Interdisciplinary Unit: Government and IB MYP English I

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Mr. Stephenson's Brief History of Race-Based Discrimination and Oppression in the US

Background: The first enslaved people were brought to colonial North America in 1619. It is estimated that between five and seven million enslaved Africans were brought to North America and countless more were born into slavery. The U.S. Census of 1860, just prior to the outbreak of the Civil War, reported 3,953,762 enslaved people.

At that time, enslaved people and all others of African-American descent were not considered citizens of the U.S. (Dred Scott v. Sanford, 1857). Justice Roger Taney wrote the Supreme Court's majority decision stating the Framers of the Constitution had not intended for African Americans to be citizens of the U.S, and, therefore, they lacked rights and privileges under the Constitution.

This changed with the outcome of the Civil War. The Thirteenth Amendment (1865) ended slavery. The Fourteenth Amendment (1868) extended citizenship to African Americans along with guarantees of due process of law and equal protection of the law. The Fifteenth Amendment (1870) extended the right to vote to African American men.

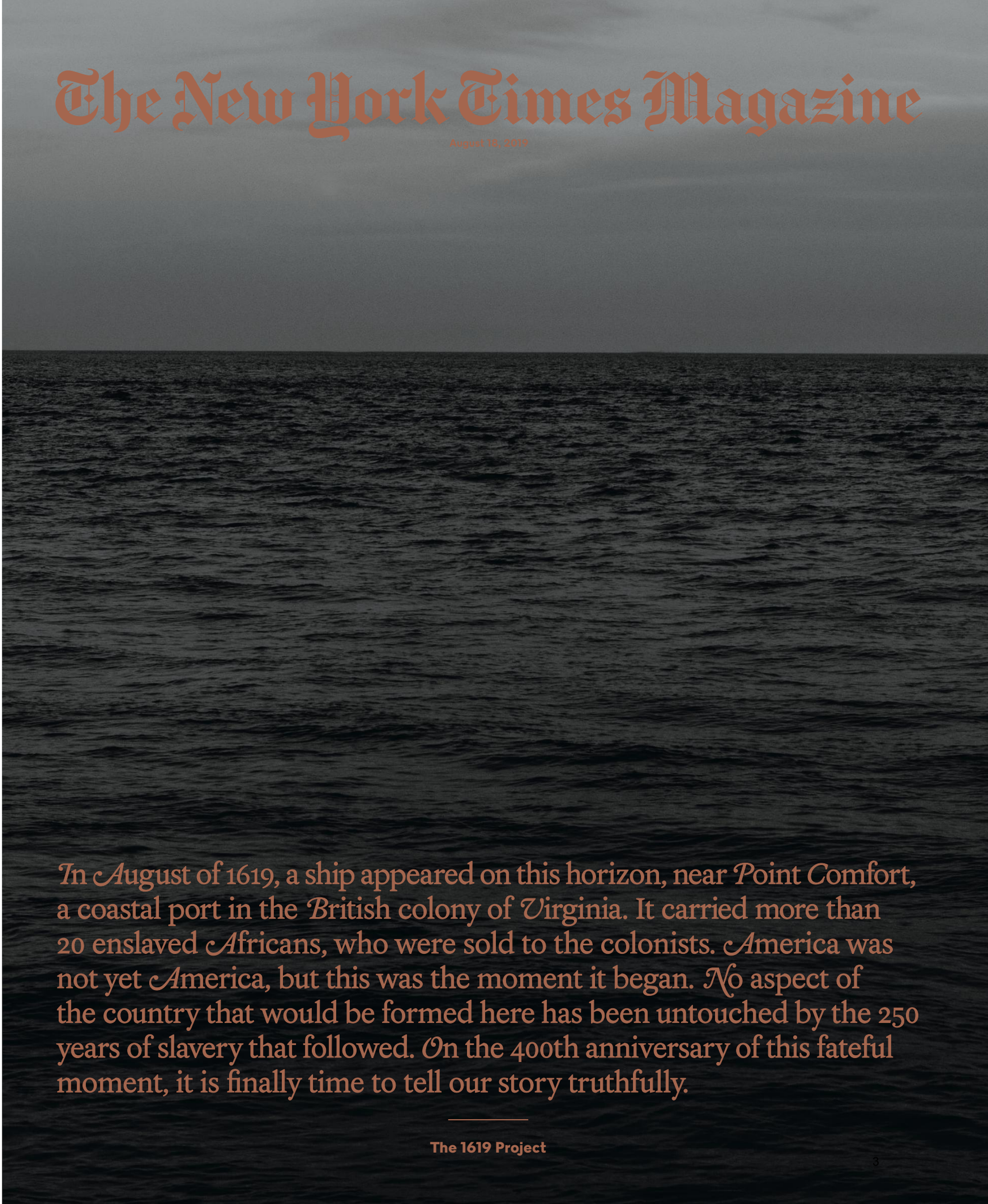
The national government was slow to enforce these amendments. Some states took advantage of the national government's passivity to impose Black Codes and Jim Crow Laws that circumvented the amendments and continued to treat African Americans as slaves. For example, vagrancy laws required that African Americans have proof of employment. Most often, employment meant sharecropping. Failure to have a means of support resulted in sentencing to chain gangs or imprisonment. Laws requiring separate public accommodations were passed. And, laws to prevent voter registration were passed, like only allowing African Americans to vote if their grandfather had voted, literacy tests, and payment of poll taxes.

In Plessy v. Ferguson (1896) the Supreme Court upheld a Louisiana law requiring that whites and blacks be separated in public accommodations. This allowed states to continue discriminating against African Americans and treating them as second-class citizens. Under Jim Crow Laws African Americans suffered unspeakable indignities and

poverty. Moreover, the National Association for the Advancement of Colored People (NAACP) reports that 3,446 African-American men and women were lynched between 1882 and 1968. Another 1,297 whites were lynched, many for having helped African Americans or opposing lynching.

While much of the discrimination and hatred toward African Americans occurred in the south, African Americans who moved to the north during the Great Migration (1916-1940) found limited opportunities, widespread hatred, along with social and economic segregation. For example, African Americans in Baltimore experienced segregated housing, being restricted to certain neighborhoods. Public accommodations, like restaurants were segregated. Employment was largely restricted to low-paying service and manual labor jobs. And, Maryland (including Baltimore City) was one of 17 states impacted by the 1954 decision in Brown v. Board of Education.

The New York Times Magazine
August 18, 2019



In August of 1619, a ship appeared on this horizon, near Point Comfort, a coastal port in the British colony of Virginia. It carried more than 20 enslaved Africans, who were sold to the colonists. America was not yet America, but this was the moment it began. No aspect of the country that would be formed here has been untouched by the 250 years of slavery that followed. On the 400th anniversary of this fateful moment, it is finally time to tell our story truthfully.

The 1619 Project

Nikole Hannah-Jones, Page 14

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Nikole Hannah-Jones, Page 14
is a staff writer for the magazine. A 2017 MacArthur fellow, she has won a National Magazine Award, a Peabody Award and a George Polk Award.

Jeneen Interlandi, Page 44
is a member of The Times's editorial board and a staff writer for the magazine. Her last article for the magazine was about teaching in the age of school shootings.

Trymaine Lee, Page 82
is a Pulitzer Prize- and Emmy Award-winning journalist and a correspondent for MSNBC. He covers social-justice issues and the role of race in politics and law enforcement.

Wesley Morris, Page 60
is a staff writer for the magazine, a critic at large for The New York Times and a co-host of the podcast "Still Processing." He was awarded the 2012 Pulitzer Prize for criticism.

Lynn Nottage, Page 84
is a playwright and screenwriter. She has received two Pulitzer Prizes and a MacArthur fellowship, and she is currently an associate professor at Columbia School of the Arts.

Khalil Gibran Muhammad, Page 70
is a Suzanne Young Murray professor at the Radcliffe Institute for Advanced Study at Harvard University and author of "The Condemnation of Blackness."

Dannielle Bowman, Page 98
is a visual artist working with photography. She is an artist in residence at Baxter Street Camera Club of New York, where she will have a solo show in January.

Linda Villarosa, Page 58
directs the journalism program at the City College of New York and is a contributing writer for the magazine. Her feature on black infant and maternal mortality was a finalist for a National Magazine Award.

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Jacqueline Woodson
Jesmyn Ward
Rita Dove
Reginald Dwayne Betts
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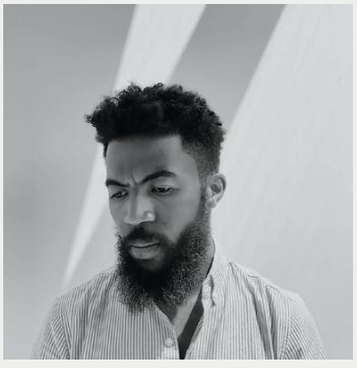

Kevin M. Kruse, 48

Jamelle Bouie, Page 50
is a Washington-based New York Times opinion columnist and a political analyst for CBS News. He covers campaigns, elections, national affairs and culture.

Bryan Stevenson, Page 80
is the executive director of the Equal Justice Initiative and the author of "Just Mercy: A Story of Justice and Redemption."

Djeneba Aduayom, Page 86
is a photographer in Los Angeles known for her portraiture inspired by her career as a dancer.

Adam Pendleton, Page 14
is an artist known for conceptually rigorous and formally inventive paintings, collages, videos and installations that address history and contemporary culture.

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Joshua Bennett, Page 79
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Kevin M. Kruse, Page 48
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Special thanks:

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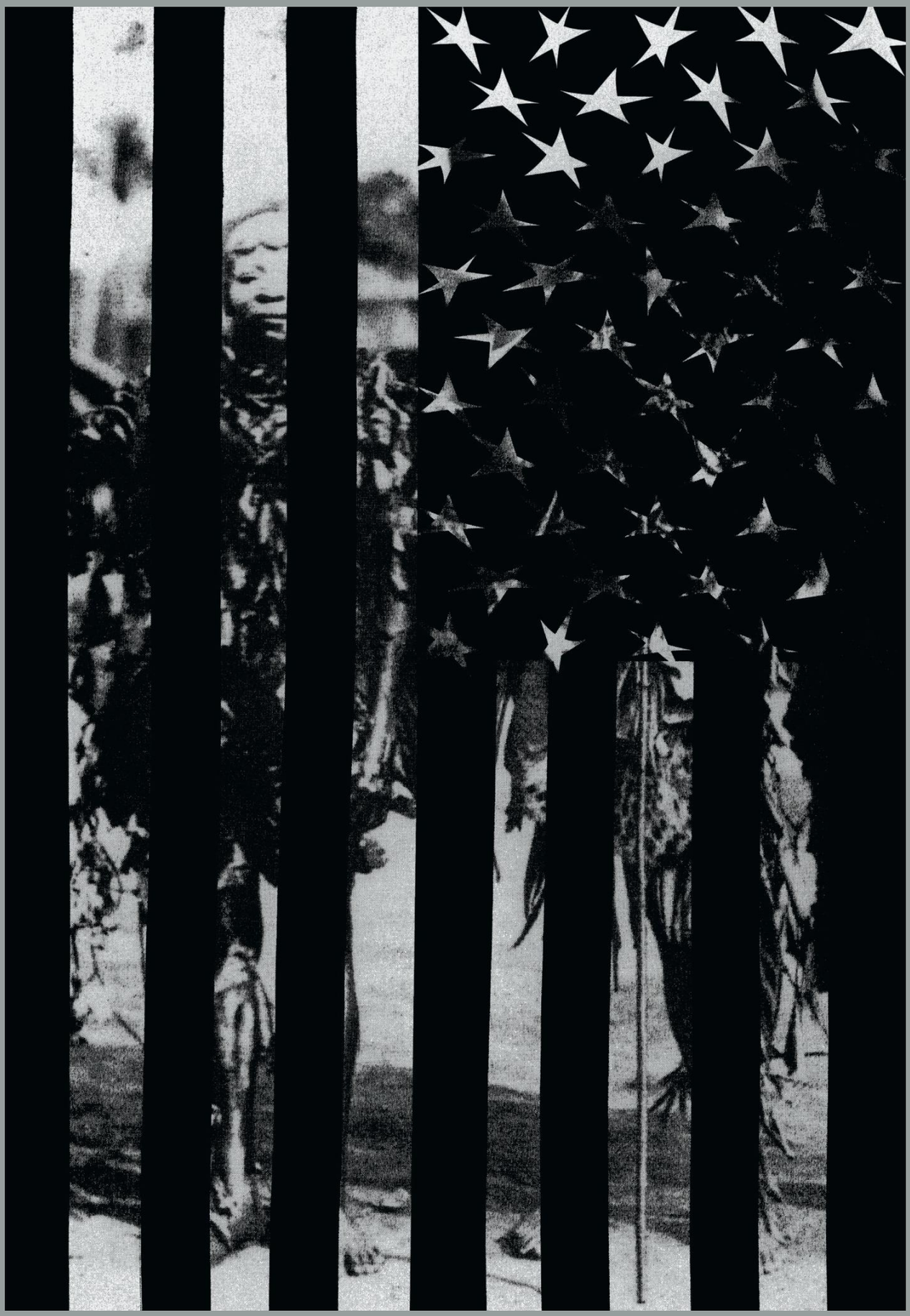
Photographs by Kathy Ryan

Our founding ideals of liberty and equality were false when they were written. Black Americans fought to make them true. Without this struggle, America would have no democracy at all.

By Nikole Hannah-Jones

Artwork by Adam Pendleton



My dad always flew an American flag in our front yard. The blue paint on our two-story house was perennially chipping; the fence, or the rail by the stairs, or the front door, existed in a perpetual state of disrepair, but that flag always flew pristine. Our corner lot, which had been redlined by the federal government, was along the river that divided the black side from the white side of our Iowa town. At the edge of our lawn, high on an aluminum pole, soared the flag, which my dad would replace as soon as it showed the slightest tatter.

My dad was born into a family of sharecroppers on a white plantation in Greenwood, Miss., where black people bent over cotton from can't-see-in-the-morning to can't-see-at-night, just as their enslaved ancestors had done not long before. The Mississippi of my dad's youth was an apartheid state that subjugated its near-majority black population through breathtaking acts of violence. White residents in Mississippi lynched more black people than those in any other state in the country, and the white people in my dad's home county lynched more black residents than those in any other county in Mississippi, often for such "crimes" as entering a room occupied by white women, bumping into a white girl or trying to start a sharecroppers union. My dad's mother, like all the black people in Greenwood, could not vote, use the public library or find work other than toiling in the cotton fields or toiling in white people's houses. So in the 1940s, she packed up her few belongings and her three small children and joined the flood of black Southerners fleeing North. She got off the Illinois Central Railroad in Waterloo, Iowa, only to have her hopes of the mythical Promised Land shattered when she learned that Jim Crow did not end at the Mason-Dixon line.

Grandmama, as we called her, found a house in a segregated black neighborhood on the city's east side and then found the work that was considered black women's work no matter where black women lived — cleaning white people's houses. Dad, too, struggled to find promise in this land. In 1962, at age 17, he signed up for the Army. Like many young men, he joined in hopes of escaping poverty. But he went into the military for another reason as well, a reason common to black men: Dad hoped that if he served his country, his country might finally treat him as an American.

The Army did not end up being his way out. He was passed over for opportunities, his ambition stunted. He would be discharged under murky circumstances and then labor in a series of service jobs for the rest of his life. Like all the black men and women in my family, he believed in hard work, but like all the black men and women in my family, no matter how hard he worked, he never got ahead.

So when I was young, that flag outside our home never made sense to me. How could this black man, having seen firsthand the way his country abused black Americans, how it refused to treat us as full citizens, proudly fly its banner? I didn't understand his patriotism. It deeply embarrassed me.

I had been taught, in school, through cultural osmosis, that the flag wasn't really ours, that our history as a people began with enslavement and that we had contributed little to this great nation. It seemed that the closest thing black Americans could have to cultural pride was to be found in our vague connection to Africa, a place we had never been. That my dad felt so much honor in being an American felt like a marker of his degradation, his acceptance of our subordination.

Like most young people, I thought I understood so much, when in fact I understood so little. My father knew exactly what he was doing when he raised that flag. He knew that our people's contributions to building the richest and most powerful nation in the world were indelible, that the United States simply would not exist without us.

In August 1619, just 12 years after the English settled Jamestown, Va., one year before the Puritans landed at Plymouth Rock and some 157 years before the English colonists even decided they wanted to form their own country, the Jamestown colonists bought 20 to 30 enslaved Africans from English pirates. The pirates had stolen them from a Portuguese slave ship that had forcibly taken them from what is now the country of Angola. Those men and women who came ashore on that August day were the beginning of American slavery. They were among the 12.5 million Africans who would be kidnapped from their homes and brought in chains across the Atlantic Ocean in the largest forced migration in human history until the Second World War. Almost two million did not survive the grueling journey, known as the Middle Passage.

Before the abolishment of the international slave trade, 400,000 enslaved Africans would be sold into America. Those individuals and their descendants transformed the lands to which they'd been brought into some of the most successful colonies in the British Empire. Through back-breaking labor, they cleared the land across the Southeast. They taught the colonists to grow rice. They grew and picked the cotton that at the height of slavery was the nation's most valuable commodity, accounting for half of all American exports and 66 percent of the world's supply. They built the plantations of George Washington, Thomas Jefferson and James Madison, sprawling properties that today attract thousands of visitors from across the globe captivated by the history of the world's greatest democracy. They laid the foundations of the White House and the Capitol, even placing with their unfree hands the Statue of Freedom atop the Capitol dome. They lugged the heavy wooden tracks of the railroads that crisscrossed the South and that helped take the cotton they picked to the Northern textile mills, fueling the Industrial Revolution. They built vast fortunes for white people North and South — at one time, the second-richest man in the nation was a Rhode Island "slave trader." Profits from black people's stolen labor helped the young nation pay off its war debts and financed some of our most prestigious universities. It was the relentless buying, selling, insuring and financing of their bodies and the products of their labor that made Wall Street a thriving banking, insurance and trading sector and New York City the financial capital of the world.

But it would be historically inaccurate to reduce the contributions of black people to the vast material wealth created by our bondage. Black Americans have also been, and continue to be, foundational to the idea of American freedom. More than any other group in this country's history, we have served, generation after generation, in an overlooked but vital role: It is we who have been the perfecters of this democracy.

The United States is a nation founded on both an ideal and a lie. Our Declaration of Independence, signed on July 4, 1776, proclaims that "all men are created equal" and "endowed by their Creator with certain unalienable rights." But the white men who drafted those words did not believe them to be true for the hundreds of thousands of black people in their midst. "Life, Liberty and the pursuit of Happiness" did not apply to fully one-fifth of the country. Yet despite being violently denied the freedom and justice promised to all, black Americans believed fervently in the American creed. Through centuries of black resistance and protest, we have helped the country live up to its founding ideals. And not only for ourselves — black rights struggles paved the way for every other rights struggle, including women's and gay rights, immigrant and disability rights.

Without the idealistic, strenuous and patriotic efforts of black Americans, our democracy today would most likely look very different — it might not be a democracy at all.

The very first person to die for this country in the American Revolution was a black man who himself was not free. Crispus Attucks was a fugitive from slavery, yet he gave his life for a new nation in which his own people would not enjoy the liberties laid out in the Declaration for another century. In every war this nation has waged since that first one, black Americans have fought — today we are the most likely of all racial groups to serve in the United States military.

My father, one of those many black Americans who answered the call, knew what it would take me years to understand: that the year 1619 is as important to the American

An 1872 portrait of African-Americans serving in Congress (from left): Hiram Revels, the first black man elected to the Senate; Benjamin S. Turner; Robert C. De Large; Josiah T. Walls; Jefferson H. Long; Joseph H. Rainy; and R. Brown Elliot.

Currier & Ives, via the Library of Congress

story as 1776. That black Americans, as much as those men cast in alabaster in the nation's capital, are this nation's true "founding fathers." And that no people has a greater claim to that flag than us.

In June 1776, Thomas Jefferson sat at his portable writing desk in a rented room in Philadelphia and penned these words: "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness." For the last 243 years, this fierce assertion of the fundamental and natural rights of humankind to freedom and self-governance has defined our global reputation as a land of liberty. As Jefferson composed his inspiring words, however, a teenage boy who would enjoy none of those rights and liberties waited nearby to serve at his master's beck and call. His name was Robert Hemings, and he was the half brother of Jefferson's wife, born to Martha Jefferson's father and a woman he owned. It was common for white enslavers to keep their half-black children in slavery. Jefferson had chosen Hemings, from among about 130 enslaved people that worked on the forced-labor camp he called Monticello, to accompany him to Philadelphia and ensure his every comfort as he drafted the text making the case for a new democratic republic based on the individual rights of men.

At the time, one-fifth of the population within the 13 colonies struggled under a brutal system of slavery unlike anything that had existed in the world before. Chattel slavery was not conditional but racial. It was heritable and permanent, not temporary, meaning generations of black people were born into it and passed their enslaved status onto their children. Enslaved people were not recognized as human beings but as property that could be mortgaged, traded, bought, sold, used as collateral, given as a gift and disposed of violently. Jefferson's fellow white colonists knew that black people were human beings, but they created a network of laws and customs, astounding for both their precision and cruelty, that ensured that enslaved people would never be treated as such. As the abolitionist William Goodell wrote in 1853, "If any thing founded on falsehood might be called a science, we might add the system of American slavery to the list of the strict sciences."

Enslaved people could not legally marry. They were barred from learning to read and restricted from meeting privately in groups. They had no claim to their own children, who could be bought, sold and traded away from them on auction blocks alongside furniture and cattle or behind storefronts that advertised "Negroes for Sale." Enslavers and the courts did not honor kinship ties to mothers, siblings, cousins. In most courts, they had no legal standing. Enslavers could rape or murder their

A postcard showing the scene at the murder of Allen Brooks, an African-American laborer who was accused of attempted rape. He was dragged through the streets around the Dallas County Courthouse and lynched on March 3, 1910. Postcards of lynchings were not uncommon in the early 20th century.

property without legal consequence. Enslaved people could own nothing, will nothing and inherit nothing. They were legally tortured, including by those working for Jefferson himself. They could be worked to death, and often were, in order to produce the highest profits for the white people who owned them.

Yet in making the argument against Britain's tyranny, one of the colonists' favorite rhetorical devices was to claim that *they* were the slaves — to Britain. For this duplicity, they faced burning criticism both at home and abroad. As Samuel Johnson, an English writer and Tory opposed to American independence, quipped, "How is it that we hear the loudest yelps for liberty among the drivers of Negroes?"

Conveniently left out of our founding mythology is the fact that one of the primary reasons the colonists decided to declare their independence from Britain was because they wanted to protect the institution of slavery. By 1776, Britain had grown deeply conflicted over its role in the barbaric institution that had reshaped the Western Hemisphere. In London, there were growing calls to abolish the slave trade. This would have upended the economy of the colonies, in both the North and the South. The wealth and prominence that allowed Jefferson, at just 33, and the other founding fathers to believe they could successfully break off from one of the mightiest empires in the world came from the dizzying profits generated by chattel slavery. In other words, we may never have revolted against Britain if the founders had not understood that slavery empowered them to do so; nor if they had not believed that independence was required in order to ensure that slavery would continue. It is not incidental that 10 of this nation's first 12 presidents were enslavers, and some might argue that this nation was founded not as a democracy but as a slavocracy.

Jefferson and the other founders were keenly aware of this hypocrisy. And so in Jefferson's original draft of the Declaration of Independence, he tried to argue that it wasn't the colonists' fault. Instead, he blamed the king of England for forcing the institution of slavery on the unwilling colonists and called the trafficking in human beings a crime. Yet neither Jefferson nor most of the founders intended to abolish slavery, and in the end, they struck the passage.

There is no mention of slavery in the final Declaration of Independence. Similarly, 11 years later, when it came time to draft the Constitution, the framers carefully constructed a document that preserved and protected slavery without ever using the word. In the texts in which they were making the case for freedom to the world, they did not want to explicitly enshrine their hypocrisy, so they sought to hide it. The Constitution contains 84 clauses. Six deal directly with the enslaved and their enslavement, as the historian David Waldstreicher has written, and five more hold implications for slavery. The Constitution protected the "property" of those who enslaved black people, prohibited the federal government from intervening to end the importation of enslaved Africans for a term of 20 years, allowed Congress to mobilize the militia to put down insurrections by the enslaved and forced states that had outlawed slavery to turn over enslaved people

who had run away seeking refuge. Like many others, the writer and abolitionist Samuel Byron called out the deceit, saying of the Constitution, "The words are dark and ambiguous; such as no plain man of common sense would have used, [and] are evidently chosen to conceal from Europe, that in this enlightened country, the practice of slavery has its advocates among men in the highest stations."

With independence, the founding fathers could no longer blame slavery on Britain. The sin became this nation's own, and so, too, the need to cleanse it. The shameful paradox of continuing chattel slavery in a nation founded on individual freedom, scholars today assert, led to a hardening of the racial caste system. This ideology, reinforced not just by laws but by racist science and literature, maintained that black people were subhuman, a belief that allowed white Americans to live with their betrayal. By the early 1800s, according to the legal historians Leland B. Ware, Robert J. Cottrol and Raymond T. Diamond, white Americans, whether they engaged in slavery or not, "had a considerable psychological as well as economic investment in the doctrine of black inferiority." While liberty was the inalienable right of the people who would be considered white, enslavement and subjugation became the natural station of people who had any discernible drop of "black" blood.

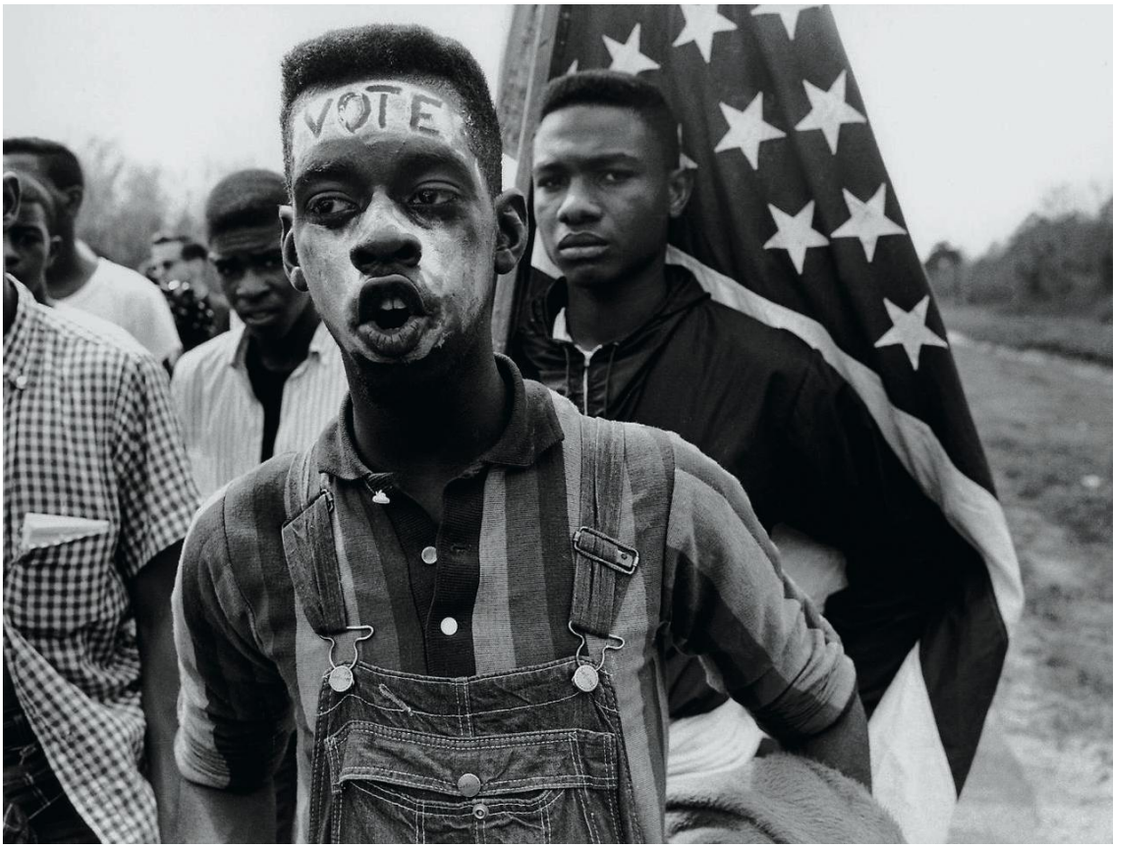
The Supreme Court enshrined this thinking in the law in its 1857 Dred Scott decision, ruling that black people, whether enslaved or free, came from a "slave" race. This made them inferior to white people and, therefore, incompatible with American democracy. Democracy was for citizens, and the "Negro race," the court ruled, was "a separate class of persons," which the founders had "not regarded as a portion of the people or citizens of the Government" and had "no rights which a white man was bound to respect." This belief, that black people were not merely enslaved but were a slave race, became the root of the endemic racism that we still cannot purge from this nation to this day. If black people could not ever be citizens, if they were a caste apart from all other humans, then they did not require the rights bestowed by the Constitution, and the "we" in the "We the People" was not a lie.

Isaac Woodard and his mother in South Carolina in 1946. In February that year, Woodard, a decorated Army veteran, was severely beaten by the police, leaving him blind.

Left: From the DeGolyer Library, Southern Methodist University, Dallas. Right: From Special Collections and Archives/Georgia State University Library.

On Aug. 14, 1862, a mere five years after the nation's highest courts declared that no black person could be an American citizen, President Abraham Lincoln called a group of five esteemed free black men to the White House for a meeting. It was one of the few times that black people had ever been invited to the White House as guests. The Civil War had been raging for more than a year, and black abolitionists, who had been increasingly pressuring Lincoln to end slavery, must have felt a sense of great anticipation and pride.

