

TRUTH IN LOVE

Adversity Has Always Been Ally of African Americans

By Parris J. Baker
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Booker Taliaferro Washington^[1] asserted, “A lie doesn’t become truth, wrong doesn’t become right, and evil doesn’t become good, just because it’s accepted by a majority.” Recently, on June 29, 2023, the Supreme Court of the United States (SCOTUS) voted by a 6-3 majority that race cannot be used as the primary admission criterion for college and universities. The measured response to the SCOTUS decision by many Americans was that America had significantly regressed, that Black student access to advantage and opportunity would be drastically diminished, and the benefits of having diverse ways of thinking and imagining history and the law would be considerably curtailed due to a reduction of BIPOC student admissions. Newly appointed and Harvard Law School graduate Supreme Court Justice Ketanji Brown Jackson noted that the decision intentionally ignores the “intergenerational transmission of inequality that still plagues our citizenry.”

I am not terribly concerned with the SCOTUS decision. In the words of Mohandas Gandhi, “When I despair, I remember that all through history the ways of truth and love have always won.” Adversity has always been an ally of African Americans. When faced with the threat or reality of enslavement, African Americans such as Crispus Attucks, Nat Turner, Sojourner Truth, Harriet Tubman, Ida B. Wells, Fannie Lou Hamer, Ella Baker, Malcolm X, Martin Luther King, Jr., and John Lewis devoted their lives to the cause of freedom, the abolishment of slavery and the acquisition of constitutional protections of

citizenship. In the defense of those democratic values, while simultaneously fighting overt and vitriolic racism, African Americans served valiantly and played prominent roles in the Civil War serving in the 54th Massachusetts Volunteer Infantry Regiment,[2] World War II with the Tuskegee Airmen[3], and the Vietnam War.

When African Americans were denied access to schools and deprived of educational opportunities, black educators such as Ezra Johnson, John J. Carter, W.E.B. DuBois, Booker T. Washington, Charles Hamilton Houston, Mary McCloud Bethune, the Little Rock Nine, and James Meredith encountered danger and death to obtain the freedoms found in education. The birth of Historically Black Colleges and Universities (HBCUs) such as Tuskegee Institute, Cheyney University, Howard University, Fisk University, and Hampton Institute was conceived in the travails and travesties regarding the intellectual capacities of African Americans.

Justices ruled that the admissions systems used by both the University of North Carolina and Harvard University violated the U.S. Constitution's Fourteenth Amendment "equal protection of the laws" clause.[4] The majority opinions of SCOTUS supported the position of the Students for Fair Admissions, Inc. to eliminate *all* racial discrimination to end race-based college admissions, and that UNC and Harvard's "admissions programs lack sufficiently focused and measurable objectives warranting the use of race, unavoidably employ race in a negative manner, involve racial stereotypes, and lack meaningful end points. ... (p. 7)"[5] An appropriate quote attributed to Albert Einstein challenges the majority decision's quantification clause: Not everything that can be counted counts and not everything that counts can be counted.

The ethos of America: Are we, as a nation, race conscious, race neutral, or racially cataleptic? This prevalent struggle for national identity has confronted America for centuries. Current racially charged issues that confront the membership of various U.S. institutions are: justice, equity, diversity, and inclusion (JEDI programs), critical race theory (CRT), the banning of certain books determined to be racially prejudiced against white people, and the legitimacy of Black Lives Matter. Difficult questions concerning the legality and morality of race-related policies that subjugate, validate, segregate, or eliminate people identified by race, have been responded to, decided, or resolved, for better or worse, by the Supreme Court of the United States.

That SCOTUS ruled to reverse affirmative action programs is not surprising nor should it be alarming to members of BIPOC[6] and other marginalized communities. Civil and human rights, thought at one time to be inalienable and self-evident, have been repeatedly denied to certain groups throughout American history, by SCOTUS authorization. Default on social, legal, and many times, constitutional contracts is not new in America. In fact, it should be anticipated

and expected. Ask our first nation Native American brothers and sisters their opinion on this matter.

Dr. Martin Luther King, Jr. referenced America's default on its social contract in his speech as part of the 1963 March on Washington for Jobs and Freedom:

In a sense we've come to our nation's capital to cash a check. When the architects of our republic wrote the magnificent words of the Constitution and the Declaration of Independence, they were signing a promissory note to which every American was to fall heir. This note was a promise that all men, yes, black men as well as white men, would be guaranteed the unalienable rights of life, liberty, and the pursuit of happiness. It is obvious today that America has defaulted on this promissory note insofar as her citizens of color are concerned. Instead of honoring this sacred obligation, America has given the Negro people a bad check, a check which has come back marked insufficient funds.

But we refuse to believe that the bank of justice is bankrupt. We refuse to believe that there are insufficient funds in the great vaults of opportunity of this nation. (Sure enough) And so we've come to cash this check, a check that will give us upon demand the riches of freedom and the security of justice.

Earlier in that same year (January 14, 1963), a despotic and dictatorial pledge was made as part of the Inauguration Address by Alabama Governor George Wallace:

Today I have stood, where once Jefferson Davis stood, and took an oath to my people. It is very appropriate then that from this Cradle of the Confederacy, this very Heart of the Great Anglo-Saxon Southland, that today we sound the drum for freedom as have our generations of forebears before us done, time and time again through history. Let us rise to the call of freedom-loving blood that is in us and send our answer to the tyranny that clanks its chains upon the South. In the name of the greatest people that have ever trod this earth, I draw the line in the dust and toss the gauntlet before the feet of tyranny ... and I say ... segregation today ... segregation tomorrow ... segregation forever.

