

I am more than honored to be here. To help launch these discussions off. Discussions with those doing such powerful work in the vineyard of poverty. Work, against the odds, trying, as Dr. King put of it, to make real the promises of the American democracy.

Work through which you carry out – day in and day out – Vaclav Havel’s definition of hope. Which he described not as a prediction of success, or as a description of the world around us, but as a predisposition of the spirit, a predilection of the heart. Choosing to live in the belief that we can make a difference in the quality of our shared and complex lives. The nobler of contested hypotheses. My hat is off to you. I’m honored to be with you. And I mean that not in the chivalrous sense, but the literal one. You do our most difficult and our most important work. It can be hard to remember that from week to week, I know. But you shortchange yourselves, and you shortchange your calling, if you ever forget it.

I’m also glad to have an important assignment – an important topic to explore this morning – the challenges of equal justice, equal dignity, meaningful membership and opportunity. For most of the last twenty-five years, I’ve been either a law school dean or a university president. I was surprised during those tenures how often presidents and deans are called upon to give what I think of as “warm and

mindless” remarks. Designed to touch the affections, and perhaps the pocketbooks, of the various alumni and friends of their institutions. Certainly never to say anything strident, or controversial, or meaningful. I was surprised how big a part of the job of being president the giving of warm and mindless remarks was. I was even more surprised when my faculty colleagues starting saying that I was really good at giving warm and mindless remarks. I’m a natural for it. So today I’ll depart from my longstanding habits and apparently my best talents. But if a little later I forget myself and start asking you for money, please forgive me. Old habits die hard.

I could say too that, a few minutes ago, as I came in, a couple of folks said I don’t look like they expected a distinguished law school dean or university president to look. I hear that with some frequency. At first I took it at as a compliment. Maybe I’m not as nerdy or as arrogant as is usually called for in my line of work. But I gradually realized people were just saying I’m a lot bigger than they ever expected a university president to look. I explained this to my wife of 26 years and she said, I’m sure kindly, that I’m a lot bigger that she ever expected me to look either.

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I should begin by saying what a fan I am,

particularly, of the community action mission. These remarkable agencies, these remarkable people – giving voice and effectiveness to the poor and the threatened and the marginalized. Believing in the empowerment of community change and the enabling prospect of self-sufficiency. Tracing your roots to the War on Poverty – and even before that, at least back home in NC – to the initiatives of Governor Sanford’s NC Fund.

I remembered Lyndon Johnson’s words in 1965 – in declaring “unconditional war on poverty” – a war that the “richest nation on earth can afford to win; and can’t afford to lose.” Johnson also began by saying -- that “I don’t know if I’ll pass a single law or fund a single program, but before I’m through, not a community in America will be able to ignore the poverty in its midst.” I guess we’ve proven more steadfast in our resolve to ignore the “poverty within our midst” than Johnson would have predicted. As Terry Sanford said, we didn’t lose that war on poverty – we abandoned the field. But those were telling words from an American president – this fight to lift the prospects of the forgotten. God knows it would be nice to hear a president say such things again. And they mark your calling.

Maybe, given my own background, I just like oversized Texans with southern drawls, and tragic fates, but I can still hear Johnson’s

words on the stump: deploring “the prison of American poverty”. Let’s do something we can be proud of”, he bellowed, “help the weak and the meek and lift them up and give them training and give them an education so they can make their own way instead of living off [of someone’s] bounty”.

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Almost 50 years ago now, Johnson told the graduating students at the University of Michigan: “In a land of great wealth, families must not live in hopeless poverty. In a land rich in harvest, children just must not go hungry. In a land of healing miracles, neighbors must not suffer and die unattended. In a great land of learning and scholars, young people must [not go uneducated]”.

I think it would break his big, complicated, southern heart to know today, how powerfully still, his words ring true.

But that’s not really what my assignment is. I’m not here for a history lesson. There’s too much going on for that. The times are too daunting. Too potentially terrible. I just like to remind you from whence you come.

Challenging times for so many in America. For over 47 millions of Americans living in poverty, amidst plenty. Some 2 million Floridians. Maybe 16 percent of Americans unemployed or unwillingly having only part-time work. Challenging times, therefore, for Community Action Agencies. Made worse by our friends circling the wagons and then shooting inside the circle. Words, at the State of the Union, I never thought I would hear this president, our president, whom I love, utter: programs “about which I care deeply,” like Community Action agencies, taking a 50% cut,

from 700 million to 350 in the community block grant. And slapping, calculatingly, politically, wildly inaccurately, "virtually unchanged since 1964." As you deal with a massive mortgage and eviction crisis, huge weatherization programs, stimulus jobs, employment training, support for utility bills, youth programs, early childhood development programs, head start, domestic violence intervention, homeless shelters, transportation and for the homebound, to VITA assistance, child care aid, food pantries – most unknown to the world four decades ago – our only community based federal poverty programs. More than 20 million people helped by community action agencies last year. And then, of course, the House moves, with giddy lust to try to zero the block grant out. Apparently nothing is more thrilling, more uplifting, more morally edifying than pulling a frayed and embarrassingly inadequate safety net out from under necks of poor people.