The war was not going well for Lincoln. Britain was contemplating whether to intervene on the Confederacy's behalf, and Lincoln, unable to draw enough new white



A demonstrator at the 1965 march from Selma to Montgomery, led by the Rev. Dr. Martin Luther King Jr. to fight for black suffrage.

volunteers for the war, was forced to reconsider his opposition to allowing black Americans to fight for their own liberation. The president was weighing a proclamation that threatened to emancipate all enslaved people in the states that had seceded from the Union if the states did not end the rebellion. The proclamation would also allow the formerly enslaved to join the Union army and fight against their former "masters." But Lincoln worried about what the consequences of this radical step would be. Like many white Americans, he opposed slavery as a cruel system at odds with American ideals, but he also opposed black equality. He believed that free black people were a "troublesome presence" incompatible with a democracy intended only for white people. "Free them, and make them politically and socially our equals?" he had said four years earlier. "My own feelings will not admit of this; and if mine would, we well know that those of the great mass of white people will not."

That August day, as the men arrived at the White House, they were greeted by the towering Lincoln and a man named James Mitchell, who eight days before had been given the title of a newly created position called the commissioner of emigration. This was to be his first assignment. After exchanging a few niceties, Lincoln got right to it. He informed his guests that he had gotten Congress to appropriate funds to ship black people, once freed, to another country.

"Why should they leave this country? This is, perhaps, the first question for proper consideration," Lincoln told them. "You and we are different races. … Your race suffer very greatly, many of them, by living among us, while ours suffer from your presence. In a word, we suffer on each side."

You can imagine the heavy silence in that room, as the weight of what the president said momentarily stole the breath of these five black men. It was 243 years to the month since the first of their ancestors had arrived on these shores, before Lincoln's family, long before most of the white people insisting that this was not their country. The Union had not entered the war to end slavery but to keep the South from splitting off, yet black men had signed up to fight. Enslaved people were fleeing their forced-labor camps, which we like to call plantations, trying to join the effort, serving as spies, sabotaging confederates, taking up arms for his cause as well as their own. And now Lincoln was blaming them for the war. "Although many men engaged on either side do not care for you one way or the other … without the institution of slavery and the colored race as a basis, the war could not have an existence," the president told them. "It is better for us both, therefore, to be separated."

As Lincoln closed the remarks, Edward Thomas, the delegation's chairman, informed the president, perhaps curtly, that they would consult on his proposition. "Take your full time," Lincoln said. "No hurry at all."

Nearly three years after that White House meeting, Gen. Robert E. Lee surrendered at Appomattox. By summer, the Civil War was over, and four million black Americans were suddenly free. Contrary to Lincoln's view, most were not inclined to leave, agreeing with the sentiment of a resolution against black colonization put forward at a convention of black leaders in New York some decades before: "This is our home, and this our country. Beneath its sod lie the bones of our fathers. … Here we were born, and here we will die."

That the formerly enslaved did not take up Lincoln's offer to abandon these lands is an astounding testament to their belief in this nation's founding ideals. As W.E.B. Du Bois wrote, "Few men ever worshiped Freedom with half such unquestioning faith as did the American Negro for two centuries." Black Americans had long called for universal equality and believed, as the abolitionist Martin Delany said, "that God has made of one blood all the nations that dwell on the face of the earth." Liberated by war, then, they did not seek vengeance on their oppressors as Lincoln and so many other white Americans feared. They did the opposite. During this nation's brief period of Reconstruction, from 1865 to 1877, formerly enslaved people zealously engaged with the democratic process. With federal troops tempering widespread white violence, black Southerners started branches of the Equal Rights League — one of the nation's first human rights organizations — to fight discrimination and organize voters; they headed in droves to the polls, where they placed other formerly enslaved people into seats that their enslavers had once held. The South, for the first time in the history of this country, began to resemble a democracy, with black Americans elected to local, state and federal offices. Some 16 black men served in Congress — including Hiram Revels of Mississippi, who became the first black man elected to the Senate. (Demonstrating just how brief this period would be, Revels, along with Blanche Bruce, would go from being the first black man elected to the last for nearly a hundred years, until

Photograph by Bruce Davidson/Magnum Photos

Edward Brooke of Massachusetts took office in 1967.) More than 600 black men served in Southern state legislatures and hundreds more in local positions.

These black officials joined with white Republicans, some of whom came down from the North, to write the most egalitarian state constitutions the South had ever seen. They helped pass more equitable tax legislation and laws that prohibited discrimination in public transportation, accommodation and housing. Perhaps their biggest achievement was the establishment of that most democratic of American institutions: the public school. Public education effectively did not exist in the South before Reconstruction. The white elite sent their children to private schools, while poor white children went without an education. But newly freed black people, who had been prohibited from learning to read and write during slavery, were desperate for an education. So black legislators successfully pushed for a universal, state-funded system of schools — not just for their own children but for white children, too. Black legislators also helped pass the first compulsory education laws in the region. Southern children, black and white, were now required to attend schools like their Northern counterparts. Just five years into Reconstruction, every Southern state had enshrined the right to a public education for all children into its constitution. In some states, like Louisiana and South Carolina, small numbers of black and white children, briefly, attended schools together.

Led by black activists and a Republican Party pushed left by the blatant recalcitrance of white Southerners, the years directly after slavery saw the greatest expansion of human and civil rights this nation would ever see. In 1865, Congress passed the 13th Amendment, making the United States one of the last nations in the Americas to outlaw slavery. The following year, black Americans, exerting their new political power, pushed white legislators to pass the Civil Rights Act, the nation's first such law and one of the most expansive pieces of civil rights legislation Congress has ever passed. It codified black American citizenship for the first time, prohibited housing discrimination and gave all Americans the right to buy and inherit property, make and enforce contracts and seek redress from courts. In 1868, Congress ratified the 14th Amendment, ensuring citizenship to any person born in the United States. Today, thanks to this amendment, every child born here to a European, Asian, African, Latin American or Middle Eastern immigrant gains automatic citizenship. The 14th Amendment also, for the first time, constitutionally guaranteed equal protection under the law. Ever since, nearly all other marginalized groups have used the 14th Amendment in their fights for equality (including the recent successful arguments before the Supreme Court on behalf of same-sex marriage). Finally, in 1870, Congress passed the 15th Amendment, guaranteeing the most critical aspect of democracy and citizenship — the right to vote — to all men regardless of "race, color, or previous condition of servitude."

For this fleeting moment known as Reconstruction, the majority in Congress seemed to embrace the idea that out of the ashes of the Civil War, we could create the multiracial democracy that black Americans envisioned even if our founding fathers did not.

But it would not last.

Anti-black racism runs in the very DNA of this country, as does the belief, so well articulated by Lincoln, that black people are the obstacle to national unity. The many gains of Reconstruction were met with fierce white resistance throughout the South, including unthinkable violence against the formerly enslaved, wide-scale voter suppression, electoral fraud and even, in some extreme cases, the overthrow of democratically elected biracial governments. Faced with this unrest, the federal government decided that black people were the cause of the problem and that for unity's sake, it would leave the white South to its own devices. In 1877, President Rutherford B. Hayes, in order to secure a compromise with Southern Democrats that would grant him the presidency in a contested election, agreed to pull federal troops from the South. With the troops gone, white Southerners quickly went about eradicating the gains of Reconstruction. The systemic white suppression of black life was so severe that this period between the 1880s and the 1920 and '30s became known as the Great Nadir, or the second slavery. Democracy would not return to the South for nearly a century.

White Southerners of all economic classes, on the other hand, thanks in significant part to the progressive policies and laws black people had championed, experienced substantial improvement in their lives even as they forced black people back into a quasi slavery. As Waters McIntosh, who had been enslaved in South Carolina, lamented, "It was the poor white man who was freed by the war, not the Negroes."

Georgia pines flew past the windows of the Greyhound bus carrying Isaac Woodard home to Winnsboro, S.C. After serving four years in the Army in World War II, where Woodard had earned a battle star, he was given an honorable discharge earlier that day at Camp Gordon and was headed home to meet his wife. When the bus stopped at a small drugstore an hour outside Atlanta, Woodard got into a brief argument with the white driver after asking if he could use the restroom. About half an hour later, the driver stopped again and told Woodard to get off the bus. Crisp in his uniform, Woodard stepped from the stairs and saw the police waiting for him. Before he could speak, one of the officers struck him in his head with a billy club, beating him so badly that he fell unconscious. The blows to Woodard's head were so severe that when he woke in a jail cell the next day, he could not see. The beating occurred just 4½ hours after his military discharge. At 26, Woodard would never see again.

There was nothing unusual about Woodard's horrific maiming. It was part of a wave of systemic violence deployed against black Americans after Reconstruction, in both the North and the South. As the egalitarian spirit of post-Civil War America evaporated under the desire for national reunification, black Americans, simply by existing, served as a problematic reminder of this nation's failings. White America dealt with this inconvenience by constructing a savagely enforced system of racial apartheid that excluded black people almost entirely from mainstream American life — a system so grotesque that Nazi Germany would later take inspiration from it for its own racist policies.

Despite the guarantees of equality in the 14th Amendment, the Supreme Court's landmark Plessy v. Ferguson decision in 1896 declared that the racial segregation of black Americans was constitutional. With the blessing of the nation's highest court and no federal will to vindicate black rights, starting in the late 1800s, Southern states passed a series of laws and codes meant to make slavery's racial caste system permanent by denying black people political power, social equality and basic dignity. They passed literacy tests to keep black people from voting and created all-white primaries for elections. Black people were prohibited from serving on juries or testifying in court against a white person. South Carolina prohibited white and black textile workers from using the same doors. Oklahoma forced phone companies to segregate phone booths. Memphis had separate parking spaces for black and white drivers. Baltimore passed an ordinance outlawing black people from moving onto a block more than half white and white people from moving onto a block more than half black. Georgia made it illegal for black and white people to be buried next to one another in the same cemetery. Alabama barred black people from using public libraries that their own tax dollars were paying for. Black people were expected to jump off the sidewalk to let white people pass and call all white people by an honorific, though they received none no matter how old they were. In the North, white politicians implemented policies that segregated black people into slum neighborhoods and into inferior all-black schools, operated whites-only public pools

and held white and "colored" days at the country fair, and white businesses regularly denied black people service, placing "Whites Only" signs in their windows. States like California joined Southern states in barring black people from marrying white people, while local school boards in Illinois and New Jersey mandated segregated schools for black and white children.

This caste system was maintained through wanton racial terrorism. And black veterans like Woodard, especially those with the audacity to wear their uniform, had since the Civil War been the target of a particular violence. This intensified during the two world wars because white people understood that once black men had gone abroad and experienced life outside the suffocating racial oppression of America, they were unlikely to quietly return to their subjugation at home. As Senator James K. Vardaman of Mississippi said on the Senate floor during World War I, black servicemen returning to the South would "inevitably lead to disaster." Giving a black man "military airs" and sending him to defend the flag would bring him "to the conclusion that his political rights must be respected."

Many white Americans saw black men in the uniforms of America's armed services not as patriotic but as exhibiting a dangerous pride. Hundreds of black veterans were beaten, maimed, shot and lynched. We like to call those who lived during World War II the Greatest Generation, but that allows us to ignore the fact that many of this generation fought for democracy abroad while brutally suppressing democracy for millions of American citizens. During the height of racial terror in this country, black Americans were not merely killed but castrated, burned alive and

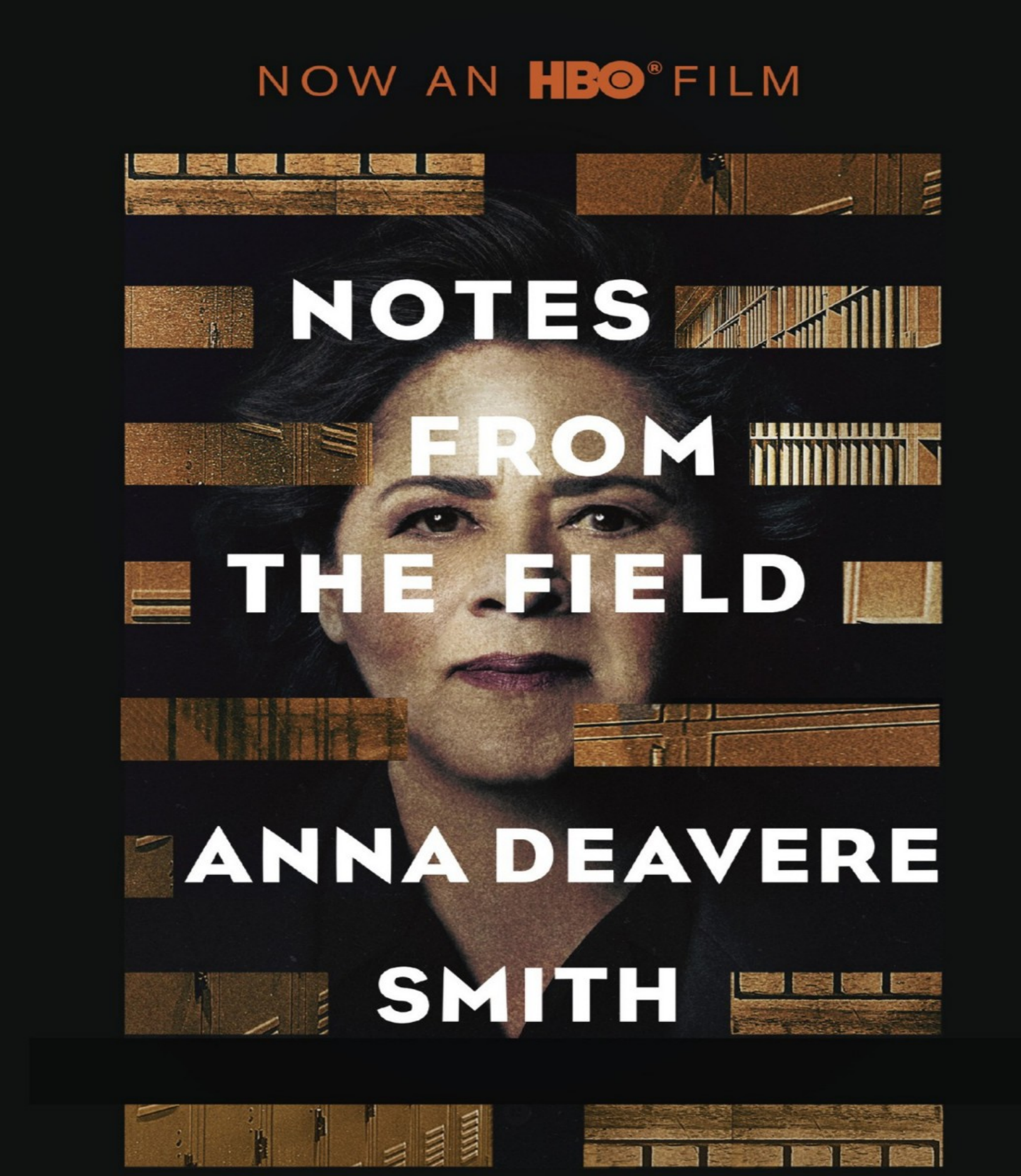
● Late 1773: A publishing house in London releases “Poems on Various Subjects, Religious and Moral,” by Phillis Wheatley, a 20-year-old enslaved woman in Boston, making her the first African-American to publish a book of poetry.

Pretend I wrote this at your grave.
Pretend the grave is marked. Pretend we know where it is.
Copp’s Hill, say. I have been there and you might be.
Foremother, your name is the boat that brought you.
Pretend I see it in the stone, with a gruesome cherub.
Children come with thin paper and charcoal to touch you.
Pretend it drizzles and a man in an ugly plastic poncho
circles the Mathers, all but sniffing the air warily.
We don’t need to pretend for this part.
There is a plaque in the grass for Increase, and Cotton.
And Samuel, dead at 78, final son, who was there
on the day when they came looking for proof.
Eighteen of them watched you and they signed to say:
the Poems specified in the following Page, were (as we verily believe)
written by Phillis, a young Negro Girl, who was but a few Years since,
brought an uncultivated Barbarian from Africa
and the abolitionists cheered at the blow to Kant
the Negroes of Africa have by nature no feeling that rises above the trifling
and the enlightened ones bellowed at the strike against Hume
no ingenious manufacturers amongst them, no arts, no sciences

Pretend I was there with you, Phillis, when you asked in a letter to no one:
How many iambs to be a real human girl?
Which turn of phrase evidences a righteous heart?
If I know of Ovid may I keep my children?

Pretend that on your grave there is a date
and it is so long before my heroes came along to call you a coon
for the praises you sang of your captors
who took you on discount because they assumed you would die
that it never ever hurt your feelings.
Or pretend you did not love America.
Phillis, I would like to think that after you were released unto the world,
when they jailed your husband for his debts
and you lay in the maid’s quarters at night,
a free and poor woman with your last living boy,
that you thought of the Metamorphoses,
making the sign of Arachne in the tangle of your fingers.
And here, after all, lay the proof:
The man in the plastic runs a thumb over stone. The gray is slick and tough.
Phillis Wheatley: thirty-one. Had misery enough.

By Eve L. Ewing


NOW AN HBO® FILM
NOTES FROM THE FIELD
ANNA DEAVERE SMITH
"Invaluable. . . . Absorbing. . . . Dazzling."
—The New York Times

Anna Deavere Smith

NOTES FROM THE FIELD

Anna Deavere Smith is an actress, teacher, and playwright and the creator of the acclaimed *On the Road* series of one-woman plays, which are based on her interviews with diverse voices from communities in crisis. A recipient of the National Humanities Medal from President Obama and two Obie Awards, her work has also been nominated for a Pulitzer and two Tonys. Onscreen, she has appeared in many films and television shows, including *Philadelphia*, *The West Wing*, *Black-ish*, and *Nurse Jackie*. She is University Professor in the department of Art & Public Policy at NYU, where she also directs the Institute on the Arts and Civic Dialogue. In 2019, she was elected to the American Academy of Arts and Sciences.

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In Memory of

Anna Young Smith,

Dr. Maxine Greene,

and Mr. Jonathan Demme

INTRODUCTION

Notes from the Field is the most recent installment in what I consider my life's work: a series of plays I call *On the Road: A Search for American Character*. Since the 1980s, I have periodically traveled around America, interviewing large numbers of people, collecting their words and performing them onstage, crafting them into multivoiced solo dramas that bear witness to particular historical moments. I've created about twenty of these pieces over the past four decades, including *Fires in the Mirror* (in response to the 1991 riots in Crown Heights, Brooklyn) and *Twilight: Los Angeles, 1992* (about the riots). *Notes from the Field*, my latest effort, concerns what has come to be known among social scientists, educators, jurists, politicians, and activists as "the school-to-prison pipeline."

I view my plays as documentations of moments in history. Central to my creative process is active listening. My goal is to pay careful attention to the people I interview and then to reflect back what I have heard in the hope of sparking a conversation, of making change possible. I aim not to merely imitate but to study people closely enough so that I can embody them on the stage, using my own voice and body. When I was a girl, my grandfather told me, "If you say a word often enough, it becomes you." People speak of putting themselves into other people's shoes. My way of doing that is to put myself into other people's words.

It all starts with listening.

My process in creating *Notes from the Field* was the same one that I have used across my career. I interviewed about 250 people for this play, in four different geographic regions: Maryland, South Carolina, Northern California, and Pennsylvania. From out of the

Nonprofit and for-profit US theater audiences are composed, for the most part, of middle-aged and middle- and upper-middle-class individuals—subscribers. At the same time, we were able to gather audiences of people from various communities at the American Repertory Theater, thanks in part to the support of Harvard's then president Drew Faust. One night the athletic teams came. Attendance was required for all freshmen.

Every night we performed at Berkeley and at the American Repertory Theater, we chose a person from the community—a restauranteur, a police officer, a student, an ex-offender, a religious leader—to welcome the audience and to say why they had come. This, to me, exemplifies what artistic institutions can be in their communities—places where a radical welcome is extended, where a radical hospitality is offered. We need spaces to bring us out into civic space, beyond our comfort zones, out from behind our metaphoric gates and picket fences, away for a moment from the TV, laptop, and smartphone screens that project back to us what we choose to see and hear.

My goal in all of this? To inspire action. To suggest to the youngest person in the crowd that they have agency. And we recently saw evidence of this. We saw in the US a movement among high school students sparked by the shooting at Stoneman Douglas High School in Parkland, Florida. One scholar of American education, Pedro Noguera, whom I at one time portrayed in *Notes from the Field*, predicted when I interviewed him in 2015 that activism would be more likely to happen in high school than in colleges due to the cost of attaining a college education and the pressures on college students.

In its final theatrical form, *Notes from the Field* was staged off-Broadway in New York City in 2016. It was subsequently adapted into a feature film by HBO that released in 2018. The text of this book combines the scripts of two of the stage productions while also bringing in elements from the HBO film.

It is my hope that the film can reach a wider audience—including young people, teachers, police officers, and others who don't typically

go to the theater—and that it can usefully contribute to an ongoing debate. Since I first began working on this project, the issues have taken on an even greater urgency.

I vividly remember the exact moment that led me to this subject. It was an incident that occurred while I was filming the television series *Nurse Jackie*. I was in hair and makeup next to a castmate, British actress Eve Best, and I told her I couldn't get out of my mind a news story I had just heard: that a kid in Baltimore, my hometown, had peed in a water cooler at school and they were going to send him to jail. Eve responded, in her fabulous accent, "Oh, well, whatever happened to mischief?"

That was when it struck me: rich kids get mischief, poor kids get pathologized and incarcerated. Data released by the US Department of Justice during the Obama administration revealed the overuse of expulsions and suspensions to discipline kids who live in poverty. Black, brown, Native American, and poor white children not only get suspended and expelled more often than middle-class or rich kids; they are also disciplined more harshly from kindergarten onward, and the police are called in more frequently. Incredibly, even five-year-olds have been handcuffed for having tantrums in school.

In the summer of 2018, I performed *Notes from the Field* at the Royal Court Theatre in London. There I learned that this is not only a US problem. Students in London are using what is called *subvertising*—that is, sending political messages in forms that resemble ads from well-known brands, such as posters in the London Undergound—to bring attention to the issue there. The ads ask for more financial support and more compassionate disciplinary practices. As in the US, a study at the University of Edinburgh revealed that, in the UK, students excluded from school by age twelve are four times more likely to be incarcerated as adults.

We are failing to meet the needs of our most vulnerable and troubled children. And this is a *choice*. Our policy choices as a society and our decisions about where to allocate resources—pouring them into prisons rather than into mental health or education—have turned our schools into a road to incarceration for too many of our

youth. Because this is not only an American issue, we have an opportunity to invite new ideas, new ways of thinking about the disenfranchised.

In some ways, the current political climate is discouraging, but in other ways, I see room for hope. There is certainly a greater awareness now of these social injustices—and of the ability of ordinary people to do something about them. Some of the individuals represented in this play stand as an inspiring testament to that hope.

This is a time for people to cease being spectators and to instead be moved to get out there and do something to effect change. It is time to ask ourselves, "Who are we? What do we believe in? What kind of country do we want to be?"

I believe that art can inspire action. It can motivate us to reimagine a world where schools are more than sorting mechanisms for the haves and the have-nots, where they can function as centers for a *culture* of learning in which teachers, staff, administrators, parents, and students from all communities are respected and nurtured intellectually, physically, and creatively.

But that is a type of reimagining that needs to include all kinds of voices, especially those that have been historically discounted. It is a reimagining that requires courage, empathy, and action. And it has to start with listening.

PRODUCTION NOTES

Casting and Approach

This work was performed as a one-person show as a part of the author's ongoing *On the Road: A Search for American Character* series.

The objective of the On the Road series, in which this work is approximately the nineteenth play, is to absorb America "word for word" in the spirit of the nation's "more perfect union" objective.

The play can be performed with any number of actors. It is the author's intention that actors would portray characters outside of their own race, gender, age, and "type" within a diverse company of actors. Depending on available resources, this may or may not be possible or desired, in which case, artists are encouraged to cast and perform the play in any configuration of identity they deem meaningful or useful.

The author has often been asked in interviews if this work is mimicry or impressionism. It is not. Rather, when performed, it is a living document of speech in a moment and time in history. The actor is asked to take each real person at their word and with their word, to give full attention to their every utterance as recorded here.

Though it was not the case when the *On the Road* series began in the late 1970s, technology now affords artists working on the production the opportunity to see exactly who the people are and how they behave physically and linguistically. Actors are therefore encouraged, unless it is contrary to the director's vision, to use all available documentary footage of those represented in these pages in order to study their language and to use this study as another doorway into understanding and representing their identity.

Punctuation and Repetition

Punctuation is used to mark when speech starts and stops. Incomplete sentences and incomplete thoughts are intentional. Repeated words are intentional and should be spoken.

The Presence of the Interviewer

The interviewer's presence is always implied. The interviewer is the audience. A lot of the show is direct address to the audience, but the audience should be thought of as a single individual unless the character is specifically talking to a crowd.

The Slide

Slides with the character's name, their occupation or position, and a title of the piece that follows are a part of the play and a part of the text. It is sometimes useful to audiences to include the same information on an insert in the program. As the slides are essential to the audience's understanding of what they're watching, it is also helpful if the pedagogy of the slides is introduced once the house is opened. In that way, the audience will be primed to look at the slides in relationship to the performer. The slides and the information on the slides are an important guide.

Music

Marcus Shelby composed and performed live music onstage for performances of this play by Ms. Smith. Any genre of music and number of musicians can be employed, as this would be a directorial choice. The relationship between the performer and the musician

was conceived by the author and created between the author/performer and the musician in the tradition of jazz and jazz improvisation. Hence, the onstage presence of a musician is intentional in this, the play's original form.

Helper

A nonspeaking helper is used in lieu of a stagehand. In the Second Stage Theater and American Repertory Theater productions, a twentysomething white male was the helper. As the helper is visible, and as race is both significant and movable in this and other works of Ms. Smith, selection of the nonspeaking helper's presence should be an aesthetic and perhaps sociological consideration.

The actor performs barefoot unless otherwise noted.

[Slide]

In Memory of:

Anna Young Smith
1924–2003

and

Dr. Maxine Greene
1914–2014

and

Mr. Jonathan Demme
1944–2017

[Slide]

The material in this play is composed of verbatim excerpts from interviews conducted by Anna Deavere Smith unless otherwise noted.

These excerpts are drawn from a pool of 250 interviews conducted in four geographic areas of the United States and abroad.

[Slide]

SHERRILYN IFILL

PRESIDENT AND DIRECTOR-COUNSEL

NAACP LEGAL DEFENSE AND EDUCATIONAL FUND

FROM AN ONSTAGE CONVERSATION BETWEEN MS. IFILL AND MS. SMITH

BALTIMORE, MARYLAND, JUNE 3, 2015

“Big Bets”

“Big Bets”

(*Ms. Ifill is a public figure. Really good with a crowd, could run for office. African American, late forties. Brightly colored jacket, simple slacks. Footage is available to study her speech patterns, some of which are indicated within the text via punctuation.*

In a theater in Baltimore, standing room only, a crowd that is really revved up, not that long after the Baltimore riots in 2015. Onstage being interviewed by the author. Handheld mic in her hand, easy chairs, table, flowers, water.)

I get asked this question all the time: what—how would you, what is the number one civil rights issue of the day. And…and I’m very uncomfortable with that question. Because…it is impossible to talk about the criminal justice system. Mass incarceration. Without talking about education. Because this country is always engaged in investments. *Big* investments, we make *big* bets. Nineteen-fifties, you know, this country massively invested in the creation of the suburbs, right? We created the interstate highway system. We provided, you know, tax credits to developers to build suburbs—that were racially exclusionary, by the way. But we made an investment! We decided—we—we made a massive investment in creating a middle class, *really* beginning in the 1930s, when the federal government started to insure mortgages, and *only* insured mortgages for—for white people, but we made an investment.

Now today, we pretend we don’t make investments. ’Cause we talk about balancing the budget, and deficits. And we don’t have any money, and we don’t make—but we always make investments. And one of the *huge* investments that we made was in the criminal justice system. And that investment was made at the expense of other investments. We have taken dollars that we used to give, and that we

could give, to invest in the issue of mental illness. It's not that we're *not* investing in mental illness. We are. We're investing it in the prison system. It's not that we're, you know, talking—we—we decided we're going to cut the budget and so we're not investing in education. Yeah. Kinda. We've taken it to the prison system.

So what we do is we take these investments that we *could* make, these big bets, and we place them somewhere. And that's what we call policy. Which, you know, makes people's *eyes* glaze over, but we should understand; policy is made up of the investments that we as a society decide to make.

The moment that we're in, by the way. Not only, you know, [here] in Baltimore. [I] spent time in St. Louis County, with Ferguson over the last year, and our lawyers were down North Charleston, in South Carolina. Where Walter Scott was killed, and the man we saw on the video. Being shot.

There's a lot of heaviness in this country in this moment. There's a lot of pain. And, you know, I always say, "America is an interesting place." It's like one of my favorite movies, *The Matrix*. Where, you know, every once and a while, you eat the red pill? Whatever is the pill that makes you see the matrix. But you know, we can't sustain it. Because it's awful! You know, when you see all the strings, and you see everything that's behind the scenes. We *do* have to enjoy ourselves. And live, and…make a way, you know, out of no way. But sometimes, you—you *have* to have these moments if we are going to move our society forward. It takes moments, kind of—almost epic moments. To *move* us, to be able to take the red pill. So there's a way in which we are confronting this moment. And there is a privilege in that confrontation.

[Slide]

THE DEATH OF FREDDIE GRAY

Actual newsclips about Freddie Gray's arrest and death (April 2015 in Baltimore, Maryland) are shown.

LESTER HOLT: Good evening. Baltimore police are the latest to fall under the harsh national spotlight over the death of a suspect. A short time ago, officials there released security video of the arrest of a twenty-five-year-old man whose death from a partially severed spine has raised questions about police actions. (*Screams are heard.*) Cell phone video shows twenty-five-year-old Freddie Gray being taken into custody and placed in a police van a week ago. Some time between this moment and his arrival at the police precinct, Gray's spine was nearly severed. But tonight, police still can't say how Gray died yesterday.

[Slide]

KEVIN MOORE

VIDEOGRAPHER OF THE BEATING OF FREDDIE GRAY
DELI WORKER
BALTIMORE, MARYLAND

“Just a Glance”

“Just a Glance”

(*A very tall [six-foot-three or so] charismatic, handsome black man in his late twenties, early thirties. Wears an oversize hoodie, with letters spelling COPWATCH. He carries a cell phone and a small camera, visible or nearly visible at all times. Think gun in a holster. West Baltimore accent.*

Walking past the very housing project where Freddie Gray was killed—graffiti and a beautiful mural commemorating Freddie where he actually died, showing the interviewer/audience, author around the neighborhood. He is talking directly to a videographer who is in front of his face somehow always. Live video of the actor as Kevin is projected behind the action. Cars slow down as they pass him and he acknowledges them with a nod.)

