motion th War of the Constitutional People over Constitutional Property, and drop the curtain on America's first Constitutional era. The Era lurched to an end but its conundrum refused to expire: Who were we, if "we" was still th problem?

Constitutional Era 2

The moon was quite young when the bell tolled, the young black men rushed into the chapel to get their guns and Margaret Caldwell, left home, her face hid, stepped over a body lying in the street near a store, before going back home where her husband's brother's wife and three children cowered with her against the sound of the white mob roaming the streets. There Margaret stayed until her minister came to bring the news that both husbands were dead, and he carried two bodies upstairs. Margaret's husband's body had to be tied together and the minister laid both bodies out to prepare for burial. Late that night the train from Vicksburg to Jackson stopped in Clinton and Modocs, traveling confederates imagining themselves into a tribe of wild Indians marched into the Caldwell house, threw open the windows, sang, danced, cursed, and challenged the two dead men to get up and meet them. It was a Thursday evening during the Christmas season in Clinton Mississippi; it was 1875. The second Constitutional Era was getting underway.

Margaret's husband, Charles Caldwell had commanded the Negro militia company that marched in formation from Jackson to Edwards on October 9, 1875, carrying armaments for the militia company there. But Ohio's state elections were scheduled for October 13, and Ohio Republicans sent a delegation to Ulysses Grant, informing the President that if he sent troops to Mississippi, Ohio, "which had voted by a wide margin against ratification of the Fifteenth Amendment,[8] the state would fall to the Democrats. Grant sent no troops, but later told Lynch, the black senator from Mississippi, that "I made a grave mistake."

Republicans blinked: In 1875, President Grant yielding to the request of the Republican delegation, put into motion a practice that integrated America's dispersed powers into a workable government, the better to secure Jim Crow, slavery by another name (Blackmon 2008).

Democrats winked: In 1875, Redeemed, Democrats overthrew the Mississippi Government by terror, violence, and murder, and contemplated a written Constitution that diffused power the better to secure white supremacy, a practice which integrated dispersed powers into a workable government, the better for white people to secure freedom.

On a Thursday evening during the Christmas season of 1875, when the moon was quite young and the bells tolled, Margaret Caldwell, her face hid, stepped over the body of her husband Charles (Lemann 2006)

For the Presidential race of 1876, Rutherford Hayes, saved by Grant and reelected governor of Ohio, ran against Samuel Tilden, Democratic governor of New York. Terror and murder rampaged against black men across Louisiana, Mississippi, South Carolina and Florida, and when the election ended in a stalemate at the electoral college, a deal was cut: The Compromise of 1877: The nation got a workable government: Hayes and the Republicans got the Presidency, federal troops were withdrawn from the South, and white southerners established a political confederacy. The Nation finally knew who we were and whither we were tending and, therefore, better judged what to do and how to do it.

And the clarity of the "what and how" of those judgements sharply resonate when listening to Billy Holiday sing "Strange Fruit." Her ironic juxtaposition of words such as "southern breezes, gallant South, and sweetness of magnolias" alongside the words that spoke to the lynching horrors resulting in "bulging eyes, twisted mouths, and burning flesh" (Margolick 2000 p. 25) dramatically captured the contradictions of the perverted betrayals of Black people, sanctioned by corrupted government policies, both southern and national.

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[8] The 15th Amendment: "the right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of race, color, or previous condition of servitude."

On Wednesday May 14, 1919, an article appeared on the front page of t *Vicksburg Evening Post*. It read in bold letters, "NEGRO ATTEMPTS RA OF YOUNG WORKING GIRL." The name of the 22 year old allege attempted rapist was Lloyd Clay, a young black man who worked as a da laborer. The young working girl, it later turned out, had a secret older whi man as her lover, who ran from the room she rented when discovered by th landlord. He fled to his black chauffeur whom he hired to take his lover o midnight drives. Confronted later, the chauffeur, and two other black me hauled into the Jackson jail, told the entire story to the authorities. All thre men were released and told to leave the state (Clay 1919).

The crime of which I accuse my country and my countrymen.

Sheriff Frank Scott, W. M. Hudson and Deputy Charley Gantt used bloodhounds to track down the would-be rapist. The dogs initially led them to a white man, but a second attempt brought them to the A and V Railroad Station where they arrested Lloyd Clay.