The tensions between the perceptions of America and the belief in her greatness by Dr. King and Governor Wallace could not have been more at odds.



After each legislative reform that benefits African Americans, Derrick Bell, distinguished law professor and the first tenured African American Professor at Harvard University, believed racism and racist legislators routinely reassert judicial authority to return America to the status quo. With every legislative achievement, Dr. Bell asserts that African Americans, instead of benefitting from judicial gains, are seemingly required to brace for a societal “push back.” This push back is the resistance of some white Americans refusal to adapt to legislative change. The birth of the Ku Klux Klan, Jim Crow, Black Codes, redlining, and white flight all bear witness and provide substantiation of Bell’s premise. Derrick Bell believed that racism is a permanent part of the American ethos.

Marginalized groups who participate in civil rights activities (protests, marches and at times experience constitutional victories), according to Dr. Bell, were metaphorically like a patient on life support. The patient, who has experienced severe trauma, is taken to the intensive care unit, the Supreme Court of the United States. While in ICU, there are moments of hope generally due to the herculean efforts of the medical staff. These moments foster the fervent desires of survivors, family, friends, and members of the medical team to believe in and hope for the miracle. Over days, weeks, and sometimes years, there are desperate searches for any clinical evidence that the patient will survive. Dr. Bell would conclude that the patient is going to die because the trauma experienced by the patient was too severe. The carcinogen of racism will win. I hope Dr. Bell is wrong.

Carol Anderson[7] posits that Black achievement and material success have been and remain threatening to the status quo of America’s greatness and to a small majority of MAGA Americans. Confounding to the uninitiated is the fact that the greatness of America was achieved through racial and ethnic diversity and participation (albeit many times it was nonvoluntary participation). What was denied, withheld, or not equably distributed were many of the material rewards; patents, property, and position afforded those achievers. Affirmative action is not charity; it is community solidarity and distributive justice. When applied correctly, affirmative action programs offer opportunities for those who are privileged to share their privilege and for those less privileged to offer their gifts and talents that move America into a united, beloved community.

And Still I Rise[8]

You may write me down in history with your bitter, twisted lies,
You may trod on me in the very dirt, but still, like dust, I’ll rise.

Does my sassiness upset you? Why are you beset with gloom?
'Cause I walk like I've got oil wells pumping in my living room.

Just like moons and like suns, with the certainty of tides,
Just like hopes springing high, Still I'll rise.

Did you want to see me broken? Bowed head and lowered eyes?
Shoulders falling down like teardrops, weakened by my soulful cries?

Does my haughtiness offend you? Don't you take it awful hard
'Cause I laugh like I've got gold mines diggin' in my own backyard.

You may shoot me with your words, you may cut me with your eyes,
You may kill me with your hatefulness, but still, like air, I'll rise.

Does my sexiness upset you? Does it come as a surprise
That I dance like I've got diamonds at the meeting of my thighs?

Out of the huts of history's shame, I rise.
Up from a past that's rooted in pain I rise.
I'm a black ocean, leaping and wide, welling and swelling I bear in the tide.

Leaving behind nights of terror and fear I rise.
Into a daybreak that's wondrously clear I rise
Bringing the gifts that my ancestors gave,
I am the dream and the hope of the slave.
I rise, I rise, I rise.

[1] Booker T. Washington was an African American educator and the founder of the Tuskegee Normal and Industrial Institute, now Tuskegee University. The Tuskegee Airmen (Red Tails) were trained at Tuskegee University. The graduates of the pilot training program performed highest on flight aptitude exams.

[2] The 54th Massachusetts Volunteer Infantry Regiment was one of the first black regiments in the U.S. Black men from all over America and from other countries traveled to Boston to join the regiment.

[3] The Red Tails had one of the lowest loss records of all the escort fighter groups. The success of the Tuskegee Airmen contributed to the enactment of Executive Order No. 9981 by President Harry Truman – equality of treatment and opportunity in all the U.S. Armed Forces, thus ending racial segregation in the military.

[4] XIV Amendment Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

[5] Supreme Court of the United States, Syllabus. October Term, 2022. *Students for Fair Admissions, Inc. v. President and Fellows of Harvard College*. Certiorari to the United States Court of Appeals for the First Circuit. No. 20–1199. Argued October 31, 2022—Decided June 29, 2023

[6] BIPOC – Black Indigenous and People of Color.

[7] Carol Anderson is the Charles Howard Candler Professor of African American Studies at Emory University and the author of *White Rage: The Unspoken Truth of Our Racial Divide*.

[8] Maya Angelou, "Still I Rise" from *And Still I Rise: A Book of Poems*. Copyright © 1978 by Maya Angelou. Source: *The Complete Collected Poems of Maya Angelou* (1994)

ABOUT THE AUTHOR

Dr. Parris J. Baker is an Associate Professor at Gannon University, where he is the Social Work, Mortuary Science and Gerontology Program Director. An alumnus of Gannon, Baker received his graduate degree from Case Western Reserve University, Jack, Joseph, & Morton Mandel School of Applied Social Sciences and his doctorate from the University of Pittsburgh, School of Social Work. Presently, Baker serves as the Senior Pastor of Believers International Worship Center, Inc. He is married and has five children.



Dr. Baker can be reached at: baker002@gannon.edu.

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