The screams [are] what woke me out my *sleep*. The *screamin’*. I’m like, well, “What’s all this screaming?” And then they came to pull me up, like, “Dude, they tasin’ him, they tasin’ him!” I’m like, “Wooh!” (*High-pitched.*) So I jumped up and threw some clothes on and went out to see what was going on, you know. And then I came out that way, and I’m like, “Holy shit!” You know what I’m saying?

They had him all bent up and he was handcuffed and, like, facedown on his stomach. But they had the—the heels of his *feet* like almost in his back? And he was handcuffed at the time. And they had the knee in the neck, and that pretty much explains the three cracked vertebrae and crushed lernix [*pronounciation of* larynx], 80 percent of his spinal cord being severed and stuff. And then when they picked him up, I had to zoom in to get a closer look on his face. You could see the *pain* in his face, you know what I’m saying? But then they pulled around on Mount Street and pulled him out *again*! To put leg shackles on him. You put leg shackles on a man that could barely

walk to the paddy wagon? That doesn't make sense to me. And I've never known a-a-a on-the-beat officer to carry leg shackles in—on their person or in the van, that's something that you do when you're going to another compound or when you're being transported to the court or something like that. They don't put leg shackles on you outside, they just don't do it! You know, so you put leg shackles on a man that can't walk. You know. Then you toss him in the back of the paddy wagon like a dead animal. You know what I'm saying? Then you don't even put a seat belt on him. So basically, he's handcuffed, shackled, sliding back and forth in a steel cage, basically. 'Cause that's what—it's not *padded* back there. I don't know why everybody seems to say, "Oh, oh, uh, it's a pad—it's padded." *No*, it's not padded. It's about—it's—it's about as padded as that v—the outside of that van.

It's *ridiculous* how bad they hurt that man. I mean, come on, a crushed lernix? Can you do that to yourself? Three cracked vertebrae? Can you do that to yourself? Can you sever 80 percent of your own spinal cord? You know what I'm saying? In the back of a paddy wagon, shackled and handcuffed, no less? I wish you could just see how they had him. So I'm like, "Man, this shit is just crazy, man. They just don't care anymore!" Man, I just feel like we need to *record* it, you know'm saying? We need to get this word out that this thing is—is happening. This is the only weapon that we *have* that's actually…the camera's the only thing that we have that can actually protect us, that's *not* illegal, you know what I'm saying? But in—in the same sense, these guys could feel threatened or, "Oh, well, I mistook this camera for a gun." You know what I'm saying? So that's what I'm sayin'! [Like I said,] I haven't really filmed anything before, or been known for filmin', you know what I'm saying?

But *that* time I was like, man, "Somebody has to *see* this." You know what I mean? "I have to *film* this." When I touched back down around, I just basically called every news station that I could and just got the video out there! You know, mainstream, thirteen, forty-five, uh, eleven, *New York Times*, *Russia Today*. (*Laughs*.) I don't even speak *Russian* but, you know, I did the interview.

(*Answering a question*.) No, it was actually [I took it with] my phone! (*Laughs*.) And…I had some brothers from Ferguson, and they came out and supported me. Yeah, and they actually spent the night at my house! My brothers from Ferguson, they took me to *Best* Buy. And brought me four cameras. Basically *arming* me! It's a movement. It's not gonna stop here.

(*Answering a question*.) Eye contact. *This* story [of Freddie Gray's eye contact] was with the—the *whole story* since it be—since it happened. That's how the officers, I guess, wrote the paperwork: That [Freddie] made eye contact. And he looked suspicious. Oh. "And that gave us probable cause to"…do whatever. We know the truth, y'know what I'm saying? Just a glance. The eye contact thing, that—it—it—it—it—sets off, it's like a trigger. That's all it takes here in Baltimore, is just a glance.

(*He sits down somewhere—a step, the curb, a box. He starts to cry*.)

Have you ever been to a place where (*six-second pause*) you don't *feel* tired—you *tired* of being tired. You know'm saying? Where you *fed* up. And it's nothing else left. And you can't get any lower? (*He listens to an answer*.) *Past* that. You know? So…That's where I've been. (*He listens to a question*.)

Gotta keep climbing. You gotta keep fightin'. You gotta keep climbing. You gotta keep praying. You gotta keep doing all'v the things that you know can make you stronger because in the end (*a deep inward breath*), you just gonna need all the strength that you can muster to git yourself from that hole, it's like a bunch of crabs trying to pull you back. You know what I'm saying? It's like *quicksand*. And you fighting and you fighting you just sinking faster and faster. You know.

And I hate it that Baltimore is going through *such* harsh times right now. The fact that my children might have to fight this fight, you know? I'm not gonna be here forever. You know'm saying? Then how do I train my children to deal with this, you know what I'm saying?

(*He stands up, listens to a question from the interviewer/audience.*)

The leaders? Right now, man, the leaders are looking pretty assholeish. Uh. Look. It's—it's just so much the leaders can do. You know what I'm sayin'? It's only so mu—so much they can say. But at the end of the day the leaders gonna make up their minds. They're gonna *do* what they wanna *do*, you know what'm saying, so…we have to make it better, not wait *around* for *them* to make it better. These people are *tired* and—and—and they want *answers*. And it seems like the only way they can get answers, to them, is if they cost the city money!

Actual newsclips of Allen Bullock smashing a Baltimore city police car on April 25, 2015, are shown.

[Slide]

ALLEN BULLOCK

PROTESTER
BALTIMORE, MARYLAND

“Runnin’ from ’Em”

“Runnin’ from ’Em”

(*An eighteen-year-old black man. Lean. Wiry. Not that long ago he was a “shorty,” and you can still see it in his face and demeanor. In contrast to the sagging pants, etc., in the video, his clothing looks like it just came out of the laundry. Simple white T-shirt, khaki pants. New-looking boots or sneakers of the time period.*

Well-appointed lawyer’s office, downtown Baltimore, upper floor with a panoramic view of the city. Very large chair, gives impression of a throne. Hand gestures of the time, probably specific to Baltimore. He is looking out the window at the horizon; sometimes almost turns his back to the interviewer/audience. The feeling is that he couldn’t care less about the interviewer, almost like we are wasting his time.)

I don’t even look the police way, tell you the truth, that’s not even me, like…I don’t even pay the police no mind, like they look at me, I turn my head, I look ba— If I’m gonna look back at you, I’m not gonna mug you, I’ma just look away, you feel me? That’s all it is to—

Because if you look at a police so hard or so straight—I don’t know, like see how he was, Freddie Gray, you feel me, in the way, like he was around this neighborhood, if the neighborhood police they don’t care, they—do—not care bout none o’ that you—if they *know* you in that neighborhood, they gonna *do* some t’— I don’t care what neighborhood you in, it could be a quiet neighborhood, anything, the police know, you from…*bein’ bad*, or not even bein’ bad, but bein’ around the area, anything, hanging with somebody, that that they know, that’s bad, they gonna *harass* you—and if they gon’ harass you — “Why you lookin’ at me like that?”— They will *ask* you “Why you looking at me like that,” like, in a smart way you feel me jump out the car, pulling their stick, all that, you feel me.

I had a police ask me why'm I walkin' in the street, why am I *crossin'* in the street, like.

"Whatchu mean why am I crossin' in the street?" I'm saying something back he jumpin' outta the car, so I get back on the curb. You feel me there's no need for you to get outta the car, and you feel me and talk at me, you could see why am I walking across the street. They don't say, ask you, me—"Sir, come here," nunna that, you just… ask me why am I walkin' across the street, y'feel me. It's not uh late outside, it's not nunnathat so what is you…I don't know there's just a lotta police out here thisss…bein' police bein what they do.

(*He listens to a question and for the first time faces the interviewer/audience.*)

Be smart, that's what I would gotta say to you, be smart. Thass all 'ass 'sall is *to* it, if you know you…say if you—I don't care whatchu do out there, that's your hustle, if you got something on you, don't even pay the police no *mind,* y'feel, don't even draw no attention, but you not doing nut'in I *still* don't expect for you to draw no attention to the police, like, the police, out here, don't care, even if you don't got nuttin' *on* you! Why look at the police you ain't got no— Why mug the police? You feel me? No reason at all, so I wouldn't even pay the police no *mind*, I don't pay the police out here no mind. They mug me all day, I don't care about nunnathat they doin' like—I *see* 'em, you feel me, like, I don't say too much stuff the police an' all that like for *no reason at all*, like…

(*Pause.*)

I'm just sayin' that like I'm out here in these streets.

(*He looks back out the window at the horizon. The interviewer asks another question. He looks back in their direction but looks down at his arm, examining it quickly as he speaks.*)

I got beat. It only happen— It happen—'bout four times, I— Four times, that's what I remember, four times.

(*Another question, and he looks around randomly but not at the interviewer/audience. Perhaps he yawns.*)

Runnin' from 'em, that's mostly what they—thass *all* they *can* beat me for, runnin' from 'em. The don't like it when you run from 'em.

It's a lotta people out here bein' harassed, gittin' killt, you fill me like. It ain't just cuz of no Freddie Gray got killt, people die every day. Police—you feel me, harass people, beat people every day.

(*Another question, looking perhaps out the window, perhaps down at his feet, just not at the interviewer/audience*.)

The stick—they use a what's name…Uhm, I forget what kinda stick it is. Sometimes they use their *hands*.

(*Another question. He faces the interviewer/audience dead-on*.)

You can't protect yourself! When it come to the police, you can't say too much, but run your mouth and once they see you really runnin' your mouth they try catch you or try do somethin' to you, an' 'specially if they ain't got no reason y'feelme to touch you, they def'nitley wanna touch you, like, they chase you all this 'n' you ain't got nuttin' on you, an they just chasin' you? Man they they worth ih—gonna make it worth they while, they gonna find, they gonna, not even put nuffin' on you they gonna *beat*chu.

Straight like that, it ain't no "Oh, I'm o' plant somethin' on him, they just do they wanna *do*, at that time, at that moment.

(*Now he emphatically "schools" the interviewer/audience, straight on, direct, and gets more and more excited and more and more direct. His appetite for talking is now sparked. He gets very upset and emphatic*.)

It don't— It don't even matter this, at *this* point. I don't— It don't even *matter* if they black or white. I never s— I don't even— It ain't no black-or-white situation, I ain't tryin' to hear that. I done seen *plenny* o' police off [officers] do it, an I'm black you feel me, *to* black people, an' I done seen plenny o' whi' [white] police do it, I done seen 'em do it together, it ain't no no no racist thing, ih— That's what I, I don't see no racist thing come into play.

I think issa *hatred* thing, like, they hate, you feel me like. If I ca—if you can't find nuttin' on *me* what's the whole point o' you lockin'

me up or you beatin' me up, you feh [feel] me? For no reason, cuz I made you run? Come on now, like, you train to do this like…

'N' I could be runnin' for no reason juss for the police d'you feel me. If you mess wit me—why mess wit me y'feel me—'n' I'm gonna make you *mad*. Becuz you shouldneev' be *'arrasin'* me for *no reason* you feel m— I don't have no—nuffin' on me! You feel me—they—jumpin' outta the car, tryin'— "What? I'm gone! I'm running from you!"

(*Leaning forward toward the interviewer/audience.*)

I never got locked up nunnaduh time I get beat up, you feel me, cuz they don't find nuttin' on me nunnadat, I don't throw nothin' you feel me, nunnadat. They don't even…

(*Pause.*)

I really don't know. Thass all it is to it. Hey. Stuff happen erry day on Ballamaw City.

(*Looking out the window again.*)

[Slide]

JAMAL HARRISON BRYANT

PASTOR AND FOUNDER OF EMPOWERMENT TEMPLE AME CHURCH
HIS ACTUAL SERMON AT FREDDIE GRAY'S FUNERAL
BALTIMORE, MARYLAND, APRIL 27, 2015

"Breaking the Box"

“Breaking the Box”

(*The video is actual footage of the funeral. Dignitaries including Jesse Jackson are behind the pulpit. A packed megachurch. Casket, lines of people paying respects. Hymn: “Pass Me Not, O Gentle Savior.” Magnificent choir. Responsive church, babies crying, etc., individual calls building until a point when they join Bryant in the call “No justice! No peace.” Bryant is* GQ *dapper, probably one of the best-dressed men in America. A brilliant preacher, both in terms of writing and delivery. Pastor Bryant is well-represented online for study of his preaching technique. The entire sermon, as well as many other sermons of his, are also available online for study.*)

The Families United 4 Justice, they drove through the night, from New York, to be here. I want you to know who is with us. I’m thankful for the daughter of Eric Garner, who is here with us. The mother of Amadou Diallo is here with us. The mother of Kimani Gray is here with us. The sister of Shantel Davis is here with us. The mother of Ramarley Graham is here with us. The niece of Alberta Spruill is here with us. For *all* of them, would you give God a handclap of praise? Thank you so much for coming.

Would you find your way to Luke, chapter 7. Luke, chapter 7. I want to illuminate for your understanding verses 11 through 15. “Soon afterward, Jesus went to a town called Naim, and his disciples and a large crowd went along with him. As he approached the town gate, a dead boy was being carried out. The only son of his mother. And she was a widow. And a large crowd from the town was *with* her. And when the Lord saw her, His heart went out and He said, ‘Don’t cry.’ Then he went up and touched the coffin. And those carrying it stood still. He said, ‘Young man, I say to you, get up!’ And the dead

man sat up. And begin to talk. And Jesus gave him back to his mother."

[I] wanna preach for a little while tonight—today, using as a subject "Breaking the Box." Breaking the box.

One of the greatest tragedies in life is to think that you are free, but to still be confined to a box. Living in a box of stereotypes. Other people's opinion. Sweeping generalizations. And racial profiling. Sociologists have unearthed a newfound phenomenon called quarter-life crisis. And it says that this generation of youth in their mid-twenties begin meandering through the painstaking task of asking themselves, "What am I gonna do with my life? Is there any hope for me? What should I have done differently?"

(*Looking out into the congregation, specifically to one person.*)

Grandmother, I need you to know that Freddie *had* to have been in a quarter-midlife crisis. 'Cause at twenty-five years of age, being black in Baltimore, no opportunities to go to Johns Hopkins. No doors open at the University of Maryland. No scholarship to Morgan and no access to Coppin. "In a place where I have minimal opportunities," Freddie had to have asked, "when I can walk down the harbor and see Exelon, Under Armour—when it is that I can look across the water and see millions of dollars poured into Camden Yards and M&T Stadium." He had to have been asking himself, "*What* am I gonna do with my life?" He had to feel almost like he was boxed in.

Now, on April the twelfth at 8:39 in the morning, four officers on bicycles saw your son. And your son, in a subtlety of revolutionary stance, did something that black men were trained to—taught—know *not* to do. He looked police in the eye.

I want to tell this grieving mother, you are not burying a boy, you are burying a grown man. Who knew that one of the principles of being a man is looking somebody in the eye.

At 8:40, your son began running from the police. He began running. At 8:41, according to the timeline, he stopped. He stopped *not* because he was out of breath. He stopped *not* because he was a

weakling. He stopped *not* because asthma had kicked in. He stopped because somewhere within the inner recesses of his own mind, he made up in his mind: "I'm tired of living in a box." And so he *stopped* running.

So as we jaywalk in our text, we notice that Jesus and his disciples are coming to an unknown hamlet of a town known Naim. And Jesus is overwhelmed by this crowd, and—and he stops as he's seeing the funeral processional. Jesus says to this mother, "Don't cry. Whatever you do, don't cry." It's a *strange* prescription to tell a family in pain. "Don't cry." When the Bible declares that weeping may endure for a night and joy comes in the morning, He says to the mother, "Don't cry." But I came to tell this grandmother. I came to tell the aunt. I came to tell Freddie Sr. I came to tell Freddie's five sisters, "Don't cry." And the *reason* why I want you not to cry is because Freddie's death is not in vain.

After this day, we gonna *keep on* marching. After this day, we gonna keep demanding justice. After this day, we gonna keep *exposing* a culture of corruption. After *this day*, we gonna keep monitoring our own neighborhood. *Whatever* you do, don't cry!

Amazingly! Jesus does something: he lifts up his hand. And he changes the position of healing. Every other time Jesus has healed, it has always been a lateral move: he would reach his hand out. But when we find ourselves in this narrative for the very first time in sacred scripture, Jesus lifts his hands up. And when he lifts his hands up, he touches the casket.

And I'm praying to God that God will lay his hand on everything that's been trying to keep black people in a box…I don't know whether I'm talking about redlining of zip codes or gentrification or whether I'm talking about a prison pipeline or inadequate public schools, but whatever box that has been placed around the life and the future of young black babies in this city, I'm praying: *God*, put your *hand* on the box!

He said—watch this—to the young man *in* the box still, "Get up."

This is not the time for us as a people to be sitting on the corner drinking malt liquor! This is not the time for us to be playing lottery

or to be at the Horseshoe Casino! This is not the time for us to be walking around with our pants hanging down past our behind! This is not the time for us to have no respect for our legacy and for our history! This is not the time for tattoos all over your neck! He said, "I need you to get up." In spite of the fact that they spend more money on special education than they do on gifted and talented programs—get yourself up! In spite of what they told you [that] you oughtta be and what you are gonna become: get up! You are not Lil Wayne, you are *not* Lil Boosie. You are in the mantle and the legacy of Thurgood Marshall and Clarence Mitchell Sr. and Parren Mitchell and Kweisi Mfume! Get your black self up and *change* this city!

I don't know what Jesus *you* serve. But the Jesus *I* serve is not blond and blue-eyed. The Jesus *I* serve looked just like Freddie Gray. And that Jesus is the Jesus who will lift us up again.

He speaks to him. And He says to this young man, "Get up." And He never opens the casket. You miss what I just said? He tells the young man, "Get UP." When he's in a *closed* casket! He was sending a message to Black America. Don't expect nobody to open the door for you! If they don't open the door, kick that sucker down and get what you need! GIT UP!!!!

The young man got up. When he was supposed to be dead; supposed to be over. And he got up without any prompting, ladies and gentlemen. And he started talking.

I don't know how you can be black in America and be silent. With everything that we dealing with—with our children being gunned down in the streets!

Freddie—Freddie, just like this boy in Luke chapter 7, he broke outta the box. And again, Luke the gospel writer and physician has let me down. Because when the boy broke outta the box, he forgot to tell me what that boy said. Gettin' out of the casket! But if you'll allow me to validate my sanctified imagination: When that black boy got outta the casket, do you wanna know what he said? He said, "No justice!" (*Audience: "No peace!"*) "No justice!" (*Audience: "No peace!"*) "No justice!" (*Audience: "No peace!"*)

Actual documentary footage is shown on the video screen. Excerpts of coverage of the trials of the officers involved in Gray's death are shown. Then we hear the voice of State's Attorney for Baltimore, Marilyn Mosby.

> "I have heard your calls for 'No justice, no peace.' However, your peace is sincerely needed as I work to deliver justice on behalf of Freddie Gray. To the rank and file officers of the Baltimore Police Department, please know that these accusations against these six officers are not an indictment on the entire force. I come from five generations of law enforcement. My father was an officer. My mother was an officer. Several of my aunts and uncles, my recently departed and beloved grandfather—"

The video is cut off as a musician is revealed playing a riff. (All previous productions used an African American male in his forties, a jazz bass player.)

The musician is playing a riff on "Spanish Harlem" by Jerry Leiber and Phil Spector. We hear a recording of a woman, Alicia Keys, speaking lyrics from "The Rose That Grew from Concrete" by Tupac Shakur.

> Did you hear about the rose that grew from a crack in the concrete?
> Proving nature's laws wrong, it learned how to walk without having feet
> Funny it seems but by keeping its dreams
> It learned to breathe fresh air
> Long live the rose that grew from concrete
> When no one else even cared
> No one else even cared

[Slide]

THE ROSE IN CONCRETE

[Slide]

MICHAEL TUBBS

COUNCILMAN, SUBSEQUENTLY MAYOR OF STOCKTON, CALIFORNIA

“Tupac”

“Tupac”

(*At the time of the interview, Tubbs was the youngest city councilman Stockton, and possibly California, ever had. Tall, lanky, a boyish smile and face. Research can be done to find clips of him on television shows. He wears a suit, sports shirt, oxfords.*

He and the musician give each other high fives. Tubbs speaks very quickly, like a small boat zooming across water. Sometimes minor prepositions or other small words are inaudible. It’s a bit of a verbal feat to keep the monologue moving along quickly. Stanford grad, none of the affectations of most current Ivy League grads. A politician but still fresh. Almost disarmingly open and vulnerable in his manner.)

So what I would say about Stockton: Stockton’s really ground zero for a lot of issues facing America. My aspirations right now? You’re gonna laugh—they’re really simple. I just want a grocery store in my district? There’s no grocery store. I had no idea. I don’t eat really healthy. My girlfriend, now my wife, is a vegetarian. And she went to Stanford. And she came to live with me [for] like a week. And she was, like, breaking *out*. She’s like, “Michael, I just want an apple. Where can I get an apple?” And I couldn’t think of where to get her an apple. I said, “I don’t know. Where can I get you an apple from?” It was about twenty minutes away. So that really prompted me: “Okay, let’s do something about that.”

We’re doing some work around boys and men of color alliances, so we can figure out how to improve outcomes for boys and men of color. For a lot of young people in—in Stockton? There’s almost this prevailing sense of nihilism? And I’m not sure it’s peculiar to Stockton? I think in any community where you have segregation along race and class, you have a undercaste of—of young people, who

just feel forgotten, neglected, and are just angry and don't know what to be angry at. It's—it's—I think they understand there's some things structurally wrong. But they haven't been taught what that is, so oftentimes it—it manifests itself in self-blame. Or—or, "It's our fault," or—or "I need to work harder." When often, when that—part of that's true, but oftentimes there are real structural forces keeping—keeping some people down, so I think, for young people in Stockton, there's almost a sense of nihilism. There's a sense of leveled aspiration. In terms of not being exposed to everything that's out here. But it's also this amazing resilience. Whenever I—whenever I talk to young people in Stockton, I always quote the Tupac poem, about the rose that grew from concrete? When he talks about "Long live the rose that grew from concrete / when no one else cares," and I think that really, really illustrates the young people in my opinion—Stockton—the—these young people, who are *growing* in cracks of concrete, not in soil, but in—but in concrete. Where they're not supposed to grow. And sometimes they come out with a little bit of *scars*, sometimes they come out with—with a couple petals not—that are not perfectly right. But the fact that they're growing and trying to thrive in—in their community with so many problems, to me, is inspiring.

I'm sorry, I always talk in stories; they really illustrate points.

When I was on the campaign trail, I was reading to [a] group of *first* graders. And I was reading about Dr. Martin Luther King Jr., and I got to the part where he was assassinated, so I tried to go through the page really quickly, 'cause I didn't want to talk to, like, six-year-olds about death. So I tried to turn quickly, but one boy said, "Wait, Mr. Tubbs! My uncle got shot." And he said it so matter-of-factly, I thought his uncle lived, so I'm like, "Oh my gosh, I'm so sorry, I'm glad he's still here with us now." He said, "Oh no, he died." (*Dead stop*.) And then another little boy was like, "Mr. Tubbs, my *cousin*

got shot!" And then before—then before I could turn the page, every student in that classroom knew somebody that had been shot or was a victim of a violent death.

These are first graders, six years old. I remember looking at the teacher, and she was tearing up, I—I—*she* was tearing up, I was tearing up, and I think that really illustrates some of why—why nihilism and trauma and violence is just so routine and so normal that a six-year-old can look you in your eye and say, "My uncle died," and say it so matter-of-factly. At six years old. What happens at seven, eight, nine, ten?

Young people aren't dumb, they—they might not have the fancy academic language, but they know that there's not much opportunity. They know they go to schools where it's a big deal to go to college? They—they know that there's—they know there's not a whole bunch of private-sector employment in this city, so they—might [not] know [how] to describe these things, and they may say things like, "Oh, ain't nothing for—ain't nothing for me to do," or "There's nothing for us." And they may [not] say it in that way, but they understand that something structurally is wrong.

I think that leads you just to nihilism and it's—especially around our young *men*, which is a—not for all of them, but for the population that's been the most vulnerable, and the—the dropouts, and those [that] are in the pipeline, and those that are…killing each other, it's just this idea that my—the value of life, like, my life doesn't matter, what—what—what life is this where I'm struggling to eat every day? What life is this when I can't see— Like, I talk to *young* people—I'm like, "Okay, where you wanna go to college?" and they're like, "I can't see past *eighteen*, *realistically*!" And like, "No, I want you to sit down and write down your dreams, I just want you to—What's your goal?" "I just want to be alive by twenty-five."

It's heartbreaking, so. In that way, I think, that's how the nihilism will manifest itself. Prison or—or death. There's really no other alternatives or options for our boys and men of color in Stockton. Prison or death.

● July 27, 1816: American troops attack Negro Fort, a stockade in Spanish Florida established by the British and left to the Black Seminoles, a Native American nation of Creek refugees, free black people and fugitives from slavery. Nearly all the soldiers, women and children in the fort are killed.

Cypress: Ron Clausen via Wikimedia

They weren't headed north to freedom —
They fled away from the North Star,
turned their back on the Mason-Dixon line,
put their feet to freedom by fleeing
further south to Florida.
Ran to where 'gator and viper roamed
free in the mosquito swarm of Suwannee.
They slipped out deep after sunset,
shadow to shadow, shoulder to shoulder,
stealthing southward, stealing themselves,
steeling their souls to run steel
through any slave catcher who'd dare
try stealing them back north.
They billeted in swamp mud,
saw grass and cypress —
they waded through waves
of water lily and duckweed.
They thinned themselves in thickets
and thorn bush hiding their young
from thieves of black skin marauding
under moonlight and cloud cover.
Many once knew another shore
an ocean away, whose language,
songs, stories were outlawed
on plantation ground. In swampland,
they raised flags of their native tongues
above whisper smoke
into billowing bonfires
of chant, drum and chatter.
They remembered themselves
with their own words
bleeding into English,
bonding into Spanish,
singing in Creek and Creole.
With their sweat
forging farms in
unforgiving heat,
never forgetting scars
of the lash, fighting
battle after battle
for generations.
Creeks called them *Seminole*
when they bonded with renegade Creeks.
Spaniards called them *cimarrones*,
runaways — escapees from Carolina
plantation death-prisons.
English simply called them *maroons*,
flattening the Spanish to make them
seem alone, abandoned, adrift —
but they were bonded,
side by side,
Black and Red,
in a blood red hue —
maroon.
Sovereignty soldiers,
Black refugees,
self-abolitionists, fighting
through America's history,
marooned in a land
they made their own,
acre after acre,
plot after plot,
war after war,
life after life.
They fought only
for America to let them be
marooned — left alone —
in their own unchained,
singing,
worthy
blood.

By Tyehimba Jess

Photo illustration by Jon Key

[Slide]

TONY EADY

STUDENT CONCERNS SPECIALIST, NORTH CHARLESTON HIGH SCHOOL

NORTH CHARLESTON, SOUTH CAROLINA

“All Because of Your Mouth”

“All Because of Your Mouth”

(*African American. In his fifties. Mild South Carolina accent. With a walkie-talkie, which is on. ID on a lanyard. Conference room at the school, or hallway or cafeteria. Deep, resonant voice.*)

These kids are very, very defiant. Very defiant. I am a student concerns specialist here at North Charleston High School in Charleston, South Carolina. I am the eyes and ears of the campus for the principal.

I used to work in a penitentiary, and I used to work a—in Florida. Maximum security penitentiary. (*He chuckles.*) I had the privilege of meeting Ted Bundy—Theodore Bundy—when he was down there.

I often tell some of my colleagues that it is similar. [The kids] just get to go home. But the control piece is: never let the kids [in the school] or the inmates [in a prison] get you out of your character. You have to be ready. You have to *prepare* yourself. When you come into these places. When you come into these places because (*slight pause*) the inmates or the students have their own agenda. This job can cause you to step out of [your] character. It means you can get unprofessional sometimes. You know, because the kids challenge you. *Every* day. So you gotta be ready.

I do what they—we call ISS here. And that’s in-school suspension. I do that in the mornings, uh, every other week. And, um, when I get a group of [kids] in there, I talk to them about— ’Cause I tell the kids, “You guys comin’ into ISS here…” And then we have we call Twilight also—that’s worse than ISS. That’s on the third floor. So I *tell* the kids, “This is just a rehearsal! When you—when you always comin’ into ISS, that means you can’t deal with the public, the society in school. So they always send you here!”

I say, “That’s a rehearsal! When you out in society, if—if you can’t deal with authority figures and people tellin’ you what to do, they gonna—to send you to jail.” This is—I call it school jail. (*As one of the kids:*) “I’m not in no school jail!” (*As himself:*) “Yes, you are. ’Cause you incarcerated here for this hour. You can’t *leave*. And then if you act up in here, then they send you to Twilight.” And I call that “penitentiary.” That’s *worse* than ISS ’cause you in there all day, every day. For months. So I say, “If you don’t learn how to deal with authority figures, when you finish high school or drop out or quit or *whatever*…it’s gonna—same thing’s gonna happen in the real world. This is just a rehearsal!”

I tell the kids this—when you get on that bus. You get sentenced. You get on that bus and you are heading to one of these institutions. You have to *change*. You can’t be the same person that you [were when you] walked into the courtroom. You have to be— You have to change. You can’t be the same person because they are not normal people back there. Everybody is trying to get after you, or get over on you or— (*Abrupt stop, brief pause.*) It’s different. It’s just different. You have to step out of your character. There’s animals back there. That’s a different world. People get raped, people get beat on, people get murdered people get stabbed, there’s nowhere to run nowhere to hide. This is *real*. And they buildin’ a lot of ’em. They buildin’ more of those than they buildin’ schools. So I tell ’em yeah, it’s real.

And I heard a police officer, one of my good friends, say that most people get incarcerated because of their mouth. They— What they *say*, when they approached by authority figures, you know. “Get out the car.” “Why do I have to get out the car for?” When they do get out the car, and questioning. This is some of the things that they say, so. “Why you stopping me?” “Wh—what’s up, man?” And the officer goes from that to, “Get out of the car.” Now, “Wh—what do you want me to get out of the car for?” Then they call for backup. And *more* coming.