That they have destroyed and are destroying hundreds of thousands of lives

After the white townsfolk heard that an arrest had been made, white men and boys began to gather at the Warren County jailhouse. Immediately after Clay was arrested, Mattie Hudson's father took her into town to pick out her assailant from a lineup of several black men. As Hudson stood before the lineup, she stated assuredly that none of the men there had attacked her and none had entered her room (1919).

And do not know it and do not want to know it.

Around 8:00 p.m. a mob used blow torches and a 16 foot piece of railroad iron to break down the jailhouse doors and bend open the iron jail cell bars. About 40 men made their way past Sheriff Scott and twelve of his deputies as they took Clay from his cell. The mob tied Clay up, placed him in a truck, drove him a short distance from where Mattie Hudson boarded, and demanded that Hudson identify Clay as her assailant. On the third day she did (1919).

It is not permissible that the authors of destruction should also be innocent.

Clay's burnt to crisp remains were placed in a plain wooden box. Early the next morning the coroner contacted Hattie Clay, Lloyd's mother who consented to have his remains interred in a cemetery for paupers, misfits and "bad" Negroes. Neither family nor friends escorted Clay's body to his final resting place. The city paid the total cost of his funeral, 15 dollars (1919).

Between 1882 and 1930 Mississippi lynched over 700 young black men: Rounding the numbers, for a half a century, 50 years or 600 months, on average, every six months, seven black men were Mississippi lynched, or, for

50 years, on average, every year 14 black men were Mississippi lynched (Waldrep 2005). On June 13, 2005, the U.S. Senate issued a formal apology for innocence, that it never criminalized lynching, but Trent Lott and Thad Cochran, Mississippi's Republican and Democrat Senators retained their innocence and did not sign (Lemann 2006).

It is the innocence which constitutes the crime.

On March 30, 1908, Green Cottenham was arrested by the sheriff of Shelby County, Alabama, and charged with "vagrancy." After three days behind bars, 22 year-old Cottenham was found guilty . . . and immediately sentenced to a 30-day term of hard labor. Unable to pay the array of fees . . . Cottenham's sentence was extended to nearly a year of hard labor. The next day, under a standing arrangement between the county . . . and U. S. Steel . . . Cottenham was sold and the sheriff turned him over to Tennessee Coal, Iron and Railroad Company, a subsidiary, for the duration of his sentence. The Company gave the county $12 a month to pay off Cottenham's fine and fees, sent him to the Pratt Mines on the edge of Birmingham. Green Cottenham toiled under the lash with 1000 other black men in "Slope #12." Slaves in all but name, almost sixty of the men died of disease, accidents or homicide before the year was over. Green Cottenham was dead from disease after five months (Blackmon 2008 p. 1–2).

In our first Constitutional era, 1787 to 1865, young black men suffered neither prison cell nor the lynch mob. They were Constitutional Property. During our second Constitutional era, 1875 to 1954, young black men were routinely rounded up for vagrancy and imprisoned briefly for debt, before being conscripted to work in a system of involuntary servitude. They were Constitutional People turned back into Constitutional Property.

We can thank Douglas Blackmon, who grew up in Greenville Mississippi and is the former Atlanta Bureau Chief of the *Wall Street Journal*, for the book, *Slavery by Another Name: The re-enslavement of Black Americans from the Civil War to World War II.* His story of tens of thousands of black youth criminalized for walking the railroad tracks, charged with vagrancy, jailed for non-employment, conscripted to die in the coal mines should shake the conscience of the nation. In his book, Blackmon threw a searchlight on Circular 3591 issued by Attorney General Francis Biddle on Dec. 12, 1941, a directive that ruptured the illusion that slavery had ended in America. And it warned the legal community that any person or entity who violated the 13th Amendment "would be prosecuted as a criminal":

> It is the purpose of these instructions to direct the attention of the United State Attorneys to the possibilities of successful prosecutions stemming from alleged peonage complaints which have heretofore been considered inadequate to invoke federal jurisdiction. It is requested that the spelling

> out of peonage be deferred in favor of building the cases around the issue of involuntary servitude and slavery disregarding entirely the element of debt (Blackmon, pp 377–78).

All the Civil Rights Movements of the 20th Century took place against the background of WWI and WWII and the insurgencies of colonial peoples across the planet for political voice. African Americans, an internal colonial people during this era, mounted their own insurgencies for political voice. No wonder Japan's attack on Pearl Harbor galvanized President Franklin Roosevelt to seek an end to the conscription of black men into involuntary servitude and slavery; as soldiers he needed them ready to answer Japan's sure to come question: "Why are you, black soldiers, over here fighting us?"