[I been here] twenty-three years. Sometimes I ask God, “Why—why am I still here?” It’s a constant fight, every day, with the kids and disrespect, and just trying to get them to do the right thing; it’s

just wearing on me so. I've stood between kids and the principal, Mr. Grimm, and I could see when it's going a wrong way, and I gotta intercept.

And let me give you an example: Well, a—a kid got put outta his class for a cell phone. Kids? Cell phones? They would rather go to jail then give up their cell phones! And I'm standin' outside with the kid, and Mr. Grimm walks up, 'cause he hears the call. "What's the problem?" "Well, Mr. Grimm, he's…refused to give the cell phone out, but I—I have it now." And then the kid'll say, "Yeah, you might have it *now*, but I'm gonna get my phone back!" Mr. Grimm says, "Excuse me?" (*As the student:*) "You heard what I s—" And I try to intercept. Cause I see: now you challenging the authority figure—the bigger top-authority figure. I know where it's *going*! Because Mr. Grimm's not gonna let him talk to him like that. So he's gonna respond with something like, "Oh, well I'mma *get* your phone and I'mma *keep* your phone." Then [the kid] may say something like, "No!" Probably reach for the phone, or step for the phone, "Gimme my phone!" And they try to get it.

And that went from: you just giving up your phone; you getting it back next period. Now you not getting you phone. And you bein' arrested. Being suspended. Maybe up for expulsion. *All* because of your mouth.

[These kids] *really* don't *care*. They don't have respect for—for nobody. And then, society tells you, "You *can't* touch 'em. You *can't* grab them." And the *kids* know that. So, I mean, they don't stop! These kids just get…more *power* added to them.

[Then people don't want police officers in the schools.] A police officer's gonna take control of the situation! So *why* put them in school if you don't want them take control of the situation? I *need* police officers in the school. I *need* for me, I *need* a police officer to take control. I need a kid to see that there is an authority in a *school*! He's my—*our* last line of defense.

A burst of noise, sirens, police, chaos, the actual scene after parishioners at Mother Emanuel AME Church, Charleston, South Carolina, were murdered by Dylann Roof while at a prayer meeting on June 17, 2015. Actual news of events immediately following massacre. A cacophony of various newscasters and speakers, perhaps President Obama. For example: “The shooter walked into the Emanuel AME Church and opened fire. We do know there are several victims, but it’s unclear at this time how many and if there are any fatalities.” “Dylann Roof would rant about the controversial killings of African Americans Trayvon Martin and Freddie Gray.” “Critics say that the banner should be put away for good after the racist murders at Emanuel AME Church.” The video shows protests to take down the Confederate flag from the capitol building. A crowd is chanting, “Take it down! Take it down!”

[Slide]

BREE NEWSOME

ARTIST AND ACTIVIST
CHARLESTON, SOUTH CAROLINA

“Not a Whim Thing to Do”

“Not a Whim Thing to Do”

(*Young African American woman, late twenties. Charismatic. Simply dressed. Perfect posture. Speaks in paragraphs rather than sentences, and quickly. Has studied how to stay on message. Lots of footage of her on talk shows, etc.*)

Because the first rule that was established was that a full human being was a landowning white male! Here! That’s what made you a full human being, that’s what made you worthy of having a vote. And everybody else is some lesser form of human, which is *why* it’s okay to whip someone because they haven’t picked enough cotton for you, which is why it’s okay to pretty much do whatever you wanna *do*! Because other people are not…human beings. But what I saw—so—what I saw, I think beginning with Ferguson, but especially with the massacre at Mother Emanuel was…this recognition that like this level of violence can still be present when we stand up and try to fight for equality. You know what I mean? The sixties felt so much closer, I think.

Even—even before the massacre happened at Mother Emanuel, I had actually had a conversation like several months before with one of the folks in Tribe, Yin, who lived in South Carolina, actually. He lived in Rock Hill. And he had remarked that like his dream action was to take the Confederate flag down in South Carolina. He was like, “Oh, man, that’s something that I’ve always wanted to do.” And I *agreed* with him on that. You know, and I had already been arrested before, and I really was not planning to be like a chronic-arrestee-type protester, but I told him even then, I was like, “Yeah, that’s something I would go back to jail for, like, if we could take the Confederate *flag* down. That’s something that I would, you know, risk going back to jail for.” (*Silent laugh.*)

So then after the massacre happened, when the—when the massacre happened and they wouldn't even lower the flag to half-staff, that was kind of the snapping point for me. Like, how could we possibly get this flag down? Because back in 2000, somebody had put a ladder up against the pole, climbed to the top, set it on fire, and so then South Carolina built this like four-foot fence around it. Like, it wasn't that *easy*. But Yin had a friend named Todd. And *Todd* had actually gone down. And looked at it. And he knew a Greenpeace activist in New York who had experience, you know. Scaling trees and all of these things and so, he was like, "You know, I really think"—he was looking at it and he said—"you know, I think that it's really just hooked on there. And that somebody could probably scale to the top and just unhook it."

And so then we kinda came together at a meeting. But it was essentially, um, the coming together of two activist groups. 'Bout ten to twelve folks. Basically a Black Lives Matter group. We refer to ourselves as the Tribe? You had Black Lives Matter, The Tribe, which was…*mostly* black activists. And then you had these, like, environmentalist/Occupy activists, who were mostly *white*.

(*Shaking her head.*) I mean, it took a lot of—lot—of—trust. You know, because, I mean, I walked into this room and it was like, half the people in the room were folks I had *never seen* before. In my life. And here we were talking about going down to take down the flag, I mean, you know, at that time, it was, there was so much national attention. You know, on it, so I mean, it was a dangerous thing to do. I think it speaks a lot to Yin's character, the fact that we were all able to trust each other. It's Yin's heart. He was fighting before it was cool. And he's just very—he's very *true*! When—when he *called* me and said, "You know, I—I know somebody who's really talking about taking the flag down, and we could really make this *happen*," I trusted him.

There was just the practical question of "Well, who can do each of the roles?" Um, a lot of folks just weren't in position to get arrested. Several people are teachers and they just couldn't—Yin's a teacher, he has children. I mean, Yin wanted to climb the pole, like that was

his dream to do that. Um, but his wife just had a lot of concern. You know. About him doing that.

And so, you know, I think when we looked at who was able to be arrested? To risk getting arrested—and who was physically able to climb the pole, that really narrowed it down to about three or four people. And I was the only person of color. In that group? And when we, you know, were like really thinking about it, we felt that it would be most powerful to have a black woman be the one to scale the pole.

I have this memory of everybody staring at me? (*Laughing*.) Now, maybe that's not how it happened. I stepped into another room to pray. It was kinda like, yeah, okay, I will volunteer but I kinda wanna take a moment?

I prayed just for clarity and guidance. (*Slow, careful, sitting up even straighter*.) I mean, I really felt it on my heart, that I was supposed to do this; that God had called me to do this? I didn't want it to just be some whim. You know what I mean? It's not a whim thing to do. I had no experience climbing.

Well, I mean, here we were really talking about like some real physical danger. I'd been arrested before, and I was never afraid. There was never a concern of you know there being harm—a physical harm—in like the first arrest, but this was really a situation where I could potentially be putting myself at risk. (*Focused, no emotion, matter-of-fact*.) A vigilante coming by and shooting me while I was on the pole. I mean, we were really more concerned about that than what the police might do.

But on the day [when we were going to take] the flag down, they had a Klan rally scheduled. For later that morning, and so we, that's part of why [we planned our action for so early]. In the morning.

Just to reduce the—the chances of somebody coming by, you know, and possibly having a gun. And, you know, we just discussed what we would do in that situation, because obviously I would be, well, I wouldn't be able to do anything; I'd be in a very vulnerable position on the pole. (*Matter-of-fact*.) But we agreed that everybody else would scatter.

(*Direct, clear, focused, no emotion*.) I mean, I really had to make peace with that. I mean, I was it was very—I mean, it was a moment of radical faith on my part.

I just like made this, you know, commitment—and I can't say anything to, you know, my family. That's when it beca—that's when I started to feel the fear a little bit more of like what I was really about to do. And then I felt like tremendous fear.

I think I prayed…I mean that's some of the most intense praying I've ever done. (*Laughing*.)

That's where I think the idea and the cause becomes greater than the person? Because in a lot of ways, it was kind of like, even if I didn't make it down the—the statement would still…you know. Be made. (*Strong*.) And that was—that was the point that we wanted to —to make that…this is how—this is how serious it is.

You know, I got involved in this movement in 2013, and it was like, "*Yes*, we recognize that we are in this new civil rights movement. This is like the wake of the Trayvon Martin case. Y'know, the fir—the first action that I participated in, where I got arrested, we were doing a sit-in over the issue of voting rights. And I remember—I remember being arrested, and we are just like sitting there with our hands handcuffed behind our backs and—and it just hit me, I was like, "Wow. There was like a time when people did this and didn't know they were going to make it out alive." But there was still the sense of separation? From the sixties? I could still recognize there was a *definite difference* between the situation I was in at that time and, say, John Lewis with the Freedom Riders. You know what I mean, do you understand what I'm saying? [But now] the—the sixties felt so much *closer*, I think.

I thought about Martin Luther King. I thought about Malcolm X.

But then I really had to focus on learning how to climb the pole.

I had about a day and a half. A Greenpeace activist from New York came down and taught me and so we went out—Jimmy—James Tyson—he's the white man who was arrested *with* me. And so we

were on James's farm, practicing—we practiced on a lamppost. And then finally we were able to find a school that had a flagpole.

We weren't even actually sure exactly how the flag was attached. I had in my backpack scissors and pliers just in case. They were calling for showers actually at one point. Showers and possibly lightning so that was the other factor we had to deal with. There were so many factors. Once I was actually *on* the pole, I was like right there at sunrise. I think I had so much adrenaline—I think I had so much adrenaline pumping? That—that I was all right.

The police arrived when I was about halfway up. It wasn't—it wasn't long after I got to like, my key point, because when we were practicing, we figured that I wanted to get eight feet up? Before the cops showed, so that they wouldn't be able to snatch me down and ironically, the fence that South Carolina put up actually helped us. Because it made it harder for the cops to grab me.

In fact, there was a moment when a police supervisor directed the two officers who were standing at the bottom to tase me. And that would have electrocuted me because, you know, I was on the pole. And James grab[bed] the pole, he turned around to them and he said, "If you electrocute her, you'll have to electrocute me, too."

And I think that's when they again became aware that, you know, there are folks standing around with cameras, and, you know, smartphones, and all these things, and so then they, you know, backed off.

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NEVER GIVE UP

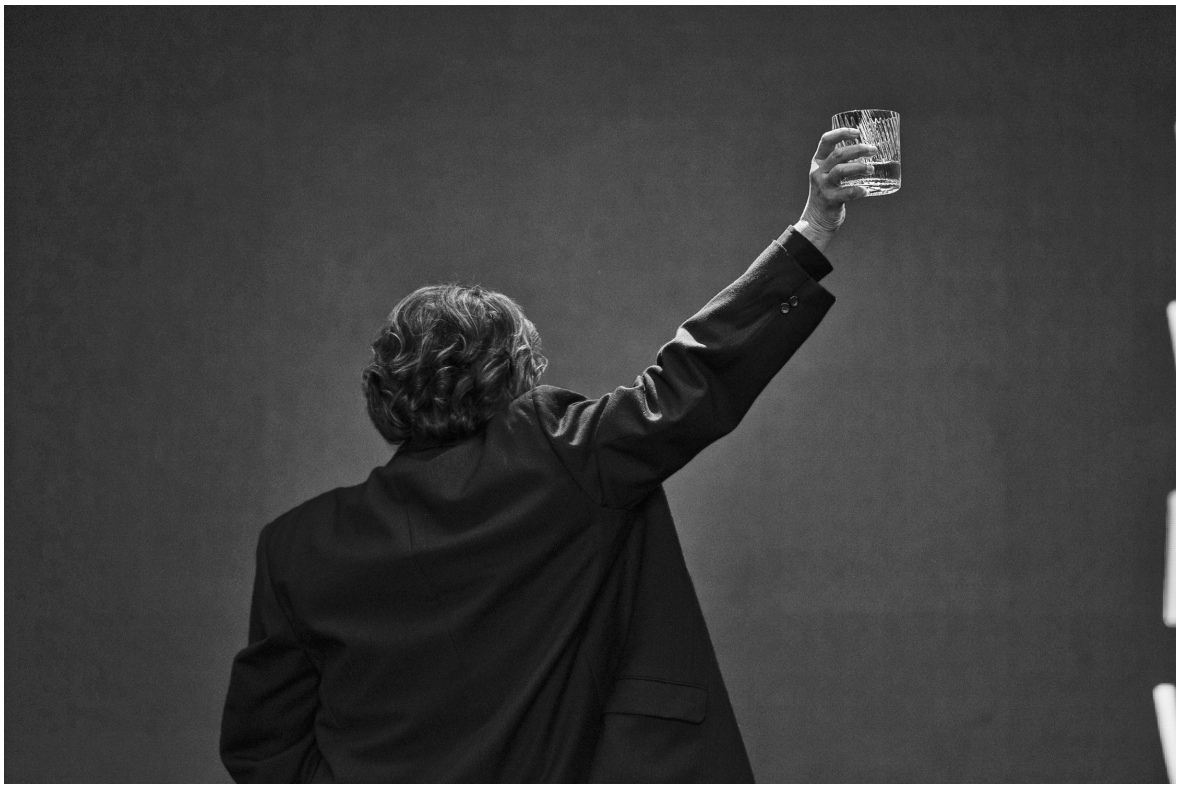
[Slide]

JAMES BALDWIN

FROM “A RAP ON RACE”—A CONVERSATION WITH DR. MARGARET MEAD

1971

“Walk on a Leaf”



“Walk on a Leaf”

(*This material comes from a seven-hour conversation that Mr. Baldwin had with Dr. Mead. It was both recorded and published as a book. Only Mr. Baldwin is performed for the purposes of this play. Musician is onstage and playing music as Baldwin speaks.*)

(*To the musician.*) If I may interrupt you for a moment. Luckily, I’m not fifteen, but if I were, how in the world would I find any respect for human life, or any sense of history? And history is a concept that exists in almost nobody’s mind. (*To the musician.*) Go on, go on. According to the West, I have no history. I’ve had to wrest my identity out of the jaws of the West. What I’m trying to say is that if I were young, I would find myself with no models. And that’s a very crucial situation. Because what we’ve done, the world we created. If I were fifteen, I would feel hopeless, too. So you see what we gotta try to, what we gotta try to face…

I read a little book called *The Way It Spozed to Be*. And it was poetry and things written by little black children, Mexican, Puerto Rican children. Land of the free, home of the brave. And the teacher had made a compilation of the poems these kids wrote. And he respected them. And he dealt with them as if they were—as a fact, all children are. As a fact, all human beings are…some kind of a miracle! And so something wonderful happened.

And so for me, that very tiny book, it’s only thirty pages long, one boy wrote a poem. Sixteen years old, he was in prison. It ended, four lines I never will forget: “Walk on water / Walk on a leaf / Hardest of all / Is walk in grief.”

So what I’m trying to get at, I hope, is that there is a tremendous national global moral waste. And the question is: How can it be arrested?

That’s an enormous question. Look. You and I, we’ve become whatever we become. The curtain will come down eventually. But what should we do about the children? We are responsible, in so far as we’re responsible for anything at all, we are responsible for the future of this world.

[Slide]

ON THE RIVER

[Slide]

TAOS PROCTOR

YUROK FISHERMAN/FORMER INMATE
YUROK TRIBAL RESERVATION
KLAMATH, CALIFORNIA

“The Baddest”

“The Baddest”

(*Yurok Reservation. A salmon-fishing tribe. Standing in a fishing boat at the mouth of the Klamath River exactly where it joins the Pacific Ocean. August, height of fishing season. Taos wears orange fishing waders. He’s about six-foot-four or taller, almost three hundred pounds. Tattoos. A disquieting moment of silence as he surveys the entire audience and looks off at the grandeur of the river. The first of all the speakers to take the time to do this. At first, it seems not entirely welcoming. A sense that you come to him. He doesn’t come to you. Once he starts speaking, there’s generosity in what he shares. However, there’s always a sense that he is watching us as intently as we are watching him. Actual Yurok ceremonial song is in the background. The musician onstage improvises with the ceremonial song*.)

I got to about the eighth grade. Well, I, I didn’t leave; they kicked me out. Well, I got in too many fights and it was always my fault from the teachers, and well—well—well, beginning, since I was a kid, I have to say, I went to school, and I was always getting in trouble, got kicked out, and then they said I hit the teacher, so I got kicked out of, like, Redwood School, out in Smith River. Well, I just pulled away from her, and it hurt her arm or something. I was a little kid, probably about eight? So they kicked me oudda that school ’n’ then I went to Pine Grove School ’n’ then I was always just in the office or sitting there because of getting in trouble. So I got kicked outta there, and I went to—then I—then I went to Crescent Elk I got kicked out of there. And then I went to community school by the juvenile hall. And when I went there, then, I really didn’t git kicked oudda there, they just threw me in juvenile hall. But I learned howda read in juvenile hall. I learned howda read. And then and then I was too bad there,

y'know? Fightin' 'n' arguin' 'n' 'n' not doin' mah work so then they put me in the probation office. With the probation officers. And then…then they tried to put me back in high school after I's tryin' da start doin' good, put me back in high school I got kicked oudda there, 'n' then I went to prison. CYA 'n' prison. California Youth Authority. Yeah, I was the first one of my friends to go to CYA, first one to go to prison.

(*He listens to a question, thinks, looks us in the eye, steady, then:*)

'Cause they know I'm a killer.

(*Pause.*)

(*Raucous laughter.*)

No. I had the mentality I was gonna be the worstest and the baddest. 'Cause I'm the baddest of the *bad*!

Whatever I do in life, I try to do it to the—to, like, the best of my ability? I'm gonna have more drugs than anyone. I'm gonna—I'm gonna—I'm gonna have *cars*? I'z nineteen when I went to y'know San Quentin. I was moved around prison prison prison. Yeah, San Quentin, High Desert, uh, Pleasant Valley, Avenal. Well, well I started out at the like the lowest…the lowest level of prison. I start out at Avenal at like level one er two, and then, I paroled from High Desert, High Desert, um…C Yard (*a beat*) shoe kick out. So uh, I, I'z bad through prison too. Probably my fights got me moved around.

Prison fights? Just any kind o' disrespect. If somebody even looks at you a lil' bit funny, then you might hafta just sock 'em up. Usually it's a word kicks it off. *Punk*, *butch*, *lame*…Some talking 'bout yer family, some talkin' 'bout yer race. A lot of people din't like Native Americans. Iss like…just looked down upon, y'know? I went to school Crescent City there ain' no Native Americans! It's just probly much just the whole class w'be like twenny-sumpthin' kinds, 'n' I'd be like one er two of us in there. And then you wouldn't talk to the other Native Americans.

(*Considering a question.*)

Cause you wouldn't wanna be ya know— (*Burst of laughter*.) Be th'only Native American talkin' to a Native American. Kinda! All white people! Maybe a Mexican here and there? The be no black people, no black people. Thiz 'n' black people Crescent City when I was growin up.

(*He looks at the musician*.)

I-I-I was wondering—a was wonderin' y'know? How they keep 'em out. I seen black people on TV.

Prison don't do nothing but make you a worser person. Made me where I didn't care if I hurt someone….And the longer you stay in prison, the more you lose your feelings about even *caring*. You don't care if you stab someone. You just stab 'em 'n' stab'm five or ten time, you don't care. Who cares? I mean, they're worthless! Or beat 'em up. You don't care. Knock their teeth out. You don't care. I mean, I didn't care if a person had life. I'd walk up and sock 'em in the head.

Everyone's *bad* in there, it…don't really matter what you do, to a person that's there for twenty-five to life. I did everything I could to stay on top of the food chain. I did day for day in prison because of my fighting. Mean' I come out my cell and I make the whole yard lay down? Put down the whole yard. Lay it down! You git in a fight and then everyone has to lay down while you're fighting cuz eh gunners gonna shoot. I didn't care if they shot in the yard. I ain't give a shit. I'm doing it and I'm gonna make it happen and I'm gonna do what it *does*. That world, that world in prison is just as strong as the world out here, 'cept for you're in a cage. Sure, people get hurt; people get stabbed. You can do anything you want, you know what I mean?

That's why I—I can't get the school thing. I was the top of everything, everywhere, in my whole life. I'm the best at everything I'm doing. If I'm on the river, I'm the best at everything I'm gonna do. I started a *business* at being the best. I'm the best at smoked [fish]. I'm the baddest there is. 'Cause I'm the baddest of the *bad*! Y'know what I mean? And when I got to, y'know, prison, it was the same thing. I— It's actually like a big game in there, y'know [what] I mean? I mean, I got stabbed like ten times, but it don't matter.

(*He looks at someone in the audience as if to hear a question*.)

Rape? (*Loud burst of laughter*.) I'm—I'm almost six-four, almost three hundred pounds, I don't think no one's gonna try to rape me! Can't rape the willing. (*Loud laughter*.) I can't say nothing about that. Never been raped. I mean, it's not…It's bad if someone *does* get raped, you know? But…I mean, *I* never raped no one. I mean, I guess, uh, I guess stab 'em? Stab someone if they try to rape you? That's how I'd do it if you're gonna be scared and—and—and cr—whine and crybaby and that, then sure, you're gonna get abused and treated bad. But if you just go out there and you're just a monster, then you're gonna—you're gonna just be a monster!

I mean, like, talking about it makes me go back to a bad place that—yeah, yeah, I'm in—I'm in a happy spot now, you know what I mean? And…yeah. Just thinking about all the badness— Now that I cleaned up my life, I'm doing very well with everything. I got a family, too. I got a kid. He's wonderful, ain't he. Shaqoon. Call him Hog.

He—he—he's perfect. (*Dead stop*.) Where you gonna be at later? I can get you a fish and some smoked salmon.

(*Very long pause as he stares into the audience, listening*.)

When I look in the mirror? I see a very good person that's just been down a rough road. And I don't know if it was my schooling or—or—or growing up where I grew up, or what it was, that put me on this road? But I wouldn't change this road for nothing? Because this is the road that made me who I am? And got me to where I'm at. I didn't know I was on the rough road, I always just—I always just thought: life's hard, you know?

[Slide]

JUDGE ABBY ABINANTI

CHIEF JUDGE, YUROK TRIBAL COURT
SAN FRANCISCO AND KLAMATH, CALIFORNIA

“Broken”

“Broken”

(*In a straightbacked chair on her porch, on a hill directly over the mouth of the Klamath River and the Pacific Ocean. In her sixties. A fantastic-looking person; takes-your-breath-away type. Charismatic. There’s a lot of story in her sheer presence. Cool, tall, lean. Cowboy boots, long gray hair, silver and turquoise rings. Soft-spoken. Very rarely looks at the interviewer/audience, up into the sky, off to the horizon, sometimes turns all the way around and looks down at the river and ocean. Musician onstage, underscoring the monologue.*)

Taos. He’s in our tribe. Part of it is just he’s very big, and he…acted out. He did things in school that he probably shouldn’t have and nobody stopped to say, “Taos, what’s wrong? Why are you doing this?” And now that he’s out, y’ know, when he does wrong by *me*, then I help sit him down and I’ll go, “Why are you doing this, Taos? We need to figure this out, because you’re gonna get in trouble. If you go away, who’s gonna tend to *your* family’s graves? Who’s gonna raise your *son*?”

You cannot deal with children if you don’t have a sense of kindness and respect. And if you don’t like them. And if you *don’t* have a system that supports them and likes them and stays with ’em. I get mad at you so I throw you outta school? What is—what is *that*? NO. I get mad at you so we need to come *closer*. You did something wrong: so you need to come closer you don’t need to go further. You know, if I have something to offer, then you need to be *close*, you don’t need to be further.

Y’know, we believe you *get* things from your ancestors. [When I was a kid] the old people used to *laugh* around and say, “Oh, you are just like your grandfather.” Meaning my attitude. Now, my

grandfather was shot down as a bank robber, and he *did* kill white people, and he did do those things and he didn't take to the reservation life very well. You have to learn the wisdom with it. I was in a *fist*fight and somebody *clobbered* me. And they were saying, "Say 'I give up,' or say 'Uncle.' " And this other person walked by and said, "You may as well kill her, 'cause she'll never say it." And it's true!

You cannot fistfight everybody. You know, you just can't. It doesn't mean you can't *fight*. It means you have to *measure* how to do it. 'Mean, I gave up fistfighting at some point. You know and then I learned to do *this*. I learned the law; this is what I can do. [I fought a] sufficient amount. But I think you get to a place and you go, "You gotta look at this man." You know, and..."At your weight class and whatever. You're gonna get your butt kicked!" You *can't* be like my grandfather. You *can't* be shooting people down. You *can't* be stealing their money. 'Cause it makes 'em nuts.

School-to-prison pipeline? I think the kids are—are not finishing school, they can't get jobs, then they end up trying to make do, and they end up going to jail! I mean, that's what it is.

Some of it's school discipline. We don't have good relationships with these people. (*Pause.*) Educators. (*Pause.*) White people. They identify our [tribal] kids as having behavioral *issues*. So then they get suspended from school. Then they get arrested at school. Y'know, we had an eight-year-old in Klamath who they were about to put cuffs on, and I sent people over there to stop it. You cannot cuff an eight-year-old! It's stupid! If...if you have children who are suffering to the extent that they act out in schools and do things they should not do... that could include hitting another child, hitting a teacher, having some kind of *fit*—and then they get expelled from school, then they get *mad* at somebody or they attack a school resource officer, then they get *handcuffed*, then they go to *jail* or *probation* or juvenile *hall*, and then it just goes from there and it—it just keeps *going*! And nobody says, "*Why is this kid like this?*" Y'know? "*What happened?*" You know, I mean, *come on*, you know? You know, that kinda stuff.

The whole thing about kids is they *do* need…grown-ups! And if you—if you don't have a couple of good grown-ups on your side, you cannot—you could go down! Or if you don't have ones that can *deal* with the system. You need grown-ups who are allies. You just can't make it—kids can't. You know, 'cause you look at a lotta kids who go "But *for*…I would be in prison." And a lot of that is around a teacher or somebody who saved 'em. Somebody who just—who reached out to them, and went like, "Come on, you can do this," you know? "This is gonna be okay. But you gotta stop acting like this. You can't run from the cops, 'cause if you run from the cops they chase you."

And one of the things we looked at was how *overmedicated* foster children are. The biggest expense in Medicaid in this county—in this state [of California], is for psychotropic drugs for foster children! All they do is jack these kids up on medicine. We're using drugs to control children. 'Mean, you look at yourself and you go, what kind of people do that.

Y'know what I mean, *c'mon*, these are children, y'know?

And I mean, it's like, did you see that—that video of the fourteen-year-old girl in Texas?

(*Behind her, an actual cell phone video from June 5, 2015, of a fourteen-year-old black girl in a bathing suit being thrown to the ground by a white police officer in Texas. From the video: the sound of teenagers screaming. The girl on the ground cries out: "I want my mama. I want my mama. Oh God!" The police officer: "Get down! On your face!"*)

She's crying for her *mommy*. "Mama, Mama, I want my mama." And she's in a *bathing* suit! Like what kind of threat is this? Who—who does that to a fourteen-year-old?

I think judges…I—I think we've gone to sleep on the job, I really do. US law is justice by strangers, y'know, and that's how it—you keep yourself separate. You *do* that and I just don't believe in it! When they had problems with each other, we resolved it in the village. With—sometimes we used elders to help us. If we really needed to. But we did not go to strangers. When I was on the bench in San Francisco, my—the way I made it work for me was to use the values that I'm familiar with, which meant that I treated the people who appeared in front of me as if they were my family. Y'know, I don't think…And I don't really feel like I *judge*, I *help*…people meet responsibilities.

To *me* the problem is that nobody learned that justice is what—what the law is about. Yes, you need rules—every society needs rules—but the whole thing about having a law or having a process or having courts was to ensure fairness and right behavior and justice! It's not about that anymore. It's about money. It's about…you know, whoever has the power to…

I think the country's broken. I really do.
(*The musician exits the stage.*)

[Slide]

EDUCATION AND SURVIVAL

[Slide]

LETICIA DE SANTIAGO

PARENT
STOCKTON, CALIFORNIA

“The Geese”

“The Geese”

(*An elegant, dignified woman in her fifties. Salvadoran accent. Sitting in a conference room at Fathers & Families—a nonprofit dedicated to helping recently released inmates transition back into the community, offers help finding jobs, etc. She volunteers here regularly. Swivel office chair. Musician is onstage. He sometimes interacts with the actor.*)

But it’s—I think it’s the way…you raise your kids. What they see around the family. I never heard too much about drugs at that time, but it was more about baggy pants and you start being in gangs? That’s what I was worried. (*Listens to a question.*)

I don’t see *nothing* in the pants; what I see is *butts* all the time. You can see the *underwear*! I don’t have the *slightest* idea why the kids do it. And I—I don’t think I would let my kids do it. I wouldn’t let them. No! I woulda ripped every single pants. Knowing myself I would have done it!

One of the parents told me that [my kids] used to go to their homes? And change. Then I became very good friends with their parents. And we all used to communicate. And I think that was the key. One of the mothers [is] the one who told me [that my kids were wearing baggy pants]. And *that’s* when I went to the school and say—I say, “What are you doing with those pants?” Or “How are you doing to those pants?” They say, “Oh, Mom, these are my friends.” Say, “Come on, don’t make me embarrassing here at school.” Say, “Okay, we gonna talk when we get home.” And we talking, I tell him, I say, “Okay, I’m gonna meet you halfway. Not that baggy. A little bit loose. But I don’t want you to be going to nobody’s house and change.”

I feel that I was a very strict mother. And I was very involved in their school. And their—anything that it was involving my kids, I was

very involved. Very involved.

At nighttime, I used to go and smell them, and—yes. To see if they were not smoking or drinking. Oh, yes. I did so many things to keep my kids outta trouble. And thanks to the Lord, I think I did a good job.

We moved to Vallejo, and from Vallejo, that's when I started having problems. 'Cause they were in that age, at thirteen, fourteen years old? That—that the um—the…the school [was] calling me, that they didn't come to school. And that's when I used to communicate with the teachers all the time. *All* the time. At least once a week. I used to call. And they knew. They knew that Mommy was gonna come.

Uh, with my daughter? Gah, was worse with her. My concern was for my daughter not to become pregnant. She was very beautiful, yeah. What I did is that I start take her to model—modeling? Modeling. Yeah. From there I used to—uh, she compete from San Joaquin. Miss San Joaquin here? She didn't win, but that open the doors for…She went to uh Miami, Cancún. She, uh, won in Cancún? Miss Cancún? And—and the reason why I did that was the requirement was to be in school. And not to be pregnant, not to have kids.

I used to even—we were having some goose? Goose? I think it's what you call goose, they're worse than dogs? The kids used to, you know, they used to get up at nighttime? Take the cars out?

The goose? The goose? The geese? The geese? The goose or the geese? Geese, yes.

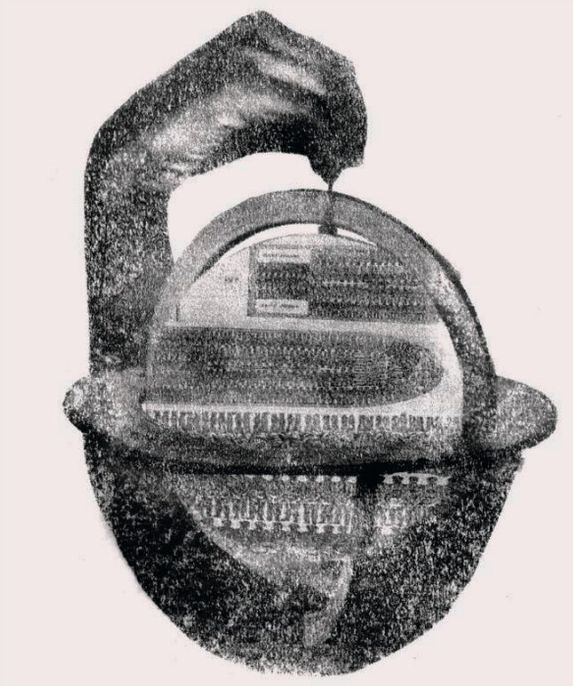
The *dog*—they knew the dogs, they didn't bark or anything, but the *geese*? Oh *no*! That's when I find out they were taking the car, too. And you could hear—the geese, they don't stop. When they see a stranger, they go, "*Voo, voo-voo, voo*." And one time I woke up. I say, "Wow, what is that noise?' And heard the garage door. And I came downstairs, and…I call the police on my own kid. And his friend was begging me and, "Mrs. De Santiago. Please don't—don't—don't—don't call my parents. Don't call the police." I say, "I have to do it."

It was a gift, that someone gave me? And I did not know that they were that [good]—they worse than dogs. They are *so* good. They died. But I, uh—they did so good on me that when—how do you say, when you stuff it? [They did so good on me, that when they died] I sent for them to be stuffed. And I have them in my house. And they know, my kids know. They say, "This is Rosita and this is Frankie." They know, because they have memories.

I had to move from Vallejo. I say, "I have to move from here." 'Cause I—I didn't want none of my kids to go to jail. You know, you start seeing a lot of things, in the news, I don't want none of my kids…none of *my* family. Who wants that? *Nobody*.

Featured in chronological order throughout this issue are 17 literary works that bring to life consequential moments in African-American history. All are original compositions by contemporary black writers who were asked to create brief explorations of important events or people.

● August 1619: A ship arrives in Point Comfort, Va., carrying more than 20 enslaved Africans, the first on record to be brought to the English colony of Virginia. They are among the 12.5 million Africans forced into the trans-Atlantic slave trade, their journey to the New World today known as the Middle Passage.



Over the course of 350 years,
36,000 slave ships crossed the Atlantic
Ocean. I walk over to the globe & move

my finger back & forth between
the fragile continents. I try to keep
count how many times I drag

my hand across the bristled
hemispheres, but grow weary of chasing
a history that swallowed me.

For every hundred people who were
captured & enslaved, forty died before they
ever reached the New World.

I pull my index finger from Angola
to Brazil & feel the bodies jumping from
the ship.

I drag my thumb from Ghana
to Jamaica & feel the weight of dysentery
make an anvil of my touch.

I slide my ring finger from Senegal
to South Carolina & feel the ocean
separate a million families.

The soft hum of history spins
on its tilted axis. A cavalcade of ghost ships
wash their hands of all they carried.

By Clint Smith

Diagram: Getty Images

Photo illustrations by Jon Key

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THE SHAKARA STORY

A cell phone video of Shakara, a student at Spring Valley High School, being thrown across the room by school resource officer Deputy Ben Fields on October 26, 2015.

The actor sits in front of a screen. Wearing a hoodie that could pass either in the South Bronx or on Madison Avenue, in that hip-hop fashion way. The hoodie is worn for both Amanda Ripley and Niya Kenny. Next to the chair, a water bottle.

[Slide]

AMANDA RIPLEY

JOURNALIST
WASHINGTON, DC

“The Shakara Story”

“The Shakara Story”

(*Amanda is a very fit woman in her early forties. She plays soccer. You can tell she’s an athlete because of the efficiency of her movements and her posture. She has a very friendly demeanor. She is a journalist and has a bit of an intrepid air about her. An obvious sense of humor. Wearing sandals. The interview was done during the summertime in Washington, DC.*)

Niya Kenny. Who was the oldest girl in the class. She was sitting there in this Algebra 1 class that she’d failed as a freshman and needed to pass to graduate. And she was doing well in that class actually! So she’s [an] eighteen-year-old African American girl, and she—she had a good rapport with the teacher, she had an A average, and she’s working on a—each of them working on their laptops. Uh, on…*math* problems.

And [Niya] sees the teacher whisper something. She sees the whisp—the teacher, Mr. Long, who’s a veteran math teacher, white man, whisper something to one of the other kids in the class. A girl. Who doesn’t—she doesn’t—Niya doesn’t know her name, but she doesn’t talk much, she’s new to the class, this girl. Shakara. As it turns out. And then Niya sees Mr. Long go back to his desk and pick up the phone and call for someone to escort someone outta the classroom.

And Niya looks at Shakara and she says (*acting this out*), “You?” Like, “Is this for you?” Like, she mouths. And Shakara nods, and she [Niya] thought that was strange, ’cause…she hadn’t seen…I guess apparently, you know, Shakara had taken out her phone. We still don’t know exactly why or what happened, but she didn’t…Either she wouldn’t put it away or she wouldn’t give it up. I think it was that she wouldn’t give up her phone. *To* the teacher. Sometimes, at that

school, if you take out your phone, they'll take it for the day. It's pretty routine policy.

So, for whatever reason, that we still don't know, Shakara got in trouble with this teacher. And um he called the assistant principal, Mr. Webb, who came, and according to Niya, uh, he said [to Shakara], "Come with me." Or something to that effect. And Shakara declined to come. And then, according to Niya, he said something to the effect of "I ain't got time to play with y'all today." And he turned around and he left.

And Niya saw him return. (*As if answering a question.*) Black man. And he came back with…uh…Deputy Fields. Who's sort of a large, hulking, uhh, white, police officer. Who also is uh—football coach at the school. And when Niya saw him, she says—she said to the boy sitting next to her, "Take out your phone." So she took her phone out, too, because she had a feeling, she heard stories about this guy—she had a feeling he might do something, you know… *worthy* (*an ironic half laugh*)…of being videotaped…uhh and so.

Well you know what's on the video. When [Deputy Fields] uh, you know, asked [Shakara] to leave. And [Shakara] wouldn't leave with him. And he removed her laptop to the other desk. And he tried to extract [Shakara] from the chair…um…um…rather violently….And then he did eventually extract her from the chair. And Niya filmed this and was getting more and more distraught.

[Slide]

NIYA KENNY

FORMER STUDENT, SPRING VALLEY HIGH SCHOOL
COLUMBIA, SOUTH CAROLINA

“The Shakara Story”

“The Shakara Story”

(*Niya was eighteen at the time of the first interview. Calm, self-possessed, open. Wearing simple clothing. There were two interviews. One took place in a small conference room at a public library in Columbia, South Carolina. The other took place in a rehearsal hall in New York City nine months later. She was more glamorous at that time, having moved to New York.*)

He’s—he’s like, wrestling, trying to get her arms behind her back at this time. On the floor. And they were wrestling for, like, a minute, too. It took Deputy Bradley to come in and get her in handcuffs.

That’s what I was thinking, too! This man is, like, three hundred pounds, body builder, and you couldn’t get her…I don’t know. She was like, kinda—her arms were may—in some kind of way. Maybe he thought, you know, “I would break her arm if I just go like this.” (*She gestures.*) So maybe he wasn’t trying to do that. But I—I don’t—I really don’t know what was going through his head, her head, or anything. I know he couldn’t get her in those handcuffs. That’s all.

I was like, “*Is nobody gonna help her?*” I’m like: “*Somebody record this! Put it on Snapchat!*” And then I’m askin’ Mr. Webb and Mr. Long, I’m just like: “*Look,*” like, what I— “*Nobody’s gonna help her?*” I turn to Mr. Long, I’m just like: “*You did this! You didn’t even have to call the administrator!*” I was just…(*Breathes out, long and heavy.*)

AMANDA RIPLEY: And then she says, “What the *fuck*! What the *fuck*!” And then the teacher—the assistant principal says, “Niya… Niya…” and tries to—to calm her down. And she won’t *be* calmed down, and then the cop turns to her and says—and—and says—and—and says something, we don’t know what, but according to [Niya], something like, “You got so much to say? ’Cause you’re coming next.”

And then he [Deputy Fields] comes back, after he takes Shakara, and he comes back. He…um…Niya at that point becomes passive, because she realizes he’s not joking, and she stands up and puts her hands behind her back and he handcuffs her and—and then he takes [Niya] to *another* room, where Shakara is.

Shakara’s kind of leaning down, she’s still handcuffed. She’s got her braids falling in her face. And he flips the braids out of Shakara’s face? And he says to her, according to Niya, “Did you take your meds today?” And this is the *one* thing Shakara says. She finally says something. She says: “Yes. Did *you*?”

Which I thought was great! That was great, that was a great teenage response right there. And uh…just perfect.

And then he leaves again. And then Shakara’s apparently released into the care of a guardian. She’s in foster care. I don’t know which guardian.

And then Niya Kenny is eighteen, so she’s considered an adult. So she’s sittin’ there waiting. Still handcuffed. And she hears over Fields’s walkie-talkie that the uh the transport is here. And she starts crying. ’Cause she knows that’s for her and he’s not joking. Like she keeps thinking, “*Maybe* he’s gonna release me. Maybe it’s just to scare me.” And she goes outside, and there’s a paddy wagon—police paddy wagon, right? They drive Niya to the detention center. It was an adult jail.

NIYA KENNY: The whole time I was thinking about, "I'm embarrassing my mom. My mom's gonna be mad. She's gonna kill me." Like, "Mom, Mom, Mom." That's the only person I'm thinking about. I was like, "Oh God, I'm gonna get outta this jail and she's gonna beat me right in the yard."

But everybody in the jail was like normal people to me. Everybody was nice, y'know. When they saw the video on the TV news, they was like, "Whaaa…" Everybody. Everybody was like, "Whaaaaa…He threw that little girl like that? And you was in there? Oh, *girl* you goin' *home*, you goin' *home*."

And then when I saw [the video] on the news, when I saw the video, I was like, "I know she saw it!" The first thing that—that, uh, went through my mind was like, "My mom saw it! I know she did! I'm not in trouble anymore! I'm not in trouble!" So I call my mom, and she was like, "Niya, you don't even know. The news is out here. They wanna interview you. *Good Morning America* is coming to the house tonight—"

I don't know. I don't know what it is. It's just somethin' inside of me, that I don't know, makes me snap, when I see people bein' mistreated, I guess. I'm talking about elementary school, I *never* held my tongue. One time in third grade, one of my friends was bein' bad in class in third grade. And my teacher was, um…was (*whispering*) a *white* lady. You know, and I knew about racism, because my dad had always taught his kids, like, since we were in kindergarten, like, always raised us to know about racism, like, "Know your history." So one time she grabbed this boy—like, picked him up by his *cheek* out of the chair. And I just lost it. I lost it! Lost it in the classroom. I was like, "You are not his mom! You can't touch him like that! That is—that's not your job! Your job is to teach us! You do not pick a student up by his cheek out of the chair!" Like, yeah. I was really mad. And um…she wrote me up for bein' disrespectful and um belligerent. And so that was my first after-school detention. Yeah. So that's why—

that's why I feel like I was born, y'know, with this. Because what third grader do you know would've stood up for, you know, her friend after the teacher pinch his cheek?

(*She listens to a question.*)

Shakara? We—we didn't really—on—we—we didn't really talk. Like, throughout this whole year. We—we talked, but not like… maybe people expected us to? I don't know? Like, talk every single day, like, "We're close friends now." We're—we're still just as distant as we were before I stood up for her. And initially, I was like, "Is this girl, like, ungrateful?" Like, "I literally sat in jail for a day for standing up for you." But…at the same time, you know, I was also—not at the same time, 'cause that was like me initially thinking. But after that, thinking more on it, I just figured it was because—I don't know, like, maybe she wanted to be alone? Maybe…I knew that she didn't wanna always talk about, you know, the incident, and so when I did reach out to her, it was never talking about that. It was like, "How are you doing? Do you need anything?" You know, like, "If"—always telling her—"if you need anything, I'm here." But she's never reached out to me for anything. (*She listens to a question.*) She's actually in a home right now. Like, one of those group homes. I don't know how she ended up there.

I knew when they told my mom, when the school called her, they were gonna say, "Niya got in something that didn't involve her." And that's exactly what they did. So I knew her mind-set was gonna be, "Oh, Niya. Why didn't you be quiet?"

You know, because that's the response I got in third grade. You know, and "Mind your business, it didn't have nothin' to do with you." And I'm, "But she picked this boy up by his cheek!" You know?

And then, *they're* telling me, "Mind your business, this didn't have nothing to do with you." "But he just threw a whole girl across the classroom!" How can you mind your business? Like, that's somethin' you need to *make* your business.

I've got a friend who's an incurable Pandora guy,

and one Saturday while we were making dinner, he found a station called Yacht Rock. "A tongue-in-cheek name for the breezy sounds of late '70s/early '80s soft rock" is Pandora's definition, accompanied by an exhortation to "put on your Dockers, pull up a deck chair and relax." With a single exception, the passengers aboard the yacht were all dudes. With two exceptions, they were all white. But as the hours passed and dozens of songs accrued, the sound gravitated toward a familiar quality that I couldn't give language to but could practically taste: an earnest Christian yearning that would reach, for a moment, into Baptist rawness, into a known warmth. I had to laugh — not because as a category Yacht Rock is absurd, but because what I tasted in that absurdity was black.

I started putting each track under investigation. Which artists would saunter up to the racial border? And which could do their sauntering without violating it? I could hear degrees of blackness in the choir-loft certitude of Doobie Brothers-era Michael McDonald on "What a Fool Believes"; in the rubber-band soul of Steely Dan's "Do It Again"; in the malt-liquor misery of Ace's "How Long" and the toy-boat wistfulness of Little River Band's "Reminiscing."

Then Kenny Loggins's "This Is It" arrived and took things far beyond the line. "This Is It" was a hit in 1979 and has the requisite smoothness to keep the yacht rocking. But Loggins delivers the lyrics in a desperate stage whisper, like someone determined to make the kind of love that doesn't wake the baby. What bowls you over is the intensity of his yearning — teary in the verses, snarling during the chorus. He sounds as if he's baring it all yet begging to wring himself out even more.

Playing black-music detective that day, I laughed out of bafflement and embarrassment and exhilaration. It's the conflation of pride and chagrin I've always felt anytime a white person inhabits blackness with gusto. It's: *You have to hand it to her.* It's: *Go, white boy. Go, white boy. Go.* But it's also: *Here we go again.* The problem is rich. If blackness can draw all of this ornate literariness out of Steely Dan and all this psychotic origami out of Eminem; if it can make Teena Marie sing everything — "Square Biz," "Revolution," "Portuguese Love," "Lovergirl" — like she knows her way around a pack of Newports; if it can turn the chorus of Carly Simon's "You Belong to Me" into a gospel hymn; if it can animate the swagger in the sardonic vulnerabilities of Amy Winehouse; if it can surface as unexpectedly as it does in the angelic angst of a singer as seemingly green as Ben Platt; if it's the reason Nu Shooz's "I Can't Wait" remains the whitest jam at the blackest parties, then it's proof of how deeply it matters to the music of being alive in America, alive *to* America.

It's proof, too, that American music has been fated to thrive in an elaborate tangle almost from the beginning. Americans have made a political investment in a myth of racial separateness, the idea that art forms can be either "white" or "black" in character when aspects of many are at least both. The purity that separation struggles to maintain? This country's music is an advertisement for 400 years of the opposite: centuries of "amalgamation" and "miscegenation" as they long ago called it, of all manner of interracial collaboration conducted with dismaying ranges of consent.

"White," "Western," "classical" music is the overarching basis for lots of American pop songs. Chromatic-chord harmony, clean timbre of voice and instrument: These are the ingredients for some of the hugely singable harmonies of the Beatles, the Eagles, Simon and Fleetwood Mac, something choral, "pure," largely ungrained. Black music is a completely different story. It brims with call and response, layers of syncopation and this rougher element called "noise," unique sounds that arise from the particular hue and timbre of an instrument — Little Richard's woos and knuckled keyboard zooms. The dusky heat of Miles Davis's trumpeting. Patti LaBelle's emotional police siren. DMX's scorched-earth bark. The visceral stank of Etta James, Aretha Franklin, live-in-concert Whitney Houston and Prince on electric guitar.

But there's something even more fundamental, too. My friend Delvyn Case, a musician who teaches at Wheaton College, explained in an email that improvisation is one of the most crucial elements in what we think of as black music: "The raising of individual creativity/expression to the highest place within the aesthetic world of a song." Without improvisation, a listener is seduced into the composition of the song itself and not the distorting or deviating elements that noise creates. Particular to black American music is the architecture to create a means by which singers and musicians can be completely free, free in the only way that would have been possible on a plantation: through art, through music — music no one "composed" (because enslaved people were denied literacy), music born of feeling, of play, of exhaustion, of hope.

What you're hearing in black music is a miracle of sound, an experience that can really happen only once — not just melisma, glissandi, the rasp of a sax, breakbeats or sampling but the mood or inspiration from which those moments arise. The attempt to rerecord it seems, if you think about it, like a fool's errand. You're not capturing the arrangement of notes, per se. You're catching the spirit.

And the spirit travels from host to host, racially indiscriminate about where it settles, selective only about who can withstand being possessed by it. The rockin' backwoods blues so bewitched Elvis Presley that he believed he'd been called by blackness. Chuck Berry sculpted rock 'n' roll with uproarious guitar riffs and lascivious winks at whiteness. Mick Jagger and Robert Plant and Steve Winwood and Janis Joplin and the Beatles jumped, jived and wailed the black blues. Tina Turner wrested it all back, tripling the octane in some of *their* songs. Since the 1830s, the historian Ann Douglas writes in "Terrible Honesty," her history of popular culture in the 1920s, "American entertainment, whatever the state of American society, has always been integrated, if only by theft and parody." What we've been dealing with ever since is more than a catchall word like "appropriation" can approximate.

Opening pages: Source photograph of Beyoncé: Kevin Mazur/Getty Images. Holiday: Paul Hoeffler/Redferns, via Getty Images. Turner: Gai Terrell/Redferns, via Getty Images. Richards: Chris Walter/WireImage, via Getty Images. Lamar: Bennett Raglin/Getty Images. Above left: From The New York Public Library. Above right: Shutterstock.

The blackface performer Thomas Dartmouth Rice (T. D. Rice), who pioneered the "Jim Crow" character, in a portrait from the mid-1800s.

Sheet music of "Jim Crow Jubilee: A Collection of Negro Melodies," published in 1847.

The truth is more bounteous and more spiritual than that, more confused. That confusion is the DNA of the American sound.

It's in the wink-wink costume funk of Beck's "Midnite Vultures" from 1999, an album whose kicky nonsense deprecations circle back to the popular culture of 150 years earlier. It's in the dead-serious, nostalgic dance-floor schmaltz of Bruno Mars. It's in what we once called "blue-eyed soul," a term I've never known what to do with, because its most convincing practitioners — the Bee-Gees, Michael McDonald, Hall & Oates, Simply Red, George Michael, Taylor Dayne, Lisa Stansfield, Adele — never winked at black people, so black people rarely batted an eyelash. Flaws and all, these are homeowners as opposed to renters. No matter what, though, a kind of gentrification tends to set in, underscoring that black people have often been rendered unnecessary to attempt blackness. Take Billboard's Top 10 songs of 2013: It's mostly nonblack artists strongly identified with black music, for real and for kicks: Robin Thicke, Miley Cyrus, Justin Timberlake, Macklemore and Ryan Lewis, the dude who made "The Harlem Shake."

Sometimes all the inexorable mixing leaves me longing for something with roots that no one can rip all the way out. This is to say that when we're talking about black music, we're talking about horns, drums, keyboards and guitars doing the unthinkable together. We're also talking about what the borrowers and collaborators don't want to or can't lift — centuries of weight, of atrocity we've never sufficiently worked through, the blackness you know is beyond theft because it's too real, too rich, too heavy to steal.

Blackness was on the move before my ancestors were legally free to be. It was on the move before my ancestors even knew what they had. It was on the move because white people were moving it. And the white person most frequently identified as its prime mover is Thomas Dartmouth Rice, a New Yorker who performed as T. D. Rice and, in acclaim, was lusted after as "Daddy" Rice, "the negro *par excellence*." Rice was a minstrel, which by the 1830s, when his stardom was at its most refulgent, meant he painted his face with burned cork to approximate those of the enslaved black people he was imitating.

In 1830, Rice was a nobody actor in his early 20s, touring with a theater company in Cincinnati (or Louisville; historians don't know for sure), when, the story goes, he saw a decrepit, possibly disfigured old black man singing while grooming a horse on the property of a white man whose last name was Crow. On went the light bulb. Rice took in the tune and the movements but failed, it seems, to take down the old man's name. So in his song based on the horse groomer, he renamed him: "Weel about and turn about jus so/Ebery time I weel about, I jump Jim Crow." And just like that, Rice had invented the fellow who would become the mascot for two centuries of legalized racism.

That night, Rice made himself up to look like the old black man — or something like him, because Rice's get-up most likely concocted skin blacker than any actual black person's and a gibberish dialect meant to imply black speech. Rice had turned the old man's melody and hobbled movements into a song-and-dance routine that no white audience had ever experienced

Ma Rainey, an early blues singer who performed in black minstrel shows, with her band.

before. What they saw caused a permanent sensation. He reportedly won 20 encores.

Rice repeated the act again, night after night, for audiences so profoundly rocked that he was frequently mobbed *during* performances. Across the Ohio River, not an arduous distance from all that adulation, was Boone County, Ky., whose population would have been largely enslaved Africans. As they were being worked, sometimes to death, white people, desperate with anticipation, were paying to see them depicted at play.

Other performers came and conquered, particularly the Virginia Minstrels, who exploded in 1843, burned brightly then burned out after only months. In their wake, P.T. Barnum made a habit of booking other troupes for his American Museum; when he was short on performers, he blacked up himself. By the 1840s, minstrel acts were taking over concert halls, doing wildly clamored-for residencies in Boston, New York and Philadelphia.

A blackface minstrel would sing, dance, play music, give speeches and cut up for white audiences, almost exclusively in the North, at least initially. Blackface was used for mock operas and political monologues (they called them stump speeches), skits, gender parodies and dances. Before the minstrel show gave it a reliable home, blackface was the entertainment between acts of conventional plays. Its stars were the Elvis, the Beatles, the 'NSync of the 19th century. The performers were beloved and so, especially, were their songs.

During minstrelsy's heyday, white songwriters like Stephen Foster wrote the tunes that minstrels sang, tunes we continue to sing. Edwin Pearce Christy's group the Christy Minstrels formed a band — banjo, fiddle, bone castanets, tambourine — that would lay the groundwork for American popular music, from bluegrass to Motown. Some of these instruments had come from Africa; on a plantation, the banjo's body would have been a desiccated gourd. In "Doo-Dah!" his book on Foster's work and life, Ken Emerson writes that the fiddle and banjo were paired for the melody, while the bones "chattered" and the tambourine "thumped and jingled a beat that is still heard 'round the world."

But the sounds made with these instruments could be only *imagined* as black, because the first wave of minstrels were Northerners who'd never been meaningfully South. They played Irish melodies and used Western choral harmonies, not the proto-gospel call-and-response music that would make life on a plantation that much more bearable. Black artists *were* on the scene, like the pioneer bandleader Frank Johnson and the borderline-mythical Old Corn Meal, who started as a street vendor and wound up the first black man to perform, as himself, on a white New Orleans stage. His stuff was copied by George Nichols, who took up blackface after a start in plain-old clowning. Yet as often as not, blackface minstrelsy tethered black people and black life to white musical structures, like the polka, which was having a moment in 1848. The mixing was already well underway: Europe plus slavery plus the circus, times harmony, comedy and drama, equals Americana.

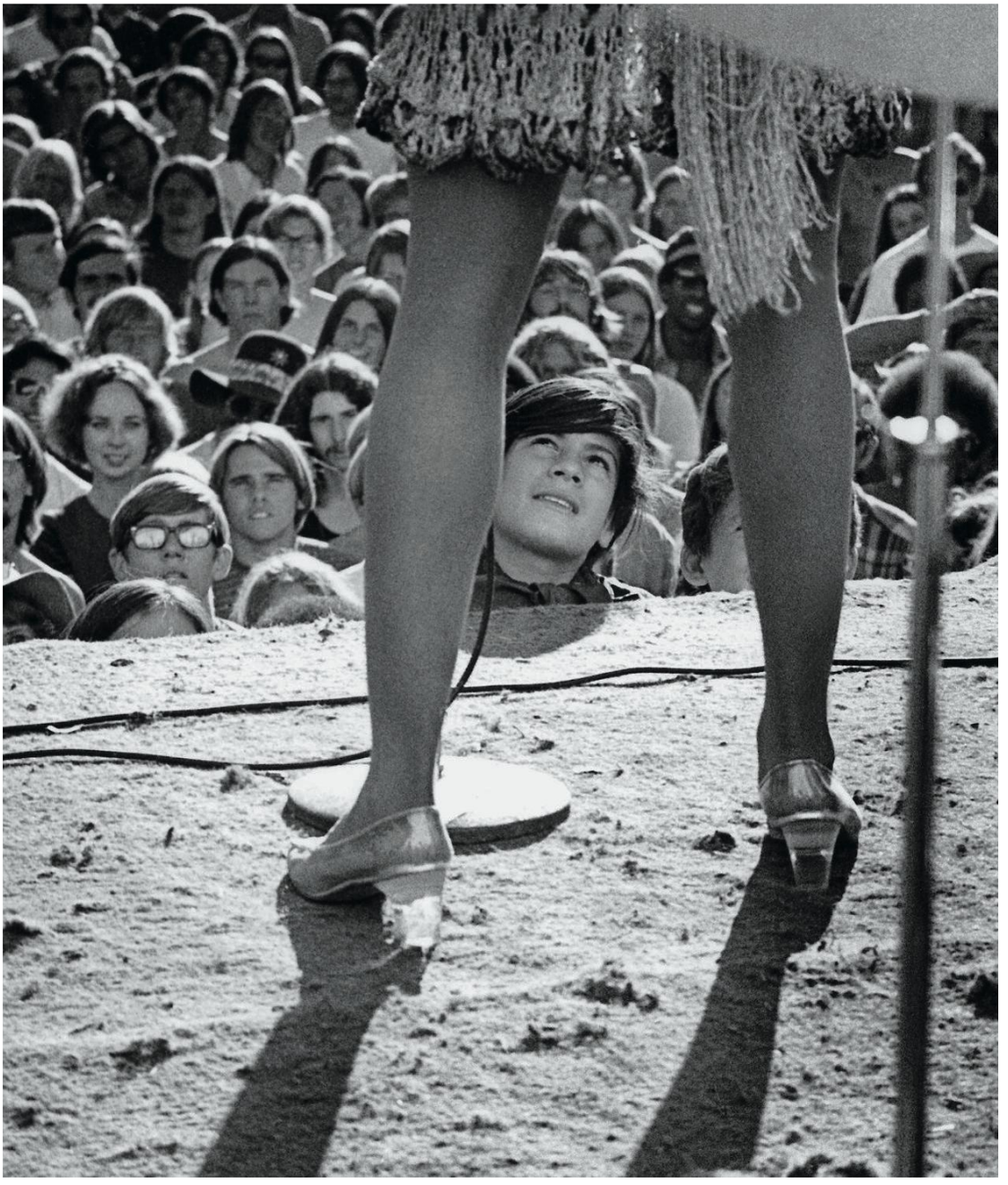
And the muses for so many of the songs were enslaved Americans, people the songwriters had never met, whose enslavement they rarely opposed and instead sentimentalized. Foster's minstrel-show staple "Old Uncle Ned," for instance, warmly if disrespectfully eulogizes the enslaved the way you might a salaried worker or an uncle:

Den lay down de shubble and de hoe,
Hang up de fiddle and de bow:
No more hard work for poor Old Ned —
He's gone whar de good Niggas go,
No more hard work for poor Old Ned —
He's gone whar de good Niggas go.

Such an affectionate showcase for poor old (enslaved, soon-to-be-dead) Uncle Ned was as essential as "air," in the white critic Bayard Taylor's 1850 assessment; songs like this were the "true expressions of the more popular side of the national character," a force that follows "the American in all its emigrations, colonizations and conquests, as certainly as the Fourth of July and Thanksgiving Day." He's not wrong. Minstrelsy's peak stretched from the 1840s to the 1870s, years when the country was as its most violently and legislatively ambivalent about slavery and Negroes; years that included the Civil War and Reconstruction, the ferocious rhetorical ascent of Frederick Douglass, John Brown's botched instigation of a black insurrection at Harpers Ferry and the assassination of Abraham Lincoln.