In Clarksdale, as World War II got under way, black day-laborers could "go at six in the morning to the corner of Fourth and Issaquena streets . . . trucks from the plantations would appear at the corner. The drivers would get out and announce their pay scales. The Hopson place always paid at the high end of the going rate" (Lemann 1991 p. 71). In the fall of 1944 an estimated 3,000 people gathered at the Hopson plantation outside of Clarksdale to watch eight bright red machines pick forty-two acres of cotton. Richard Hopson ran the plantation office and the previous spring he had penned a letter urging all the plantation owners in the Delta to "change as rapidly as possible from sharecropping to complete mechanized farming . . . to alleviate the Negro problem" (p. 71).

Three years later, David Cohn, a literary lawyer put the following dilemma to the Nation: "Five million people will be removed from the land within the next few years. They must go somewhere. But where? They must do something. But what? They must be housed. But where is the housing?" (Lemann 1991 p. 51). In December 1946, the Chicago housing authority moved a few black families into a new housing project called Airport Homes, which was in a white neighborhood on the Southwest side. The housing authority proceeded with some care: it obtained the blessing of the mayor; it carefully screened the black families; it moved them in during working hours, when the men in the neighborhood were away. Still more than 1,000 whites gathered to 'greet' the black families. The mayor had to send in four hundred policemen to maintain order; the rioting went on and, finally, after two weeks the black families moved out, back across the housing color line (p. 51).

Ten years later, after the 1954 Supreme Court decision, "Willis wagons" maintained the school color line:

> It is obvious in retrospect that the established black neighborhoods were far too small to hold all the black people coming into Chicago [leaving Mississippi's plantations] but [the Mayor's] efforts were directed at finding ways to maintain

the color line. His school superintendent [Ben Willis] was immediately faced with the problem of severe overcrowding in the black schools. Instead of integrating the adjacent and usually half-empty white schools, Willis put the black schools on double shifts, eight to noon and noon to four, and installed what blacks called "Willis Wagons"—trailers converted into temporary classrooms—in their playgrounds, thereby creating an urban equivalent of the inferior rural black school systems of the South (Lemann 1991, p. 91).

> I agree with you that there is a natural aristocracy among men. The grounds of this are virtue and talents. . . . May we not even say that that form of government is the best which provides the most effectually for a pure selection of these natural aristoi into the offices of government? (Lemann 1999 p. 43)

So Thomas Jefferson wrote to John Adams in 1813. Adams sent his reply later that year: November 15, 1813:

> Your distinction between natural and artificial aristocracy does not appear to me well founded . . . both artificial aristocracy, and monarchy, and civil, military, political and hierarchical despotism, have all grown out of the natural aristocracy of virtues and talents. We, to be sure, are far remote from this. Many hundred years must roll away before we shall be corrupted.Our pure, virtuous, public-spirited federative republic will last forever, govern the globe and introduce the perfection of man. . . . Your distinction between the aristoi and the pseudo aristoi will not help the matter. I would trust one as soon as the other with unlimited power (Lemann 1999 p. 46).

Flash forward: At the October 29, 1947 meeting of the College Board, the admissions deans who made up the usual attendance at College Board Meetings, were astonished to see James Bryant Conant, President of Harvard, in all his magnificence, as well as the presidents of Princeton, Cornell and Brown (p. 64). Conant had assembled all these "grandees" to persuade the deans that the old dispensation of the College Board was at an end; it was to merge with ACE, the American Council of Education and prepare for the creation of ETS, the Educational Testing Service. George Zook, head of the ACE, also headed President Truman's Commission on Higher Education. Zook submitted his report to the President less than two months later on December 11, 1947, a clarion call to expand American Higher Education:

- The number of students enrolled in institutions of higher education by 1960 should be 4.6 million—triple what it had been in 1940.
- A third of every age cohort should graduate from college.
- Government should substantially finance this expansion by paying for students' tuitions: the first two years of college should be entirely free.
- All discrimination in higher education, especially against Negroes, should be vigorously stamped out (Lemann 1999).