Minstrelsy's ascent also coincided with the publication, in 1852, of "Uncle Tom's Cabin," a polarizing landmark that minstrels adapted for the stage, arguing for and, in simply remaining faithful to Harriet Beecher Stowe's novel, against slavery. These adaptations, known as U.T.C.s, took over the art form until the end of the Civil War. Perhaps minstrelsy's popularity could be (generously) read as the urge to escape a reckoning. But a good time predicated upon the presentation of other humans as stupid, docile, dangerous with lust and enamored of their bondage? It was an escape into slavery's fun house.

What blackface minstrelsy gave the country during this period was an entertainment of skill, ribaldry and polemics. But it also lent racism a stage upon which existential fear could become jubilation, contempt could become fantasy.



Tina Turner performing at a festival in Lake Amador, Calif., on Oct. 4, 1969.

Left: Redferns via Getty Images. Right: Robert Altman/Michael Ochs Archives/Getty Images.

Paradoxically, its dehumanizing bent let white audiences feel more human. They could experience loathing as desire, contempt as adoration, repulsion as lust. They could weep for overworked Uncle Ned as surely as they could ignore his lashed back or his body as it swung from a tree.

But where did this leave a black performer? If blackface was the country's cultural juggernaut, who would pay Negroes money to perform as themselves? When they were hired, it was only in a pinch. Once, P. T. Barnum needed a replacement for John Diamond, his star white minstrel. In a New York City dance hall, Barnum found a boy, who, it was reported at the time, could outdo Diamond (and Diamond was *good*). The boy, of course, was genuinely black. And his being actually black would have rendered him an outrageous blight on a white consumer's narrow presumptions. As Thomas Low Nichols would write in his 1864 compendium, "Forty Years of American Life," "There was not an audience in America that would not have resented, in a very energetic fashion, the insult of being asked to look at the dancing of a real negro." So Barnum "greased the little 'nigger's' face and rubbed it over with a new blacking of burned cork, painted his thick lips vermilion, put on a woolly wig over his tight curled locks and brought him out as 'the champion nigger-dancer of

the world.'" This child might have been William Henry Lane, whose stage name was Juba. And, as Juba, Lane was persuasive enough that Barnum could pass him off as a white person in blackface. He ceased being a real black boy in order to become Barnum's minstrel Pinocchio.

After the Civil War, black performers had taken up minstrelsy, too, corking themselves, for both white and black audiences — with a straight face or a wink, depending on who was looking. Black troupes invented important new dances with blue-ribbon names (the buck-and-wing, the Virginia essence, the stop-time). But these were unhappy innovations. Custom obligated black performers to fulfill an audience's expectations, expectations that white performers had established. A black minstrel was impersonating the impersonation of himself. Think, for a moment, about the talent required to pull *that* off. According to Henry T. Sampson's book, "Blacks in Blackface," there were no sets or effects, so the black blackface minstrel show was "a developer of ability because the artist was placed on his own." How's that for being twice as good? Yet that no-frills excellence could curdle into an entirely other, utterly degrading double consciousness, one that predates, predicts and probably informs W. E. B. DuBois's more self-consciously dignified rendering.

American popular culture was doomed to cycles not only of questioned ownership, challenged authenticity, dubious propriety and legitimate cultural self-preservation but also to the prison of black respectability, which, with brutal irony, could itself entail a kind of appropriation. It meant comportment in a manner that seemed less black and more white. It meant the appearance of refinement and polish. It meant the cognitive dissonance of, say, Nat King Cole's being very black and sounding — to white America, anyway, with his frictionless baritone and diction as crisp as a hospital corner — suitably white. He was perfect for radio, yet when he got a TV show of his own, it was abruptly canceled, his brown skin being too much for even the black and white of a 1955 television set. There was, perhaps, not a white audience in America, particularly in the South, that would not have resented, in a very energetic fashion, the insult of being asked to look at the majestic *singing* of a real Negro.

The modern conundrum of the black performer's seeming respectable, among black people, began, in part, as a problem of white blackface minstrels' disrespectful blackness. Frederick Douglass wrote that they were "the filthy scum of white society." It's that scum that's given us pause over everybody from Bert Williams and Bill "Bojangles" Robinson to Flavor Flav and Kanye West. *Is their blackness an act? Is the act under white control?* Just this year, Harold E. Doley Jr., an affluent black Republican in his 70s, was quoted in The Times lamenting West and his alignment with Donald Trump as a "bad and embarrassing minstrel show" that "served to only drive black people away from the G.O.P."

But it's from that scum that a robust, post-minstrel black American theater sprung as a new, black audience hungered for actual, uncorked black people. Without that scum, I'm not sure we get an event as shatteringly epochal as the reign of Motown Records. Motown was a full-scale integration of Western, classical orchestral ideas (strings, horns, woodwinds) with the instincts of both the black church (rhythm sections, gospel harmonies, hand claps) and juke joint Saturday nights (rhythm sections, guitars, vigor). Pure yet "noisy." Black men in Armani. Black women in ball gowns. Stables of black writers, producers and musicians. Backup singers solving social equations with geometric choreography. And just in time for the hegemony of the American teenager.

Even now it feels like an assault on the music made a hundred years before it. Motown specialized in love songs. But its stars, those songs and their performance of them were declarations of war on the insults of the past and present. The scratchy piccolo at the start of a Four Tops hit was, in its way, a raised fist. Respectability wasn't a problem with Motown; respectability was its point. How radically optimistic a feat of antiminstrelsy, for it's as glamorous a blackness as this country has ever mass-produced and devoured.

The proliferation of black music across the planet — the proliferation, in so many senses, of being black — constitutes a magnificent joke on American racism. It also confirms the attraction that someone like Rice had to that black man grooming the horse. But something about that desire warps and perverts its source, lampoons and cheapens it even in adoration. Loving black culture has never meant loving black people, too. Loving black culture risks loving the life out of it.

And yet doesn't that attraction make sense? This is the music of a people who have survived, who not only won't stop but also can't be stopped. Music by a people whose major innovations — jazz, funk, hip-hop — have been about progress, about the future, about getting as far away from nostalgia as time will allow, music that's thought deeply about the allure of outer space and robotics, music whose promise and possibility, whose rawness, humor and carnality call out to everybody — to other black people, to kids in working class England and middle-class Indonesia. If freedom's ringing, who on Earth wouldn't also want to rock the bell?

In 1845, J. K. Kennard, a critic for the newspaper The Knickerbocker, hyperventilated about the blackening of America. Except he was talking about blackface minstrels doing the blackening. Nonetheless, Kennard could see things for what they were:

> "Who are our true rulers? The negro poets, to be sure! Do they not set the fashion, and give laws to the public taste? Let one of them, in the swamps of Carolina, compose a new song, and it no sooner reaches the ear of a white *amateur*, than it is written down, amended, (that is, almost spoilt,) printed, and then put upon a course of rapid dissemination, to cease only with the utmost bounds of Anglo-Saxondom, perhaps of the world."

What a panicked clairvoyant! The fear of black culture — or "black culture" — was more than a fear of black people themselves. It was an anxiety over white obsolescence. Kennard's anxiety over black influence sounds as ambivalent as Lorde's, when, all the way from her native New Zealand, she tsk-ed rap culture's extravagance on "Royals," her hit from 2013, while recognizing, both in the song's hip-hop production and its appetite for a particular sort of blackness, that maybe she's too far gone:

> Every song's like gold teeth, Grey Goose, trippin' in the bathroom
> Bloodstains, ball gowns, trashin' the hotel room
> We don't care, we're driving Cadillacs in our dreams
> But everybody's like Cristal, Maybach, diamonds on your timepiece
> Jet planes, islands, tigers on a gold leash
> We don't care, we aren't caught up in your love affair

Beneath Kennard's warnings must have lurked an awareness that his white brethren had already fallen under this spell of blackness, that nothing would stop its spread to teenage girls in 21st-century Auckland, that the men who "infest our promenades and our concert halls like a colony of beetles" (as a contemporary of Kennard's put it) weren't black people at all but white people just like him — beetles and, eventually, Beatles. Our first most original art form arose from our original sin, and some white people have always been worried that the primacy of black music would be a kind of karmic punishment for that sin. The work has been to free this country from paranoia's bondage, to truly embrace the amplitude of integration. I don't know how we're doing.

Last spring, "Old Town Road," a silly, drowsy ditty by the Atlanta songwriter Lil Nas X, was essentially banished from country radio. Lil Nas sounds black, as does the trap beat he's droning over. But there's definitely a twang to him that goes with the opening bars of faint banjo and Lil Nas's lil' cowboy

Lil Nas X, left, and Billy Ray Cyrus perform in Indio, Calif., in 2019.

Photography by Frazer Harrison/Getty Images

fantasy. The song snowballed into a phenomenon. All kinds of people — cops, soldiers, dozens of dapper black promgoers — posted dances to it on YouTube and TikTok. Then a crazy thing happened. It charted — not just on Billboard's Hot 100 singles chart, either. In April, it showed up on both its Hot R&B/Hip-Hop Songs chart and its Hot Country Songs chart. A first. And, for now at least, a last.

The gatekeepers of country radio refused to play the song; they didn't explain why. Then, Billboard determined that the song failed to "embrace enough elements of today's country music to chart in its current version." This doesn't warrant translation, but let's be thorough, anyway: *The song is too black for certain white people.*

But by that point it had already captured the nation's imagination and tapped into the confused thrill of integrated culture. A black kid hadn't really merged white music with black, he'd just taken up the American birthright of cultural synthesis. The mixing feels historical. Here, for instance, in the song's sample of a Nine Inch Nails track is a banjo, the musical spine of the minstrel era. Perhaps Lil Nas was *too* American. Other country artists of the genre seemed to sense this. White singers recorded pretty tributes in support, and one, Billy Ray Cyrus, performed his on a remix with Lil Nas X himself.

The newer version lays Cyrus's casual grit alongside Lil Nas's lackadaisical wonder. It's been No. 1 on Billboard's all-genre Hot 100 singles chart since April, setting a record. And the bottomless glee over the whole thing makes me laugh, too — not in a surprised, yacht-rock way but as proof of what a fine mess this place is. One person's sign of progress remains another's symbol of encroachment. *Screw the history. Get off my land.*

Four hundred years ago, more than 20 kidnapped Africans arrived in Virginia. They were put to work and put through hell. Twenty became millions, and some of those people found — somehow — deliverance in the power of music. Lil Nas X has descended from those millions and appears to be a believer in deliverance. The verses of his song flirt with Western kitsch, what young black internetters branded, with adorable idiosyncrasy and a deep sense of history, the "yee-haw agenda." But once the song reaches its chorus ("I'm gonna take my horse to the Old Town Road, and ride til I can't no more"), I don't hear a kid in an outfit. I hear a cry of ancestry. He's a westward-bound refugee; he's an Exoduster. And Cyrus is down for the ride. Musically, they both know: This land is their land. ◆

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DENISE DODSON

INMATE, MARYLAND CORRECTIONAL INSTITUTION FOR WOMEN
STUDENT, GOUCHER PRISON EDUCATION PARTNERSHIP
JESSUP, MARYLAND

“That, *That* Was It and That Was *All*”

“That, *That* Was It and That Was *All*”

(*A loud prison sound. A gate slamming. Dodson is soft-spoken, poised. Sitting in a chair with a legal pad, a pen, and reading glasses on her lap. Wears a T-shirt, blue cotton prison pants. She wears winter-style hiking boots, though it’s the middle of summer. Thoughtful, humble, but self-possessed, apparent wisdom. Sitting very still, no superfluous movements. At some point an announcement will blast over the PA system, interrupting the monologue momentarily.*)

And now I’m in college [here at the Maryland Correctional Institution] and I see where I’ve missed out on a *lot*. A lotta information, a lot of important information that…would’ve helped me make better decisions. As far as, the—uhhm…my baby’s father? The people that I chose to, to actually be with, uhhm, and planned to spend my life with? I kinda gravitated to my environment versus reaching out *past* the environment, and I started believing that *that* was it and that was *all*. Uhhm. And the only thing that was required *of* me was *for* me. And that was basically…to feed my*self*. And the baby that I was carrying in it.

Everything was *me*, it was never like—the next-door neighbor could be going through the same thing. If I was educated in, to that degree, then I would’ve made better decisions. Uhhm…I guess I can say that I just wasn’t connecting to everything, because I wasn’t given enough information to know that we all are connected somehow. To every living, breathing thing. And I didn’t *get* that.

But this experience has showed me how connected I really am to the person next door, down the street or whatever.

Uhhm, how important it is to come together and…I’ve learned how the government work. Like, I didn’t— I never understood that,

what was the governor for, or what, you know, was the mayor for. I don't get it, I don't understand, I understand that they are important people, but to what degree of importance, what are they there for? And I never really got that in my history classes. So to get that, now, as a grown woman, is like, whoa.

(*Listens to a question.*)

Finding out what this world is really all about, how it revolves, what's expected of you as a citizen? Basically to work together? In a unit? To pave the way for those who are coming *behind* us. Uhhm, to make better living arrangements for everybody as a whole? Because of, I mean at the end of the day, it's about living. And it's about living *properly*. And it's about educating others and, uh, rearing your children properly. So that *they* can be productive and…and not be barbaric, basically!

(*Listens to a question.*) I had six children, now I have five, one has passed away since I been here? The oldest being thirty-four and the youngest is twenty-one. I've been here for twenty-three years. Had my last child at the Baltimore City Detention Center.

(*Crying, but discreetly.*) Well, my…boyfriend—former boyfriend, 'cause we weren't together anymore. Shot and killed the guy who tried to rape me.

(*Listens to a question.*)

They didn't—call it accomplice though, I have the same charge as he has.

(*Listens to a question.*)

First-degree murder.

(*Listens to a question, struggles to stay composed, cries quietly.*)

When you're talking about somebody's life, whether it was (*crying*) whether it was in your control or not…somebody's life has been taken. So, I do think it's fair.

I think that had I had a better education, had—I would have made better decisions. I would have been more upright, so to speak. Because when I didn't have that education, I always felt less than. You know, my self-esteem wasn't the way it shouldn't have been.

Had I been educated to know that, you know, I *am* somebody, I *am* a good person uhhm…

(*Listens to a question.*)

I just made parole. But the paperwork has to go to the governor first and he has to approve it first.

And so now that I've been raising dogs [here while I'm incarcerated] and training them to go and help people who have disabilities like—like, that's my purpose. I think it's my way of expressing love towards people who really *need*—who really need something or someone. There's a lot of people who're, like, alone, or whatever. So…I get a chance to express it through the dogs that I train.

(*Listens to a question.*)

I definitely trust them to carry that love. I mean they do so well here. They—very loyal and loving and—but uhhm, yeah. They're amazing.

There are times when you, when…you may be going through something, and people will be like, so into themselves and what they doing. I'm not saying that they're…just ignoring you totally, like they don't *care*? But they're not gonna stop. And give you a hug or…bring you up outta that emotion. They just don't do that. They'll be like, "*Oh you be ahyight!*" With a dog, it's like, it's so different. She'll jump on me, roll around on the floor, make me play with her, and then I'm like, "Okay." Get myself together, and think about how I'll move through this.

(*Listens to a question.*)

Labrador retrievers, golden retrievers, and right now I have a standard…labradoodle.

[How do I feel about talking to you today?] (*Softly.*) The more I talk, the better I'll get. That's how I feel. (*Louder.*) I said the more I talk, the better I'll get, that's how I feel. Because a lot of times you don't…it's good to hear yourself, 'cause then then you're like, thinking things through and you—you're finding out more and more about yourself, like, as I sit here, I'm finding more and more out

about myself. And how connected education and survival are in me as a person. Y'know, and still have more room to grow.

[Is there anything we talked about today that I haven't thought about in a long time?] Mmm—yeah, I didn't think about school [for a long time now till today] like, elementary school, and how much I wasn't getting that attention that I needed through the teachers. I think if I had gotten that attention, I could have moved *forward* and not stayed stagnated in that, "I'm not sure if I'm doing, I'm accurate, like I'm doing the right thing." Yeah. I mean, because if you're *wrong* about something, and you have a wrong *answer*, and there's no one there to say, "Well, this is wrong and this is why," then you stay right there. That's where you stay at. So…

Well, if I didn't correct [the dogs], then they would be…yeah, they would just do anything, they'd do whatever they want. They wouldn't have no…boundaries. But they do. Because they're being taught. Constant. All day, every day…it's teaching them, and praising them, and letting them know that they're doing the right thing. And…we get really good results, like…out of a hundred dogs, eighty-nine of those dogs are gonna make it.

And I think if the teachers were more…involved, with the schoolwork and the children *as people*, as the little people that they really are, I think that they would progress better. Think that they would be better…people.

Oh! If they don't see them as little people, they—they're just seeing them as…They have to see 'em as people. They have to see them as the future. They have to see them as people who are gonna go out and be their next-door neighbors. So they have to see them as people and teach them all that they can, while they can. 'Cause they're…at that stage where they absorb everything. And if they not absorbing all the right things, then…yeah. That's…barbaric.

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Ms. Dodson was released from prison in 2018.

Their ancestors were enslaved by law. Today, they are graduates of the nation's pre-eminent historically black law school.

Photographs by Djeneba Aduayom

Introduction by Nikole Hannah-Jones

Captions by Wadzanai Mhute

In the history of the United States, black Americans were the only group for whom it was ever illegal to learn to read or write. And so when emancipation finally came, schools and colleges were some of the first institutions that the freed people clamored to build. Black Americans believed that education meant liberation, and just eight months after the Civil War, the first historically black college opened in the South.

Howard University is among the most venerable of these institutions. Chartered in Washington in 1867, the school has educated some of the nation's most notable black Americans, including Toni Morrison, Andrew Young, Zora Neale Hurston and Paul Laurence Dunbar. But where Howard has had perhaps the most indelible impact on black lives — and on the country — has been its law school. Leading up to the civil rights movement, Howard was virtually the only law school in the South that served black students. It became an incubator for those who would use the law to challenge racial apartheid in the North and the South and help make the country more fair and democratic. Many of the architects of campaigns for black equality either taught at or graduated from Howard, including Mary Ann Shadd Cary and Thurgood Marshall.

The school continues that legacy today, producing more black lawyers than perhaps any other institution. In May, it graduated its 148th class, and the four newly minted lawyers featured here were among the graduates. All of them descended from people enslaved in this country. We asked Kenyatta D. Berry, a genealogist who specializes in tracing black Americans' roots back to slavery, to research their families and tell each of them, and us, something about one of those enslaved ancestors.

What Berry could and could not find reveals its own story about the occluded heritage of black Americans. Because enslaved people were treated as chattel, they are rarely found in government birth and death records but instead must be traced through the property ledgers of the people who owned them. Berry often has to work backward through documents, locating ancestors in the 1870 census, when they were counted as people for the first time, or through the records of the Freedmen's Bureau. Because 95 percent of enslaved people were illiterate at the end of the Civil War, the chances of finding old letters — or diaries or family trees stuffed in Bibles — are exceedingly low. And so for these graduates, like many black Americans, the holes in their family histories can outnumber the answers.

Still, more than any written record, today's nearly 44 million black Americans are themselves the testimony of the resiliency of those who were enslaved, of their determination to fight and survive so that future generations would have the opportunities that they never would. The story of black America is one of tragedy and triumph. These graduates represent nothing less than their ancestors' wildest dreams.

Elijah Porter, 26

(Previous page, with his father, Elijah)

Hometown: Atlanta
Post-law-school plans: He has been hired as a corporate associate at a law firm in Mountain View, Calif., where he aims to become a partner in five years.

Elijah Porter's ancestor Moses Turner was born in April 1839 in Georgia. At the time of the 1870 census, he and his wife, Sarah, had five children between 6 months and 9 years. The family lived on 265 acres valued at $750 ($14,665 in today's dollars). Turner was an employer, and the farm produced cotton, sweet potatoes, molasses, butter and Indian corn.

By 1910 the Turners had no mortgage and were living with three daughters who worked as laborers on their farm. Turner died in 1917 and did not leave a will; his wife was the administrator of his estate.

"The way the story is always told is that we were slaves, we got free and now here we are and we didn't make any positive contributions to America," Porter said. "So when I am reading about Moses Turner, not only is he a landowner but he is contributing to the American economy, he knows agriculture, he is married and has children. I was really in shock because I always wanted to know my history." Porter also found some irony in the story of Turner's death. "The interesting thing was he died without a will," he said. "The story of me becoming an attorney was already written before I knew about it."

Septembra LeSane, 29

(Above, with her grandmother Leola, left, and her mother, Debra, middle)

Hometown: Pompano Beach, Fla.
Post-law-school plans: To start a practice focusing on environmental civil rights and entertainment law.

Septembra LeSane's maternal great-great-grandmother Georgia Wilcox was born after the Civil War, in 1885, to Sandy Wilcox, who was born into slavery around 1854, in Wilcox County, Ga. (Sandy married Artimisha Roundtree in 1873, but Roundtree is not listed in any available documents as Georgia's

mother.) Georgia's paternal grandfather, Silas Wilcox, was born enslaved in 1822 in Georgia. In 1867 Wilcox took an oath of allegiance to the United States in order to register to vote in Pulaski County, Ga. According to the 1880 Agricultural Census Schedule, Silas was a sharecropper.

"It gave me chills," LeSane said. "Chills to know that slavery was not that long ago, to feel the connection. My grandmother knew her grandmother, and her grandmother was the daughter of slaves."

LeSane is one of seven children. She said her family used to return to Georgia for vacations when she was younger and they walked through cotton fields. She remembers the vastness of the land and thinking of her ancestors working in the hot sun on the same land. Learning more about Georgia Wilcox and her other ancestors, she said, "brought those images back to me. It showed me what they endured; they never wavered, they endured, so we wouldn't experience any of that. As a sixth-generation descendant of slavery, I am essentially a part of the first generation of descendants to carry the torch that was lit by my ancestors into true freedom."

Ky'Eisha Penn, 28
(With her mother, Teresa, right)

Hometown: Miami and Augusta, Ga.
Post-law-school plans: To be a civil rights lawyer; she begins a fellowship at the A.C.L.U. in New Jersey in September.

Ky'Eisha Penn's ancestors on her mother's side include Phillip Officer, who was born into slavery on Oct. 18, 1837, in Tennessee. His unusual surname apparently connects him to a nearby landowner: The 1850 U.S. Census Agricultural Schedule indicates that James C. Officer had 19 slaves, one of them a boy whose age matched Phillip's.

By the time of the 1870 census, Phillip Officer was working as a farm laborer, probably a sharecropper, which would explain why census records indicate he was living in the household of a woman named Sarah Turney. Within a decade, Officer was married to a woman named Emeline (her maiden name and origins are unknown) with two sons and had become a landowner himself. According to the 1880 Agricultural Schedule, he owned 66 acres, and his farm was worth $400 ($10,045 in today's dollars); his livestock and machinery were valued at $200 ($5,022). By 1900, Officer owned his farm outright.

"My mom and I were dissecting this history, and we were wowed by it," Penn said. "He was a slave, but when he died he owned land." Her ancestor's story resonated with her, she said, as a person who was raised by a single mother with limited resources and who has just graduated with a dual degree in law from Howard and a master's in African-American history from Florida A.& M. "I wanted to be challenged by the history, molded by the history and then become a part of it," she said. "I wanted so much more for my life and for my children in the future, to work hard and set a legacy. My ancestors were doing that, they were not born in the right circumstances but made something by the time they died."

Yasiman Montgomery, 24
(Between her father, Alfred, and her mother, Cecily)

Hometown: Washington, D.C.
Post-law-school plans: She will work as a litigator in New York, after which she intends to return to Washington to work in the federal government.

Charles McDuffie Wilder, Yasiman Montgomery's ancestor on her father's side, was born around 1835 in Sumter, S.C., and is absent from public records for the first several decades of his life.

By 1866, Wilder was a member of the South Carolina General Assembly, where he represented Richland County throughout Reconstruction. He was also appointed a deputy marshal — the U.S. marshal for South Carolina, J.P.M. Epping, said he "could not find a white man who could take the oath who had honesty and capacity enough for the position."

In 1869, Wilder was named postmaster for Columbia, S.C., a presidential appointment that required confirmation by the State Senate, becoming the first known freedman to receive such an appointment. Coverage in The Columbia Daily Phoenix included this paragraph: "Charles M. Wilder, the newly appointed postmaster at Columbia, is an intelligent colored man, fully competent to discharge the duties of the office to which he has been appointed, and is highly esteemed, as a colored man, by the whole community. The only objection made against him by opponents of the present Federal and State Governments is, that he is a negro." He held the job for 16 years, under four presidents. During this span Wilder was also a member of the Columbia City Council and attended the National Republican Conventions as a delegate.

Montgomery grew up in Washington and knew of Wilder, who, she said, a lot of people in the area trace their history back to. "Reading about it makes me feel more purposeful," she said, "because I am attached to that legacy." She credits her parents, Alfred and Cecily, for instilling in her an appreciation for her heritage. "They were older and grew up in segregation," she said. "They took me to look at archives together; they wanted me to learn my history. I have a lot of pride in being black and that's because I know my heritage. It's important to start the conversation before slavery. We didn't just pop up in America, we were part of a culture."

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TRAUMA

[Slide]

DR. VICTOR CARRION, MD

PSYCHIATRIST

DIRECTOR, STANFORD EARLY LIFE STRESS RESEARCH PROGRAM

DEPARTMENT OF PSYCHIATRY, STANFORD UNIVERSITY SCHOOL OF MEDICINE

STANFORD, CALIFORNIA

“DNA”

“DNA”

(*Elegant, Puerto Rican–born man. Fine black loafers. Seated in a modern, well-appointed office. Accent slides in and out of standard American and one influenced by the Spanish language. Very careful speech, thoughtful, seemingly very aware of the consequences of what he says. Gentle manner. Musician comes onstage.*)

I became interested in brain development and the effect of stress on the development of the brain. I am getting notes from teachers saying, “This child has ADHD. Please place on Ritalin.” And I’m like, “Wow. The diagnosis has been made. There is a treatment plan. Am I needed for anything?” And in fact, when some of these children had an in-depth clinical evaluation, they did not have attention deficit hyperactivity disorder. But they had a long history of adversity.

And many of them had a history, not of only stress, but of traumatic stress.

[It’s] a type of stress that really impacts your functional, uh…it—it impairs your function. So it impairs your function academically, it impairs your function socially, and it impairs how you feel—you feel distressed. And this is how these children were feeling.

(*Listens to a question.*)

Historical trauma exists, not only in history. It exists in our daily life. And I think as a society, we sometimes experience symptoms of post-traumatic stress dis*or*der. Specifically avoidance. Which is a very bad symptom. Not wanting to talk about it or not thinking about it. Or not addressing it? And…what happens when that avoidance is there…the impact of the trauma permeates, it continues. But the way that it also happens is that, it goes from generation to generation. Because I see many children, and now I see many adults, that may

not have the trauma experiences in their lives. They have learned that as a response, from caretakers.

They model it.

Now, some individuals think that this actually may be passed also epigenetically. Where there may be some changes in coding of—of DNA. Where—where you actually alter your DNA, and then what you're passing is an altered DNA.

(*Listens to a question.*)

Slavery? (*Considers this very carefully. Begins next sentence tentatively, then picks up speed.*) The social factors that are—surround the issue of of slavery and the history of slavery are enough that they don't need any DNA change. (*Quick stop.*) Because in the way in which they have resulted in many populations of African Americans living in a state of poverty where it's very hard for them to escape from. It's a way of maintaining that enslavement. And of course, it's not only in African Americans. But I think many communities that are African American have gone from a history of slavery to another form of slavery, y'know, through poverty.

(*Musician exits.*)

[Slide]

STEPHANIE WILLIAMS

EMOTIONAL SUPPORT TEACHER
PHILADELPHIA, PENNSYLVANIA

“A Tree Out of the Ground”

“A Tree Out of the Ground”

(*African American woman, mid- to late-twenties. Healthy, friendly, vulnerable, emotionally available, generous. Wonderfully expressive with hands as well as voice. Hand and body movements are always connected to meaning, never random—almost like choreography. Sitting on a sofa, horizontally. Lots of pillows. Fast-talking, like a saxophone, except when thinking something through. Musician is onstage.*)

It was (*very long pause*) Huey Elementary School? I was an emotional support teacher. And itttt was…it was rough.

I never…realized…how bad a situation could be…until…I worked with that population.

You have *ten* of the most needy children—kids that need *food. Shelter. Clothes. Love*, like…an *education.* They—just—need—so—much. And you’re just one person.

Like…In retrospect, I really did all I could. I worked myself *to* the bone. I felt hopeless. I just felt like *really* hopeless in the situation. I felt like I had a whole bunch of starving hungry people, and I had *nothing* in my hands to give them. Even though I tried to give them so much? They had seen so much of life? And so much rough stuff? They were just like, “What’s school?” Like, y’know what I mean? You get seventh graders that are smoking weed, “What’s school?” You get seventh graders that are outside all hours a night? Like, how am I to keep them in the classroom? Incentives. Like incentivizing them.

And I spent so much time with my heart racing. There’d be so many fights that would, like, you know, spontaneously like start to fight or s— Y’know, “Somebody looking me the wrong way!” “*Bitch*, what the fuck you looking at, *bitch*? I fuck you up, duh—duh—duh—

duh!" No, no, not to me, they say it to, like, somebody else. Here goes my heart start racin'. But like the thing is, I—I mean, I don't wanna sound—I ran that classroom. I ran a tight ship. I broke *everything* up.

It's hard to—it's hard to be that strong day in and day out. It really is. Like it got a point where people were like, "*Tss!*" Like, you know, when a new kid would come in? (*In a student's voice.*) "*Tss!* Don't fuck with Miss Williams, she'll tear you up! Don't fuck with her. You better leave her alone she—she's." Whatever.

It's *hard* to—it's hard to be that strong day in—and—day—out. It really *is*. But it's, like, to go through that all day, is like—is like beeeeinggg—it's like being in jail without a gun. It's like me running a jail without a gun. That's what it was like. Running a jail. Without a gun. Everybody for themselves, but I want you to maintain order. No guns, no handcuffs, no billy clubs. I can't throw you in a closet, I can't do any of that. It's just like, I gotta keep you in order just by being me!

An IEP is an individualized education plan. And for a st—child that's in special education and which—the majority of, you know, our kids are—do have special needs, they'll have an IEP. I mean our poor kids, our black kids, our, you know—our inner-city and rural kids. The majority of our inner-city and rural kids have IEPs. But it's for anybody that has a need that stretches outside of the general ed curriculum. And for a kid that's eighteen or seventeen, you can go back from basically from when they're three for kids that have had early intervention and see the types of things that they've gone through, you know? Um and as a special educator, administrator, we have access to files and they're this big and if you go through it it's—you see these kids' stories. It's funny, when I first read IEPs, I'm like, "Oh shit. Oh, they throw desks, they do this, they do that." You get to see this person, like, in person, and they just blow your mind; they're nothing like their paperwork. But then when you see all the things that they've gone through in the paperwork, you gotta look at them and be like, "Damn!" You know? More power to you, like you're—you're still here, like. Like, when you hear these kids' stories and the

things that—they've gone through, and some of it—I can relate to them.

But it's like, like everybody y'know, I had a little bit of self-esteem issue, but my mom, whenever—she—would—drop—me—off—to—school, she'd always—say, "Why do you have to work harder than everybody?" And I would have to say back to her, "Because I'm black and I'm a female." And like her saying that and embedding that in my head? *Ev-er-y day*. She would drop me off at school and be like, "*Why do you have to work harder than everybody?*" "*Cuz I'm black and I'm a female!*" That would be like what I would say back to her. And like just keeping that in mind? And always knowing that like: things were gonna come up, like, *being* the only black kid in school, being the only fat kid in school, being the only…kid with a single parent in school, being the only kid that lived in the *hood*, in my school. Like it just kinda gave me enough grit to be able to just be confident enough to *go* to Moun' Holyoke, ask for help when I need it, and just kind of like you know! Explore.

But I think you find a lot of resilient characters. I mean, not only the students but people that teach. And I felt like I actually made, to a certain point, where I could sit down and say, y'know, "It's not that hard." So I always felt like I could help them, because I understood.

Like, kids would be bipolar or manic. Okay, I—I can give you specific examples. I have one girl that ummm was given up by her mom—her mom already had mental health issues, and she was so mild and lovely. Y'know, she didn't look like everybody else did. She was, you know, the girls would call her ugly. "Oh, your butt too big, you nappy head, you too black." Y'know, whatever it is that they wanted to say about her. And she would take it and take it and take it. And one day she just…blew her top. Blew her top. She blew her top, and she fought a girl and ripped her hair out. Bloop! Got thrown in the ES [Emotional Support]. *Loved* her for it doing it, though. I'm like, "There you go, girl!" I mean, I don't—I don't condone fighting, but you know. She told me it, I read it in the thing, I was like, "Oh, God!" Sh—sh—she said she got tired of it. Tore the girl's hair out. She couldn't take it anymore!

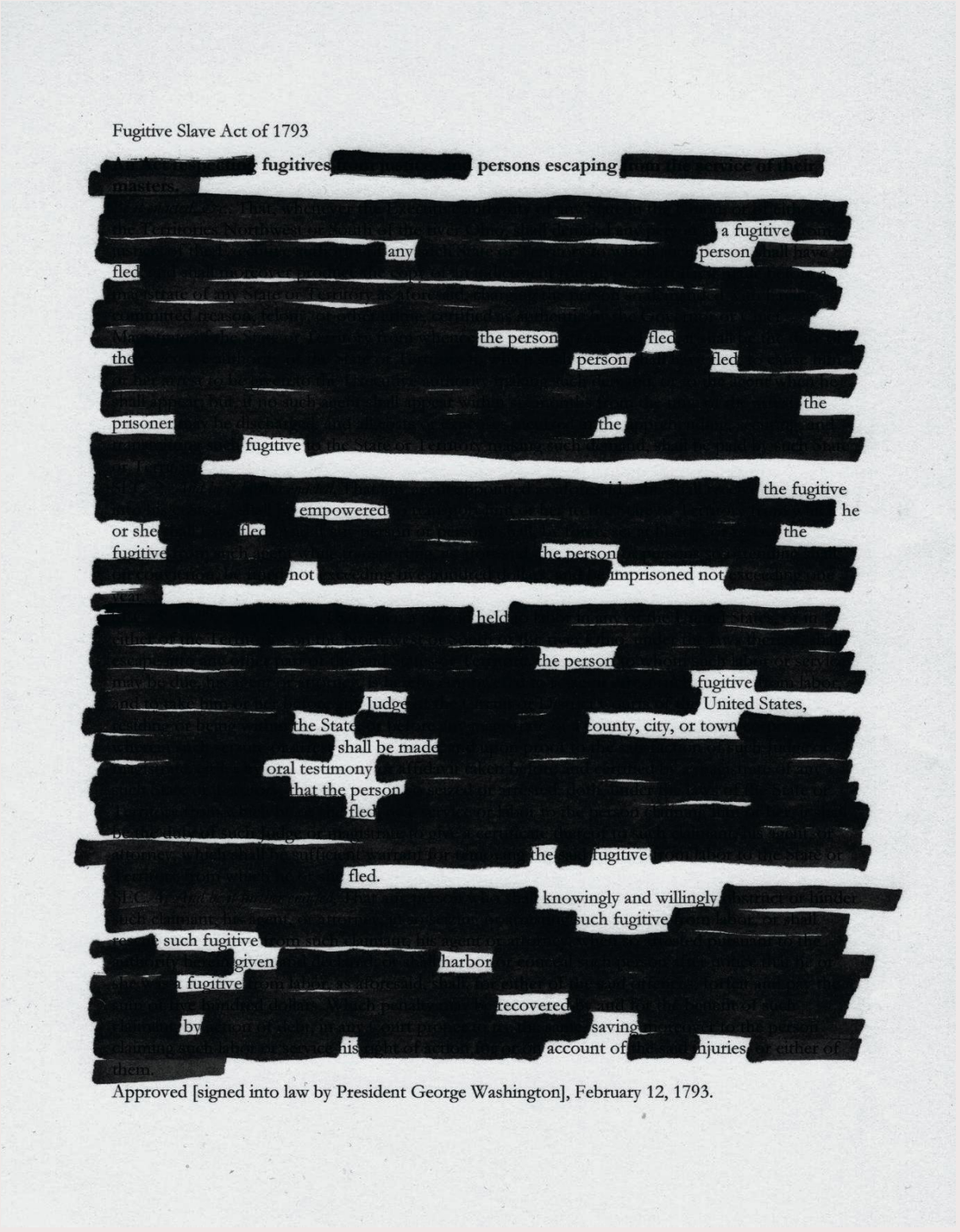
I had another student that—he was a foster-care child. Oh, it's [a] horrible story. (*Very rapidly*.) His parents were addicted to drugs, he got *very* sick as a baby, they brought him to the hospital, they realized that he was being molested. So they immediately took him. Placed him into—I believe his father was molesting him. Put him into, y'know, a different foster home. And so he had, y'know, symptoms of being addicted to drugs as a baby *and* being molested, and— He would just have these fits of just—complete and utt—*Do*cile any other time. *Complete* rage, like I'm talking about like *ZZzerohh* to a *million* in *one* second. Like—I have never seen an eleven-year-old pull—a—tree? Out—of—the—ground. OutTheGround! So angry that he pull—he could pull a tree out of the ground. So angry that he could take a table and turn it over. Beat somebody up.

I met him—how I met him was…This is a crazy story, it was my first—firsT…*week*. Working at Huey and, I *hear* somebody, just like blood-curdling scream. And I just see him running through the hall. Not—it's more—wasn't like a it was like a sssslow run, it was just like a very angry. He kinda Runs! Like! *This!* And he gets himself so worked up tha—he pours sweat, just like pouring down his body. And he's ripping things off the wall. "*Unhhh!*" Throwing stuff and throwing stuff and throwing stuff. And—I just *followed* him!

And we ended up down…stairs on the first floor. And all—I didn't know what to do. I had no idea, 'cause I'd never seen anybody do this before. Ididnotknowwhattodo. So all I did was grab him in the tightest hug. And just hold him, and hold him, and hold him, and hold him. And I just *held* him, 'cause I'm *really*, *really* strong. So I just held him and held him, like I put him in a hold? But it was like a hug. And I just *held* him until his body just collapsed. And he just started crying and crying and crying and crying on *me*. He was—I think at that point he was ten or eleven? It was like my third day working at Huey.

(*The musician leaves the stage*.)

● Feb. 12, 1793: George Washington signs into law the first Fugitive Slave Act, which requires United States citizens to return runaway enslaved people to the state from which they came.



Fugitive Slave Act of 1793

[redacted] fugitives [redacted] persons escaping [redacted]
masters.

[redacted] a fugitive [redacted]
[redacted] any [redacted] person [redacted]
fled [redacted]

[redacted] the person [redacted] fled [redacted]
the [redacted] person [redacted] fled [redacted]

[redacted] the
prisoner [redacted] the [redacted]
[redacted] fugitive [redacted]

[redacted] the fugitive
[redacted] empowered [redacted] he
or she [redacted] fled [redacted] the
fugitive [redacted] the person [redacted]
[redacted] not [redacted] imprisoned not [redacted]

[redacted] held [redacted]

[redacted] the person [redacted]
[redacted] fugitive [redacted]
[redacted] Judge [redacted] United States,
[redacted] the State [redacted] county, city, or town [redacted]
[redacted] shall be made [redacted]
[redacted] oral testimony [redacted]
[redacted] that the person [redacted]
[redacted] fled [redacted]

[redacted] the [redacted] fugitive [redacted]
[redacted] fled.
[redacted] knowingly and willingly [redacted]
[redacted] such fugitive [redacted]
[redacted] such fugitive [redacted]
[redacted] given [redacted] harbor [redacted]
[redacted] fugitive [redacted]
[redacted] recovered [redacted]
[redacted] by [redacted] saving [redacted]
[redacted] his [redacted] account of [redacted] injuries [redacted] either of
them.

Approved [signed into law by President George Washington], February 12, 1793.

By Reginald Dwayne Betts

[Slide]

BRYAN STEVENSON

EXECUTIVE DIRECTOR, EQUAL JUSTICE INITIATIVE
FOUNDER, NATIONAL MEMORIAL FOR PEACE AND JUSTICE
MONTGOMERY, ALABAMA

“Injury”

“Injury”

(*A world-class orator whose speaking indicates a knowledge of classical rhetoric. Seated in a room at the Legacy Museum: From Enslavement to Mass Incarceration. A very simple gathering room with chairs and a podium. At the back of the room is a long wall, against which are many, many jars of soil, from sites where African Americans were lynched in the US. Stevenson is muscular—toned, buff, which his tight-fitting clothing reveals. Simple shirt and pants, colorful string bracelet. Many videos of his public speaking and interviews are available. He walks along the wall where the jars are and then sits in a folding chair. Soft-spoken, composed.*)

All of these jars represent communities where people were lynched. This is just the state of Alabama. Downstairs we have jars from all over the country. And some of these were what we call “public spectacle lynchings,” where thousands of people came downtown and watched, uh, black men, women, and children being burned alive.

What we do is we collect all the available information about the lynching, um, and sometimes it’s very precise: It’s on the courthouse lawn, as Sherrilyn has in her book. Or it’s in the public square. It’s at this park, and—and you can, um, you can go to that park. Those places are still recognizable. Some of these lynchings are as recent as, you know, 1949, 1950. Um, other times, it’s not precise. It’s like, “They took him from the jail, and they took him down the road, and somewhere between mile marker eleven and mile marker twelve, he was hanged.” Or “He was killed.”

This is American history. I mean, I don’t think what we’re doing is African American history. When I talk about it, I like starting with what happened to Native people. Because I think we are a post-

genocide society. I think what happened to Native people on this continent was genocide. We killed them by the millions; we slaughtered them. But we didn't call it genocide because we said, "Those Native people are different." And that's when this narrative of racial difference really began to take shape. And because we could say that Native people are savages, and we could create a rhetoric about their diminished humanity, we didn't feel bad, uh, to abuse them, to—to kill them, to force them off their lands. And that experience is what I think made American slavery particularly vicious. I think the great evil of American slavery wasn't involuntary servitude. It was not forced labor. It was this ideology of white supremacy, this idea that black people are not fully human. And that ideology was something that happened to white people just like it happened to black people. White people actually began to think that they are better than black people. And that has done something really corruptive. Those are white people in that picture standing around that—that—that, um, that platform [of a lynching]. White people were involved in each and every one of those incidents. It was white people. And there is a way in which you can see the tragedy of this history.

Uh, I've been around a lot of people who are in really desperate situations. I—I did have a case, um, not that long ago where we tried to get involved, we tried to stop an execution, and the man was scheduled to be executed in thirty days. And, um, I quickly learned that he suffered from intellectual disability. Our courts have banned the execution of people with intellectual disability. And so we went to the trial court and said, "You can't execute him. He's intellectually disabled." And the trial court said, "No, too late. Too late. You should have raised that years ago." And I went to the state court, and they said, "Too late." The appeals court said, "Too late." The federal court said, "Too late." Every court I went to said, "Too late." And we went to the US Supreme Court, and finally the United States Supreme Court accepted our motion, they reviewed it, and then about an hour before the scheduled execution, the clerk called me and said, "Yeah, the Supreme Court's going to deny your motion. You're too late."

And I got on the phone with this man—and it is the hardest thing I have to do in my work—and I said, "I'm so sorry, but I can't stop this execution." And the man did the thing I fear the most in this work: he started to cry. And, um, within a few minutes he started to sob. And I mean I—it's literally fifty minutes before the execution, I'm holding the phone, and the man is just sobbing. And then he said, uh, "Please don't hang up. There's something important I have to say to you." And he tried to say something to me, but in addition to being intellectually disabled, he had another challenge: When he got nervous, when he got overwhelmed, he would begin to stutter. And he began trying to say something, but he couldn't get his words out. And I think that was the thing that I found just overwhelming, because he was trying so hard to get his words out, and he couldn't. And he kept trying, he kept trying, he kept—you know. And that's when tears were just running down my face. I was holding the phone.

And then when he said to me: "Mr. Stevenson, I want to thank you for representing me. I want to thank you for fighting for me." And then the last thing he said to me was, "Mr. Stevenson, I love you for trying to save my life." I—there was something about that. He hung up the phone. They pulled him away. They strapped him to a gurney. They executed him. I don't know, "I can't do this anymore. I just can't." There was just—I don't know—there was something about it that just shattered me.

And I was thinking about how broken he was, and I just couldn't understand: Why do we want to kill broken people? I—that's one of the things I don't understand. What is it about us that when we see brokenness, we get angry? We want to hurt it. We want to crush it. We want to kill it. And then I realized: All of my clients are broken people. I represent the broken. Everybody I represent has been broken by poverty or disability or addiction or dependency or racism. And then I realized that the system I work in is a broken system. People with power are unwilling to get close to people who are suffering. They're locked into these narratives of fear and anger. They've lost their hope. They won't do uncomfortable things or inconvenient things. And in that moment, I said, "I don't want to do

this anymore." And I was sitting there awhile just thinking and something said, "You better think about why you do what you do if you're not gonna do it anymore." And it was in that moment that I all of the sudden realized why I do what I do. And it surprised me. And what I realized is that I don't do what I do because I've been trained as a lawyer. I don't do what I do because it's about human rights. I don't do what I do because if I don't do it, no one will. What I realized is that I do what I do because I'm broken, too. And that's the —the discovery?

I—I—I don't think brokenness is something that we necessarily wear? It's—it's much more, um—it's about a consciousness. And I don't think it's a bad thing. I actually think it's in brokenness that we understand our need for grace, our need for mercy. It's actually brokenness that helps us appreciate justice. It's in brokenness that we—we begin to crave redemption. That we understand the power of recovery. It's the broken among us that actually can teach us what it means to be human. Because if you don't understand the ways in which you can be broken by poverty or neglect or abuse or violence or suffering or bigotry, then you don't recognize the urgency in overcoming poverty and abuse and neglect and—and bigotry.

But I even feel broken by this history. (*Responding to a remark.*) Oh, yeah. When I was a little boy, they—you know—polio shots, you —they wanna give everybody a polio shot. My county, there were no, uh, doctors, so they made everybody go to a building which was kinda like a—it wasn't a health center, it was like a big building. And everybody had to get their polio shot. I was like five. Black people had to get in the back—go through the back door. So we line up out back. And it was a cold day. They gave all the needle shots to the white kids before they gave any shot to the black kids. By the time they got to the black kids—they had little sugar cubes they were giving the [white] kids—they ran out of sugar cubes. The nurses were tired. And they just had lost their capacity to be kind to these little children. And so they were grabbing these black kids and giving them these needles. And my sister was in front of me, and when they—she was next, she was so terrified, she looked to my mother, and she said,

“Please, Mom. Please, please don’t let them do this.” And they grabbed my sister, and they pulled her aside, and took the needle, and they jabbed it into her arm.

And then they came for me. And I remember looking at my mom, and I was the same way. And they pulled me aside, and they were about to jab me. And then all of a sudden I heard all of this glass breaking. And my sweet, loving mother had gone over to a wall, picked up a table of beakers and glasses and was slamming them against the wall. And she was screaming: “This is not right. This is not right. Y’all should not have kept us out there all day. This is not right.” And the doctor came running in and said, “Call the police.” And the two black ministers came running over and said, “Please, doctor. Please, sir. Please don’t call the police. We’re sorry. We’re gonna get her out of here.” One of the ministers fell to his knees. Was like just begging: “Please, please. Please give the other kids their shot.” I haven’t thought about this in a while. Fell to his knees. And he persuaded them not to call the police, uh, to give the other black kids their shots.

And so I got my polio shot. They didn’t arrest my mom, which I was happy about. But you can’t have a memory like that without it creating a kind of injury. A kind of consciousness of wrongfulness. A consciousness of hurt. That’s what I mean when I say I’m broken, right? I have that in my head. And what it means is that there has to be recovery. I can’t just absorb it. I gotta—gotta respond to it in some way.

(*Responding to a remark.*)

Yeah, it is the weight. And it shadows. And it burdens. And it—and it, um, and—and it creates a kind of, uh uh, anxiety that requires a response. And that’s the thing about it. I just think a lot of us were taught that you just have to find a way to—to—to silently live with your brokenness, with this injury, with that memory. And I don’t think that’s the way forward. I’m looking for ways to—to not be silent.

[Slide]

CONGRESSMAN JOHN LEWIS

US REPRESENTATIVE (D-GEORGIA, 5TH DISTRICT)
WASHINGTON, DC

“Brother”

“Brother”

(*In his office in DC. Congressman’s office, with traditional furnishings. Shirt, tie, perhaps a jacket, shoes. A seasoned storyteller.*)

On our way. On this trip that we been takin’ for the past thirteen years. I been going back every year since 1965. Back to Selma. To commemorate the anniversary of Bloody Sunday, that took place on March 7, 1965. But we usually stop in Birmingham for a day. And then we go to Montgomery for a day. And then we go to Selma.

But on this trip, to Montgomery, we stopped at First Baptist Church, the church that was pastored by the Reverend Ralph Abernathy. It’s the same church where I met the Dr. Martin Luther King and the Reverend Abernathy. In the spring of 1958.

Young police officer—the chief—the chief, came to the church to speak on behalf of the mayor that was not available. And he gave a very movin’ speech to the audience. The church was *full*. Black. White. Latino. Asian American. Members of Congress. Staffers. Family members, children and grandchildren. And he said, “What happened in Montgomery fifty-two years ago durin’ the Freedom Ride was not right,” he said. “Fifty-two years ago was not right. The police department didn’t show up. They allowed a angry mob to come and beat you,” and he said, “Congressman! I’m sorry for what happened. I want to apologize. This is not the Montgomery that we want Montgomery to be. This is not the police department that I want to be the chief of. Before any officers are hired,” he said, “they go through trainin’. They have to study the life of Rosa Parks. The life of Martin Luther King Jr. They have to visit the historic sites of the movement. They have to know what happened in Birmingham and what happened in Montgomery and what happened in Selma.” He

said, “I want you to forgive us.” He said, “To show the respect that I have for you and for the movement I want to take off my badge and give it to you.”

And the church was so quiet. No one sayin’ a word. And I stood up to accept the badge. And I started cryin’. And everybody in the church started cryin’. There was not a dry eye in the church.

And I said, “Officer. Chief. I cannot accept your badge. I’m not worthy to accept your badge. Don’t you need it?”

He said, “Congressman Lewis, I can get another one. I want you to have my badge.”

And I took it. And I will hold on to it forever. But he hugged me. I hugged him. I cried some more. And you had Democrats and Republicans in the church. *Cryin’*. And his young deputy assistant. A young African American. Was sittin’ down. He couldn’t stand. He cried so much, like a baby, really.

It was the first time that a police chief in any city where I visited or where I got arrested durin’ the sixties ever apologized, or where I was beaten. Or where I was beaten. It was a moment of grace. It was a moment of reconciliation. [The chief] was very young, he was not even born fifty-two years ago. So he was offerin’ an apology and to be forgiven on behalf of his associates, his colleagues of the past. [It’s a moment of grace.] It means that sufferin’ and the pain that many of the people have suffered have been redeemed.

And then for the police officer, the chief, to come and apologize. To ask to be forgiven. It—it felt so good, and at the same time so freein’ and liberatin’. To have this young man come up. He hugged me and held me. I felt like, you know, I’m not worthy. You know, I’m just one. But many people were beaten.

It is amazing grace. You know the line in there, “Saved a wretch like me”? In a sense, it’s saying that we all have fallen short! ’Cause we all just tryin’ to just make it! We all searching! As Dr. King said, we were out to redeem the soul of America. But we first have to redeem ourselves.

This message. This act of grace, of the badge says to me, “Hold on.” And “Never give up. Never give in.” “Never lose faith. Keep the faith.”

Even in this day and age for a city like Montgomery. For this young man, somethin’ moved him. And it takes what I call raw courage. To go with the spirit. To go with his heart. His soul. He’s a very, he’s really a very interestin’ man. I been thinking about callin’ him. “How ya doin’?”

The only time somethin’ happened like this before was a member of the Klan from Rock Hill South Carolina that beat me and my seatmate. On May 9, 1961, durin’ the Freedom Ride. He came here to this office in February ’09. His son had been encouraging his father to seek out the people he had wronged.

And he came in the office and said, “Mr. Lewis, I’m one of the people that beat you on May 9, 1961. I want to apologize.” He said, “Will you forgive me?”

I said, “I forgive you. I accept your apology.”

His son started cryin’. He started cryin’. I started cryin’. He hugged me. I hugged him. His son hugged me. And since that time, I seen this guy four times since then.

He called me “brother.” And I call him “brother.”

(*As the lights fade to black, the musician reprises his riff of “Amazing Grace.”*)

The sugar that saturates the American diet has a barbaric history as the 'white gold' that fueled slavery.

By Khalil Gibran Muhammad
Photograph by Brian Ulrich


ALTOIDS
mentos
Trident
Orbit
Extra
KitKat
HERSHEY'S
m&m's
MilkyWay
TAKE 5
3 Musketeers
Twix
Mounds
Almond Joy
BabyRuth
SweeTARTS
Starburst
Mamba
SOUR PUNCH
PAYDAY
Zero
Caramello
mr.Goodbar

Domino Sugar's Chalmette Refinery in Arabi, La.,

sits on the edge of the mighty Mississippi River, about five miles east by way of the river's bend from the French Quarter, and less than a mile down from the Lower Ninth Ward, where Hurricane Katrina and the failed levees destroyed so many black lives. It is North America's largest sugar refinery, making nearly two billion pounds of sugar and sugar products annually. Those ubiquitous four-pound yellow paper bags emblazoned with the company logo are produced here at a rate of 120 bags a minute, 24 hours a day, seven days a week during operating season.

The United States makes about nine million tons of sugar annually, ranking it sixth in global production. The United States sugar industry receives as much as $4 billion in annual subsidies in the form of price supports, guaranteed crop loans, tariffs and regulated imports of foreign sugar, which by some estimates is about half the price per pound of domestic sugar. Louisiana's sugar-cane industry is by itself worth $3 billion, generating an estimated 16,400 jobs.

A vast majority of that domestic sugar stays in this country, with an additional two to three million tons imported each year. Americans consume as much as 77.1 pounds of sugar and related sweeteners per person per year, according to United States Department of Agriculture data. That's nearly twice the limit the department recommends, based on a 2,000-calorie diet.

Sugar has been linked in the United States to diabetes, obesity and cancer. If it is killing all of us, it is killing black people faster. Over the last 30 years, the rate of Americans who are obese or overweight grew 27 percent among all adults, to 71 percent from 56 percent, according to the Centers for Disease Control, with African-Americans overrepresented in the national figures. During the same period, diabetes rates overall nearly tripled. Among black non-Hispanic women, they are nearly double those of white non-Hispanic women, and one and a half times higher for black men than white men.

None of this — the extraordinary mass commodification of sugar, its economic might and outsize impact on the American diet and health — was in any way foreordained, or even predictable, when Christopher Columbus made his second voyage across the Atlantic Ocean in 1493, bringing sugar-cane stalks with him from the Spanish Canary Islands. In Europe at that time, refined sugar was a luxury product, the back-breaking toil and dangerous labor required in its manufacture an insuperable barrier to production in anything approaching bulk. It seems reasonable to imagine that it might have remained so if it weren't for the establishment of an enormous market in enslaved laborers who had no way to opt out of the treacherous work.

For thousands of years, cane was a heavy and unwieldy crop that had to be cut by hand and immediately ground to release the juice inside, lest it spoil within a day or two. Even before harvest time, rows had to be dug, stalks planted and plentiful wood chopped as fuel for boiling the liquid and reducing it to crystals and molasses. From the earliest traces of cane domestication on the Pacific island of New Guinea 10,000 years ago to its island-hopping advance to ancient India in 350 B.C., sugar was locally consumed and very labor-intensive. It remained little more than an exotic spice, medicinal glaze or sweetener for elite palates.

It was the introduction of sugar slavery in the New World that changed everything. "The true Age of Sugar had begun — and it was doing more to reshape the world than any ruler, empire or war had ever done," Marc Aronson and Marina Budhos write in their 2010 book, "Sugar Changed the World." Over the four centuries that followed Columbus's arrival, on the mainlands of Central and South America in Mexico, Guyana and Brazil as well as on the sugar islands of the West Indies — Cuba, Barbados and Jamaica, among others — countless indigenous lives were destroyed and nearly 11 million Africans were enslaved, just counting those who survived the Middle Passage.

"White gold" drove trade in goods and people, fueled the wealth of European nations and, for the British in particular, shored up the financing of their North American colonies. "There was direct trade among the colonies and between the colonies and Europe, but much of the Atlantic trade was triangular: enslaved people from Africa; sugar from the West Indies and Brazil; money and manufactures from Europe," writes the Harvard historian Walter Johnson in his 1999 book, "Soul by Soul: Life Inside the Antebellum Slave Market." "People were traded along the bottom of the triangle; profits would stick at the top."

Before French Jesuit priests planted the first cane stalk near Baronne Street in New Orleans in 1751, sugar was already a huge moneymaker in British New York. By the 1720s, one of every two ships in the city's port was either arriving from or heading to the Caribbean, importing sugar and enslaved people and exporting flour, meat and shipbuilding supplies. The trade was so lucrative that Wall Street's most impressive buildings were Trinity Church at one end, facing the Hudson River, and the five-story sugar warehouses on the other, close to the East River and near the busy slave market. New York's enslaved population reached 20 percent, prompting the New York General Assembly in 1730 to issue a consolidated slave code, making it "unlawful for above three slaves" to meet on their own, and authorizing "each town" to employ "a common whipper for their slaves."

In 1795, Étienne de Boré, a New Orleans sugar planter, granulated the first sugar crystals in the Louisiana Territory. With the advent of sugar processing locally, sugar plantations exploded up and down both banks of the Mississippi River. All of this was possible because of the abundantly rich alluvial soil, combined with the technical mastery of seasoned French and Spanish planters from around the cane-growing basin of the Gulf and the Caribbean — and because of the toil of thousands of enslaved people. More French planters and their enslaved expert sugar workers poured into Louisiana as Toussaint L'Ouverture and Jean-Jacques Dessalines led a successful revolution to secure Haiti's independence from France.

Within five decades, Louisiana planters were producing a quarter of the world's cane-sugar supply. During her antebellum reign, Queen Sugar bested King Cotton locally, making Louisiana the second-richest state in per capita wealth. According

Photograph from the Schomburg Center for Research in Black Culture, New York Public Library

Children on a Louisiana sugar cane plantation around 1885.

to the historian Richard Follett, the state ranked third in banking capital behind New York and Massachusetts in 1840. The value of enslaved people alone represented tens of millions of dollars in capital that financed investments, loans and businesses. Much of that investment funneled back into the sugar mills, the "most industrialized sector of Southern agriculture," Follett writes in his 2005 book, "Sugar Masters: Planters and Slaves in Louisiana's Cane World 1820-1860." No other agricultural region came close to the amount of capital investment in farming by the eve of the Civil War. In 1853, Representative Miles Taylor of Louisiana bragged that his state's success was "without parallel in the United States, or indeed in the world in any branch of industry."

The enslaved population soared, quadrupling over a 20-year period to 125,000 souls in the mid-19th century. New Orleans became the Walmart of people-selling. The number of enslaved labor crews doubled on sugar plantations. And in every sugar parish, black people outnumbered whites. These were some of the most skilled laborers, doing some of the most dangerous agricultural and industrial work in the United States.

In the mill, alongside adults, children toiled like factory workers with assembly-line precision and discipline under the constant threat of boiling hot kettles, open furnaces and grinding rollers. "All along the endless carrier are ranged slave children, whose business it is to place the cane upon it, when it is conveyed through the shed into the main building," wrote Solomon Northup in "Twelve Years a Slave," his 1853 memoir of being kidnapped and forced into slavery on Louisiana plantations.

To achieve the highest efficiency, as in the round-the-clock Domino refinery today, sugar houses operated night and day. "On cane plantations in sugar time, there is no distinction as to the days of the week," Northup wrote. Fatigue might mean losing an arm to the grinding rollers or being flayed for failing to keep up. Resistance was often met with sadistic cruelty.