The deans had met two weeks earlier and voted the merger down; they ju didn't understand, the deal had already been settled. The question was wh would run ETS: Conant via the College Board or Zook, via ACE. Exactl one week after the Zook report was submitted, ETS was chartered wit Henry Chauncey a Harvard dean, as president, and Conant as chairman of the Board. The aristocracy was still in charge.

In the aftermath of WWII, in 1948, the nation established universal draf registration to be administered by the Selective Service System, and debated the wisdom of draft-deferment tests for college students. Then on June 25, 1950, North Korea invaded South Korea and Henry Chauncey saw the potential of a Bull Market for his company, ETS, and its products—tests. On March 19, 1951, the Selective Service System signed a contract with ETS to test up to one million college students. Chauncy insisted the test not be called an IQ test: the ability revealed by this test is more properly called "scholastic aptitude," he asserted, the ability to do well in school or college. He devised a scoring system that would bring to mind school grades rather than mental testing: The median score would be 50 and the deferment cut-off, 70. Security at the testing sites matched the life and death matter of the tests. All test-takers were finger printed and the FBI helped to guard the sites. There was the slight issue of one low scoring demographic: Southerners: Only 42 percent made the cutoff score of 70 as against 73 percent of New Englanders. What to do? Establish affirmative action based on regional cut-off scores? Better to keep quiet and, therefore innocent, about the nation's educational line of discrimination and its life and death quota tied to cut-off scores (Lemann 1999 p. 72–76).

Zook's vision lost: the government did not turn universities into extended versions of public school—free to all, the same for all. But so did Conant's vision lose. Conant had wanted to replace a system of higher education based on upper class aristocrats with a system based on Jefferson's "natural aristocrats." But for that to work, "It was essential that people accept this new elite as deserving, selfless, valuable, and dedicated to the public good." To Conant "the spectacle of well-to-do college men being deferred from required military service, to the great resentment of everyone else, under a transparently trumped-up justification, was deeply disturbing." But the testing went smoothly; two-thirds of the takers made the cut-off; the Pentagon found it useful; and soon enough so did universities. The nation set up ETS and the "project of picking just the right aristocrats" (Lemann p. 346).

In the late fifties, Conant took a close look at the nation's public high schools, and in 1961, the same year I returned to Mississippi to work for SNCC on

Amzie's voter registration program, Conant published a book, *Slums and Suburbs*, in which he made the following admission:

> As I read the history of the U. S., this republic was born with a congenital defect—Negro slavery. Or, if one prefers another metaphor, we started life under a curse from which we are not yet free. After the victory of the North . . . the people of the U. S. through their duly elected representatives in Congress acquiesced for generations in the establishment of a tight caste system as a substitute for Negro slavery. As we now recognize so plainly, but so belatedly, a caste system finds its clearest manifestation in an educational system (Conant 1961 p. 8–11).

Conant recognized too little too late.

When the first Constitutional Era had lurched to a close, Stephen Douglas, not Abraham Lincoln, trumpeted "of, by and for the people" in the debate over popular sovereignty versus slavery. So, here is "We The People, one man-one vote," Douglas:

> To throw the force of the Federal Government into the issue, either in favor of the free or the slave states would violate the fundamental principles of the Constitution and run the risk of civil war. The only hope of holding the country together . . . is to agree to disagree, to respect the right of each state and each territory to decide these questions for themselves (Lincoln—Douglas Debates 1858).

And here is "No one has a Right to do Wrong," Lincoln:

> Any man can advocate political neutrality who does not see anything wrong in slavery, but no man can logically say it who does see a wrong in it . . . Douglas contends that whatever community wants slaves has a right to have them. So they have it if it is not a wrong. But if it is a wrong, he cannot say people have a right to do wrong" (Debates, 1858).

In 1964, SNCC had no idea how its work, with MFDP to confront the National Democratic Party and the Nation at the Democratic Convention that year in Atlantic City, was 'dead on' history's mark. In a twentieth-century version of the nineteenth century Lincoln–Douglas debate, Fannie Lou Hamer rose before the Credentials Committee to emphatically interrogate her nation: "I question America! Is this America?" (Brooks 2011 p. 43).

And there, in Atlantic City were President Johnson, Martin Luther King Jr, Walter Reuther and Bayard Rustin, talking like Stephen Douglass, trumpeting popular sovereignty: To throw the force of the National Democratic Party into the issue, either in favor of the MFDP or the Mississippi Regulars, as those four saw it, would violate fundamental principles of the Party and