A formerly enslaved black woman named Mrs. Webb described a torture chamber used by her owner, Valsin Marmillion. "One of his cruelties was to place a disobedient slave, standing in a box, in which there were nails placed in such a manner that the poor creature was unable to move," she told a W.P.A. interviewer in 1940. "He was powerless even to chase the flies, or sometimes ants crawling on some parts of his body."

Louisiana led the nation in destroying the lives of black people in the name of economic efficiency. The historian Michael Tadman found that Louisiana sugar parishes had a pattern of "deaths exceeding births." Backbreaking labor and "inadequate net nutrition meant that slaves working on sugar plantations were, compared with other working-age slaves in the United States, far less able to resist the common and life-threatening diseases of dirt and poverty," wrote Tadman in a 2000 study published in the American Historical Review. Life expectancy was less like that on a cotton plantation and closer to that of a Jamaican cane field, where the most overworked and abused could drop dead after seven years.

Most of these stories of brutality, torture and premature death have never been told in classroom textbooks or historical museums. They have been refined and whitewashed in the mills and factories of Southern folklore: the romantic South, the Lost Cause, the popular "moonlight and magnolias" plantation tours so important to Louisiana's agritourism today.

When I arrived at the Whitney Plantation Museum on a hot day in June, I mentioned to Ashley Rogers, 36, the museum's executive director, that I had passed the Nelson

Men working among thousands of barrels of sugar in New Orleans in 1902.

Coleman Correctional Center about 15 miles back along the way. "You passed a dump and a prison on your way to a plantation," she said. "These are not coincidences."

The Whitney, which opened five years ago as the only sugar-slavery museum in the nation, rests squarely in a geography of human detritus. The museum tells of the everyday struggles and resistance of black people who didn't lose their dignity even when they lost everything else. It sits on the west bank of the Mississippi at the northern edge of the St. John the Baptist Parish, home to dozens of once-thriving sugar plantations; Marmillion's plantation and torture box were just a few miles down from Whitney.

The museum also sits across the river from the site of the German Coast uprising in 1811, one of the largest revolts of enslaved people in United States history. As many as 500 sugar rebels joined a liberation army heading toward New Orleans, only to be cut down by federal troops and local militia; no record of their actual plans survives. About a hundred were killed in battle or executed later, many with their heads severed and placed on pikes throughout the region. Based on historians' estimates, the execution tally was nearly twice as high as the number in Nat Turner's more famous 1831 rebellion. The revolt has been virtually redacted from the historical record. But not at Whitney. And yet tourists, Rogers said, sometimes admit to her, a white woman, that they are warned by hotel concierges and tour operators that Whitney is the one misrepresenting the past. "You are meant to empathize with the owners as their guests," Rogers told me in her office. In Louisiana's plantation tourism, she said, "the currency has been the distortion of the past."

The landscape bears witness and corroborates Whitney's version of history. Although the Coleman jail opened in 2001 and is named for an African-American sheriff's deputy who died in the line of duty, Rogers connects it to a longer history of coerced labor, land theft and racial control after slavery. Sugar cane grows on farms all around the jail, but at the nearby Louisiana State Penitentiary, or Angola, prisoners grow it. Angola is the largest maximum-security prison by land

Left: Underwood & Underwood, via the Library of Congress. Right: From Sheridan Libraries/Levy/Gado/Getty Images.

mass in the nation. It opened in its current location in 1901 and took the name of one of the plantations that had occupied the land. Even today, incarcerated men harvest Angola's cane, which is turned into syrup and sold on-site.

From slavery to freedom, many black Louisianans found that the crushing work of sugar cane remained mostly the same. Even with Reconstruction delivering civil rights for the first time, white planters continued to dominate landownership. Freedmen and freedwomen had little choice but to live in somebody's old slave quarters. As new wage earners, they negotiated the best terms they could, signed labor contracts for up to a year and moved frequently from one plantation to another in search of a life whose daily rhythms beat differently than before. And yet, even compared with sharecropping on cotton plantations, Rogers said, "sugar plantations did a better job preserving racial hierarchy." As a rule, the historian John C. Rodrigue writes, "plantation labor overshadowed black people's lives in the sugar region until well into the 20th century."

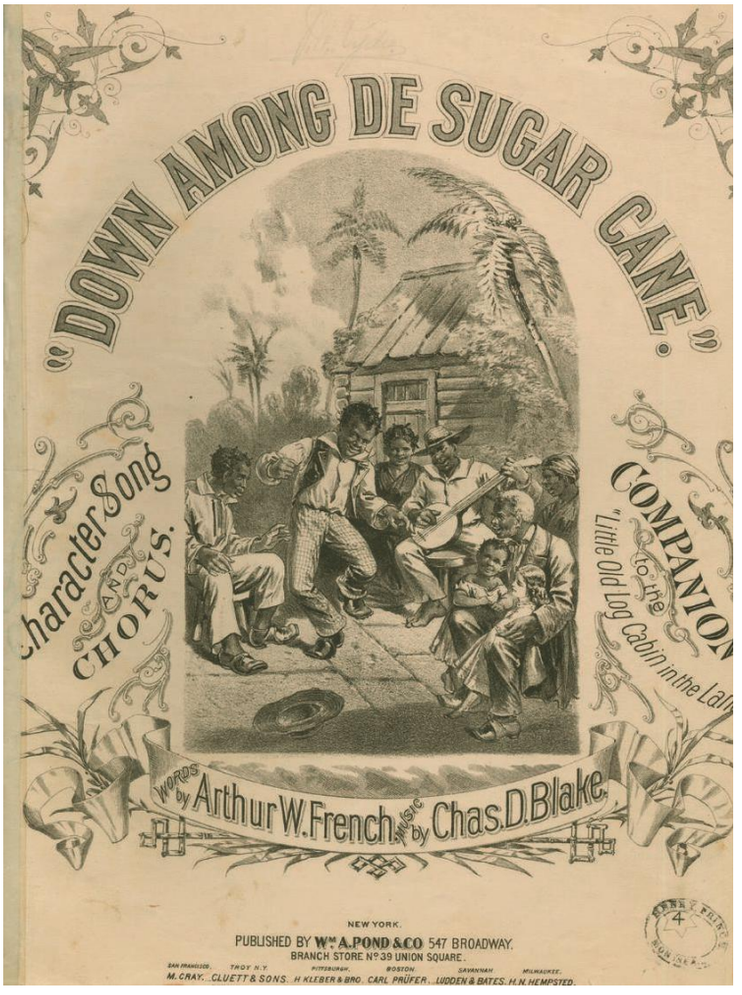
Sometimes black cane workers resisted collectively by striking during planting and harvesting time — threatening to ruin the crop. Wages and working conditions occasionally improved. But other times workers met swift and violent reprisals. After a major labor insurgency in 1887, led by the Knights of Labor, a national union, at least 30 black people — some estimated hundreds — were killed in their homes and on the streets of Thibodaux, La. "I think this will settle the question of who is to rule, the nigger or the white man, for the next 50 years," a local white planter's widow, Mary Pugh, wrote, rejoicing, to her son.

Many African-Americans aspired to own or rent their own sugar-cane farms in the late 19th century, but faced deliberate efforts to limit black farm and land owning. The historian Rebecca Scott found that although "black farmers were occasionally able to buy plots of cane land from bankrupt estates, or otherwise establish themselves as suppliers, the trend was for planters to seek to establish relations with white tenants or sharecroppers who could provide cane for the mill."

By World War II, many black people began to move not simply from one plantation to another, but from a cane field to a car factory in the North. By then, harvesting machines had begun to take over some, but not all, of the work. With fewer and fewer black workers in the industry, and after efforts in the late 1800s to recruit Chinese, Italian, Irish and German immigrant workers had already failed, labor recruiters in Louisiana and Florida sought workers in other states.

In 1942, the Department of Justice began a major investigation into the recruiting practices of one of the largest sugar producers in the nation, the United States Sugar Corporation, a South Florida company. Black men unfamiliar with the brutal nature of the work were promised seasonal sugar jobs at high wages, only to be forced into debt peonage, immediately accruing the cost of their transportation, lodging and equipment — all for $1.80 a day. One man testified that the conditions were so bad, "It wasn't no freedom; it was worse than the pen." Federal investigators agreed. When workers tried to escape, the F.B.I. found, they were captured on the highway or "shot at while trying to hitch rides on the sugar trains." The company was indicted by a federal grand jury in Tampa for "carrying out a conspiracy to commit slavery," wrote Alec Wilkinson, in his 1989 book, "Big Sugar: Seasons in the Cane Fields of Florida." (The indictment was ultimately quashed on procedural grounds.) A congressional investigation in the 1980s found that sugar companies had systematically tried to exploit seasonal West Indian workers to maintain absolute control over them with the constant threat of immediately sending them back to where they came from.

At the Whitney plantation, which operated continuously from 1752 to 1975, its museum staff of 12 is nearly all African-American women. A third of them have immediate relatives who either worked there or were born there in the 1960s and '70s. These black women show tourists the same slave cabins and the same cane fields their own relatives knew all too well.



Sheet music to an 1875 song romanticizing the painful, exhausted death of an enslaved sugar-plantation worker.

Farm laborers, mill workers and refinery employees make up the 16,400 jobs of Louisiana's sugar-cane industry. But it is the owners of the 11 mills and 391 commercial farms who have the most influence and greatest share of the wealth. And the number of black sugar-cane farmers in Louisiana is most likely in the single digits, based on estimates from people who work in the industry. They are the exceedingly rare exceptions to a system designed to codify black loss.

And yet two of these black farmers, Charles Guidry and Eddie Lewis III, have been featured in a number of prominent news items and marketing materials out of proportion to their representation and economic footprint in the industry. Lewis and Guidry have appeared in separate online videos. The American Sugar Cane League has highlighted the same pair separately in its online newsletter, Sugar News.

Lewis has no illusions about why the marketing focuses on him, he told me; sugar cane is a lucrative business, and to keep it that way, the industry has to work with the government. "You need a few minorities in there, because these mills survive off having minorities involved with the mill to get these huge government loans," he said. A former financial adviser at Morgan Stanley, Lewis, 36, chose to leave a successful career in finance to take his rightful place as a fifth-generation farmer. "My family was farming in the late 1800s" near the same land, he says, that his enslaved ancestors once worked. Much of the 3,000 acres he now farms comes from

Pecan Pioneer: The Enslaved Man Who Cultivated the South's Favorite Nut

By Tiya Miles

Pecans are the nut of choice when it comes to satisfying America's sweet tooth, with the Thanksgiving and Christmas holiday season being the pecan's most popular time, when the nut graces the rich pie named for it. Southerners claim the pecan along with the cornbread and collard greens that distinguish the regional table, and the South looms large in our imaginations as this nut's mother country.

The presence of pecan pralines in every Southern gift shop from South Carolina to Texas, and our view of the nut as regional fare, masks a crucial chapter in the story of the pecan: It was an enslaved man who made the wide cultivation of this nut possible.

Pecan trees are native to the middle southwestern region of the Mississippi River Valley and the Gulf Coast of Texas and Mexico. While the trees can live for a hundred years or more, they do not produce nuts in the first years of life, and the kinds of nuts they produce are wildly variable in size, shape, flavor and ease of shell removal. Indigenous people worked around this variability, harvesting the nuts for hundreds and probably thousands of years, camping near the groves in season, trading the nuts in a network that stretched across the continent, and lending the food the name we have come to know it by: *paccan*.

Once white Southerners became fans of the nut, they set about trying to standardize its fruit by engineering the perfect pecan tree. Planters tried to cultivate pecan trees for a commercial market beginning at least as early as the 1820s, when a well-known planter from South Carolina named Abner Landrum published detailed descriptions of his attempt in the American Farmer periodical. In the mid-1840s, a planter in Louisiana sent cuttings of a much-prized pecan tree over to his neighbor J. T. Roman, the owner of Oak Alley Plantation. Roman did what many enslavers were accustomed to in that period: He turned the impossible work over to an enslaved person with vast capabilities, a man whose name we know only as Antoine. Antoine undertook the delicate task of grafting the pecan cuttings onto the limbs of different tree species on the plantation grounds. Many specimens thrived, and Antoine fashioned still more trees, selecting for nuts with favorable qualities. It was Antoine who successfully created what would become the country's first commercially viable pecan varietal.

Decades later, a new owner of Oak Alley, Hubert Bonzano, exhibited nuts from Antoine's trees at the Centennial Exposition of 1876, the World's Fair held in Philadelphia and a major showcase for American innovation. As the horticulturalist Lenny Wells has recorded, the exhibited nuts received a commendation from the Yale botanist William H. Brewer, who praised them for their "remarkably large size, tenderness of shell and very special excellence." Coined "the Centennial," Antoine's pecan varietal was then seized upon for commercial production (other varieties have since become the standard).

Was Antoine aware of his creation's triumph? No one knows. As the historian James McWilliams writes in "The Pecan: A History of America's Native Nut" (2013): "History leaves no record as to the former slave gardener's location — or whether he was even alive — when the nuts from the tree he grafted were praised by the nation's leading agricultural experts." The tree never bore the name of the man who had handcrafted it and developed a full-scale orchard on the Oak Alley Plantation before he slipped into the shadow of history.

relationships with white landowners his father, Eddie Lewis Jr., and his grandfather before him, built and maintained.

Lewis is the minority adviser for the federal Farm Service Agency (F.S.A.) in St. Martin and Lafayette Parish, and also participates in lobbying federal legislators. He says he does it because the stakes are so high. If things don't change, Lewis told me, "I'm probably one of two or three that's going to be farming in the next 10 to 15 years. They're trying to basically extinct us." As control of the industry consolidates in fewer and fewer hands, Lewis believes black sugar-cane farmers will no longer exist, part of a long-term trend nationally, where the total proportion of all African-American farmers has plummeted since the early 1900s, to less than 2 percent from more than 14 percent, with 90 percent of black farmers' land lost amid decades of racist actions by government agencies, banks and real estate developers.

"There's still a few good white men around here," Lewis told me. "It's not to say it's all bad. But this is definitely a community where you still have to say, 'Yes sir,' 'Yes, ma'am,' and accept 'boy' and different things like that."

One of the biggest players in that community is M. A. Patout and Son, the largest sugar-cane mill company in Louisiana. Founded in 1825, Patout has been known to boast that it is "the oldest complete family-owned and operated manufacturer of raw sugar in the United States." It owns three of the 11 remaining sugar-cane mills in Louisiana, processing roughly a third of the cane in the state.

The company is being sued by a former fourth-generation black farmer. As first reported in The Guardian, Wenceslaus Provost Jr. claims the company breached a harvesting contract in an effort to deliberately sabotage his business. Provost, who goes by the first name June, and his wife, Angie, who is also a farmer, lost their home to foreclosure in 2018, after defaulting on F.S.A.-guaranteed crop loans. June Provost has also filed a federal lawsuit against First Guaranty Bank and a bank senior vice president for

The Rhinelander Sugar House, a sugar refinery and warehouse on the site of what is now the headquarters of the New York Police Department, in the late 1800s. When it was built in 1763, the building was one of the largest in the colony.

Photograph by Hugo V. Sass, via the Museum of The City of New York

claims related to lending discrimination, as well as for mail and wire fraud in reporting false information to federal loan officials. The suit names a whistle-blower, a federal loan officer, who, in April 2015, "informed Mr. Provost that he had been systematically discriminated against by First Guaranty Bank," the lawsuit reads.

(In court filings, M.A. Patout and Son denied that it breached the contract. Representatives for the company did not respond to requests for comment. In court filings, First Guaranty Bank and the senior vice president also denied Provost's claims. Their representatives did not respond to requests for comment.)

Lewis is himself a litigant in a separate petition against white landowners. He claims they "unilaterally, arbitrarily and without just cause terminated" a seven-year-old agreement to operate his sugar-cane farm on their land, causing him to lose the value of the crop still growing there. Lewis is seeking damages of more than $200,000, based on an independent appraisal he obtained, court records show. The landowners did not respond to requests for comment.

But the new lessee, Ryan Doré, a white farmer, did confirm with me that he is now leasing the land and has offered to pay Lewis what a county agent assessed as the crop's worth, about $50,000. Doré does not dispute the amount of Lewis's sugar cane on the 86.16 acres. What he disputes is Lewis's ability to make the same crop as profitable as he would. Doré, who credits M.A. Patout and Son for getting him started in sugar-cane farming, also told me he is farming some of the land June Provost had farmed.

Lewis and the Provosts say they believe Doré is using his position as an elected F.S.A. committee member to gain an unfair advantage over black farmers with white landowners. "He's privileged with a lot of information," Lewis said.

Doré denied he is abusing his F.S.A. position and countered that "the Lewis boy" is trying to "make this a black-white deal." Doré insisted that "both those guys simply lost their acreage for one reason and one reason only: They are horrible farmers."

It's impossible to listen to the stories that Lewis and the Provosts tell and not hear echoes of the policies and practices that have been used since Reconstruction to maintain the racial caste system that sugar slavery helped create. The crop, land and farm theft that they claim harks back to the New Deal era, when Southern F.S.A. committees denied black farmers government funding.

"June and I hope to create a dent in these oppressive tactics for future generations," Angie Provost told me on the same day this spring that a congressional subcommittee held hearings on reparations. "To this day we are harassed, retaliated against and denied the true DNA of our past." ◆

Slavery gave America a fear of black people and a taste for violent punishment. Both still define our criminal-justice system.

Courtesy Kaveh Sardari

By Bryan Stevenson

Several years ago, my law office was fighting for the release of a black man who had been condemned, at the age of 16, to die in prison. Matthew was one of 62 Louisiana children sentenced to life imprisonment without parole for nonhomicide offenses. But a case I'd argued at the Supreme Court was part of a 2010 ruling that banned such sentences for juveniles, making our clients eligible for release.

Some had been in prison for nearly 50 years. Almost all had been sent to Angola, a penitentiary considered one of America's most violent and abusive. Angola is immense, larger than Manhattan, covering land once occupied by slave plantations. Our clients there worked in fields under the supervision of horse-riding, shotgun-toting guards who forced them to pick crops, including cotton. Their disciplinary records show that if they refused to pick cotton — or failed to pick it fast enough — they could be punished with time in "the hole," where food was restricted and inmates were sometimes tear-gassed. Still, some black prisoners, including Matthew, considered the despair of the hole preferable to the unbearable degradation of being forced to pick cotton on a plantation at the end of the 20th century. I was fearful that such clients would be denied parole based on their disciplinary records. Some were.

The United States has the highest rate of incarceration of any nation on Earth: We represent 4 percent of the planet's population but 22 percent of its imprisoned. In the early 1970s, our prisons held fewer than 300,000 people; since then, that number has grown to more than 2.2 million, with 4.5 million more on probation or parole. Because of mandatory sentencing and "three strikes" laws, I've found myself representing clients sentenced to life without parole for stealing a bicycle or for simple possession of marijuana. And central to understanding this practice of mass incarceration and excessive punishment is the legacy of slavery.

It took only a few decades after the arrival of enslaved Africans in Virginia before white settlers demanded a new world defined by racial caste. The 1664 General Assembly of Maryland decreed that all Negroes within the province "shall serve *durante vita,*" hard labor for life. This enslavement would be sustained by the threat of brutal punishment. By 1729, Maryland law authorized punishments of enslaved people including "to have the right hand cut off … the head severed from the body, the body divided into four quarters, and head and quarters set up in the most public places of the county."

Soon American slavery matured into a perverse regime that denied the humanity of black people while still criminalizing their actions. As the Supreme Court of Alabama explained in 1861, enslaved black people were "capable of committing crimes," and in that capacity were "regarded as persons" — but in most every other sense they were "incapable of performing civil acts" and considered "things, not persons."

The 13th Amendment is credited with ending slavery, but it stopped short of that: It made an exception for those convicted of crimes. After emancipation, black people, once seen as less than fully human "slaves," were seen as less than fully human "criminals." The provisional governor of South Carolina declared in 1865 that they had to be "restrained from theft, idleness, vagrancy and crime." Laws governing slavery were replaced with Black Codes governing free black people — making the criminal-justice system central to new strategies of racial control.

These strategies intensified whenever black people asserted their independence or achieved any measure of success. During Reconstruction, the emergence of black elected officials and entrepreneurs was countered by convict leasing, a scheme in which white policymakers invented offenses used to target black people: vagrancy, loitering, being a group of black people out after dark, seeking employment without a note from a former enslaver. The imprisoned were then "leased" to businesses and farms, where they labored under brutal conditions. An 1887 report in Mississippi found that six months after 204 prisoners were leased to a white man named McDonald, dozens were dead or dying, the prison hospital filled with men whose bodies bore "marks of the most inhuman and brutal treatment … so poor and emaciated that their bones almost come through the skin."

Anything that challenged the racial hierarchy could be seen as a crime, punished either by the law or by the lynchings that stretched from Mississippi to Minnesota. In 1916, Anthony Crawford was lynched in South Carolina for being successful enough to refuse a low price for his cotton. In 1933, Elizabeth Lawrence was lynched near Birmingham for daring to chastise white children who were throwing rocks at her.

It's not just that this history fostered a view of black people as presumptively criminal. It also cultivated a tolerance for employing any level of brutality in response. In 1904, in Mississippi, a black man was accused of shooting a white landowner who had attacked him. A white mob captured him and the woman with him, cut off their ears and fingers, drilled corkscrews into their flesh and then burned them alive — while hundreds of white spectators enjoyed deviled eggs and lemonade. The landowner's brother, Woods Eastland, presided over the violence; he was later elected district attorney of Scott County, Miss., a position that allowed his son James Eastland, an avowed white supremacist, to serve six terms as a United States senator, becoming president pro tempore from 1972 to 1978.

This appetite for harsh punishment has echoed across the decades. Late in the 20th century, amid protests over civil rights and inequality, a new politics of fear and anger would emerge. Nixon's war on drugs, mandatory minimum sentences, three-strikes laws, children tried as adults, "broken windows" policing — these policies were not as expressly racialized as the Black Codes, but their implementation has been essentially the same. It is black and brown people who are disproportionately targeted, stopped, suspected, incarcerated and shot by the police.

Hundreds of years after the arrival of enslaved Africans, a presumption of danger and criminality still follows black people everywhere. New language has emerged for the noncrimes that have replaced the Black Codes: driving while black, sleeping while black, sitting in a coffee shop while black. All reflect incidents in which African-Americans were mistreated, assaulted or arrested for conduct that would be ignored if they were white. In schools, black kids are suspended and expelled at rates that vastly exceed the punishment of white children for the same behavior.

Inside courtrooms, the problem gets worse. Racial disparities in sentencing are found in almost every crime category. Children as young as 13, almost all black, are sentenced to life imprisonment for nonhomicide offenses. Black defendants are 22 times more likely to receive the death penalty for crimes whose victims are white, rather than black — a type of bias the Supreme Court has declared "inevitable."

The smog created by our history of racial injustice is suffocating and toxic. We are too practiced in ignoring the victimization of any black people tagged as criminal; like Woods Eastland's crowd, too many Americans are willing spectators to horrifying acts, as long as we're assured they're in the interest of maintaining order.

This cannot be the end of the story. In 2018, the Equal Justice Initiative, a nonprofit I direct, opened a museum in Montgomery, Ala., dedicated to the legacy of slavery and a memorial honoring thousands of black lynching victims. We must acknowledge the 400 years of injustice that haunt us. I'm encouraged: Half a million people have visited. But I'm also worried, because we are at one of those critical moments in American history when we will either double down on romanticizing our past or accept that there is something better waiting for us.

I recently went to New Orleans to celebrate the release of several of our Angola clients, including Matthew — men who survived the fields and the hole. I realized how important it is to stay hopeful: Hopelessness is the enemy of justice. There were moments of joy that night. But there was also heaviness; we all seemed keenly aware that we were not truly free from the burden of living in a nation that continues to deny and doubt this legacy, and how much work remains to be done. ◆

Photograph by Spencer Lowell

A vast wealth gap, driven by segregation, redlining, evictions and exclusion, separates white and black *A*merica.

By Trymaine Lee

Elmore Bolling, whose brothers called him Buddy, was a kind of one-man economy in Lowndesboro, Ala. He leased a plantation, where he had a general store with a gas station out front and a catering business; he grew cotton, corn and sugar cane. He also owned a small fleet of trucks that ran livestock and made deliveries between Lowndesboro and Montgomery. At his peak, Bolling employed as many as 40 people, all of them black like him.

One December day in 1947, a group of white men showed up along a stretch of Highway 80 just yards from Bolling's home and store, where he lived with his wife, Bertha Mae, and their seven young children. The men confronted him on a section of road he had helped lay and shot him seven times — six times with a pistol and once with a shotgun blast to the back. His family rushed from the store to find him lying dead in a ditch.

The shooters didn't even cover their faces; they didn't need to. Everyone knew who had done it and why. "He was too successful to be a Negro," someone who knew Bolling told a newspaper at the time. When Bolling was killed, his family estimates he had as much as $40,000 in the bank and more than $5,000 in assets, about $500,000 in today's dollars. But within months of his murder nearly all of it would be gone. White creditors and people posing as creditors took the money the family got from the sale of their trucks and cattle. They even staked claims on what was left of the family's savings. The jobs that he provided were gone, too. Almost overnight the Bollings went from prosperity to poverty. Bertha Mae found work at a dry cleaner. The older children dropped out of school to help support the family. Within two years, the Bollings fled Lowndes County, fearing for their lives.

The period that followed the Civil War was one of economic terror and wealth-stripping that has left black people at lasting economic disadvantage. White Americans have seven times the wealth of black Americans on average. Though black people make up nearly 13 percent of the United States population, they hold less than 3 percent of the nation's total wealth. The median family wealth for white people is $171,000, compared with just $17,600 for black people. It is worse on the margins. According to the Economic Policy Institute, 19 percent of black households have zero or negative net worth. Just 9 percent of white families are that poor.

Today's racial wealth gap is perhaps the most glaring legacy of American slavery and the violent economic dispossession that followed. The fate suffered by Elmore Bolling and his family was not unique to them, or to Jim Crow Alabama. It was part of a much broader social and political campaign. When legal slavery ended in 1865, there was great hope for formerly enslaved people. Between 1865 and 1870, the Reconstruction Amendments established birthright citizenship — making all black people citizens and granting them equal protection under the law — and gave black men the right to vote. There was also the promise of compensation. In January 1865, Gen. William Sherman issued an order reallocating hundreds of thousands of acres of white-owned land along the coasts of Florida, Georgia and South Carolina for settlement by black families in 40-acre plots. Congress established the Freedmen's Bureau to oversee the transition from slavery to freedom, and the Freedman's Savings Bank was formed to help four million formerly enslaved people gain financial freedom.

When Lincoln was assassinated, Vice President Andrew Johnson effectively rescinded Sherman's order by pardoning white plantation owners and returning to them the land on which 40,000 or so black families had settled. "This is a country for white men, and by God, as long as I am President, it shall be a government for white men," Johnson declared in 1866. The Freedmen's Bureau, always meant to be temporary, was dismantled in 1872. More than 60,000 black people deposited more than $1 million into the Freedman's Savings Bank, but its all-white trustees began issuing speculative loans to white investors and corporations, and when it failed in 1874, many black depositors lost much of their savings.

"The origins of the racial wealth gap start with the failure to provide the formerly enslaved with the land grants of 40 acres," says William A. Darity Jr., a professor of public policy and African-American studies at Duke University. Any financial progress that black people made was regarded as an affront to white supremacy. After a decade of black gains under Reconstruction, a much longer period of racial violence would wipe nearly all of it away.

To assuage Southern white people, the federal government pulled out the Union troops who were stationed in the South to keep order. During this period of so-called Redemption, lawmakers throughout the South enacted Black Codes and Jim Crow laws that stripped black people of many of their freedoms and property. Other white people, often aided by law enforcement, waged a campaign of violence against black people that would rob them of an incalculable amount of wealth.

Armed white people stormed prosperous majority-black Wilmington, N.C., in 1898 to murder dozens of black people, force 2,000 others off their property and overthrow the city government. In the Red Summer of 1919, at least 240 black people were murdered across the country. And in 1921, in one of the bloodiest racial attacks in United States history, Greenwood, a prosperous black neighborhood in Tulsa, Okla., was burned and looted. It is estimated that as many as 300 black people were murdered and 10,000 were rendered homeless. Thirty-five square blocks were destroyed. No one was ever convicted in any of these acts of racist violence.

"You have limited opportunity to accumulate wealth, and then you have a process where that wealth is destroyed or taken away," Darity says. "And all of that is prior to the effects of restrictive covenants — redlining, the discriminatory application of the G.I. Bill and other federal programs."

The post-Reconstruction plundering of black wealth was not just a product of spontaneous violence, but etched in law and public policy. Through the first half of the 20th century, the federal government actively excluded black people from government wealth-building programs. In the 1930s, President Franklin Roosevelt's New Deal helped build a solid middle class through sweeping social programs, including Social Security and the minimum wage. But a majority of black people at the time were agricultural laborers or domestic workers, occupations that were ineligible for these benefits. The establishment of the Home Owners Loan Corporation in 1933 helped save the collapsing housing market, but it largely excluded black neighborhoods from government-insured loans. Those neighborhoods were deemed "hazardous" and colored in with red on maps, a practice that came to be known as "redlining."

The G.I. Bill is often hailed as one of Roosevelt's most enduring legacies. It helped usher millions of working-class veterans through college and into new homes and the middle class. But it discriminatorily benefited white people. While the bill didn't explicitly exclude black veterans, the way it was administered often did. The bill gave veterans access to mortgages with no down payments, but the Veterans Administration adopted the same racially restrictive policies as the Federal Housing Administration, which guaranteed bank loans only to developers who wouldn't sell to black people. "The major way in which people have an opportunity to accumulate wealth is contingent on the wealth positions of their parents and their grandparents," Darity says. "To the extent that blacks have the capacity to accumulate wealth, we have not had the ability to transfer the same kinds of resources across generations."

Seventy years later, the effects of Bolling's murder are still felt by his children and their children. "There was no inheritance, nothing for my father to pass down, because it was all taken away," says Josephine Bolling McCall, the only one of Bolling's children to get a college degree. Of the seven siblings, those with more education fared best; the men struggled most, primarily working as low-paid laborers. Of Elmore and Bertha Mae's 25 grandchildren, only six graduated from college; of those, two are McCall's children. The rest are unemployed or underemployed. They have never known anything like the prosperity of their grandparents. ◆

Photograph by Zora J Murff