So the New York Times would write, accurately: "It is a measure of where we are as a country that this is not a bigger news story." Cuts that'll do virtually nothing in the deficit battle. But will tear apart people's lives. Because, of course, we now have to try to pay for tax cuts for the richest Americans. For the hedge fund operator I read about last week – who made 5 billion dollars in financial speculation – and whose tax rate is, therefore, 15% -- less than his secretary pays. And because we can't consider touching the overwhelming portion of the federal budget – not for poor people, which is deemed untouchable. Jacob Lew, the president's budget director, said last week "The budget is not just a collection of numbers, but an expression of our values and aspirations." I'm surprised he could get the words out. And the President himself, saying a soon after, "nothing is easier than solving a problem on the backs of the poor, those who don't have lobbyists, and clout and power in Washington. That's not courage." How right you are, Mr. President. How right you are.

[Sorry, this part was sort of ad lib...Not all – looking broadly –state of

union – coming out of emergency – market, corporate profits, now we're going to have to make cuts, we're going to have to work harder, learn better, teach better – now that the wealthy are feeling in charge again, now that they've been made whole, we can start digging ourselves out. As if waitresses and coal miners were the ones who caused this. Makes me sick. But we're past the emergency ... now its time to tighten our belts and buckle in... other side of coin. What's not regarded as an emergency in America. What's OK with us.

What's just to be expected...What is tolerable.... **\$787 billion**

dollar bank buyout. A 800 billion

dollar stimulus package. 40 billion for Detroit.

I don't know, many, many hundreds of billions,

or I suppose trillions, to bail our Fannie Mae

and Freddie Mac; and AIG; and Bank of

America; and Citigroup; and Bear Stearns; this

list is long. And for many of us, it's nauseating

– particularly when you see folks who caused

all this misery, thinking they're masters of the

universe; take tax dollars wrung from the brow

of waitresses and miners and pay themselves

The cover of Newsweek saying "We're All

Socialists Now." Lindsay Graham, conservative

Republican Senator from South Carolina,

saying we need to nationalize the banks.]

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We acted because we believed we were in an emergency, in strong exigency. We were facing risks, maybe we still do, that, for so many of us, for most of us, we have thought to be unacceptable. So we chose to act. And act we should – even if it entails stepping a bit out

into the dark – because when your children’s future is at stake, you act. Better to partially misstep -- in courage and dedication to their welfare -- than to sit back and let the darkness descend. I know this. I don’t dispute it. This too, is not my point. We rightly have regarded these perils as unacceptable.

But I want to spend just a few minutes this morning talking about the other side of that coin – the side of the coin that for twenty years or more – WE HAVE BELIEVED TO BE ACCEPTABLE. What we HAVE been willing to accept, to adjust ourselves to. What has been a permissible, even an untroubling, status quo.,

I was thinking, that regard, of Dr. King this week –who was blunt about the scourge of poverty amidst plenty. “America is going to hell,” King wrote, “if we don’t use her resources to end poverty and make it possible for all of God’s children to have the basic necessities of life.” And I remembered that Dr. King described himself not long before he died as chronically “unsatisfied”, as “maladjusted.” “I never did intend to adjust myself” he wrote, to “economic conditions that take necessities from the many to give luxuries to the few.” So, King claimed, “I call upon “all persons of good will to be maladjusted.” And I think he would have said to us, why, even before these difficulties, in the salad days of the last two decades, WHY HAVE WE BEEN SATISFIED?

1. How can we have been satisfied when in the wealthiest nation on earth, the wealthiest nation in human history, almost fifteen percent of our citizens, some 47 millions of us, live in stark unrelenting poverty? Figures far worse than other advanced western democracies allow. A poverty that is skewed by race – between 25 and 35 percent -- for blacks, Latinos and Native Americans. A poverty that is skewed by geography. And a poverty that is skewed, to our shame, by age. With our youngest, and most vulnerable, the poorest among us. One in five children; one in three black kids, four of ten Hispanics. No other western industrial nation permits the high rate of child poverty we embrace. As if any theory of justice or virtue could explain the exclusion of innocent children from the American dream.

2. And how could we have been satisfied when, despite our claims of equal opportunity, and dignity, and that we're all in this together, the top one percent, nationally, has more wealth than the bottom 80 percent combined? And our income gap between rich and poor is greater than at any time since records started being kept over four decades ago;

and is now documented to be the highest in the industrial world. While over 45 million American's don't have enough to eat – or, as we euphemistically say, they are “food insecure.”

3. And how can we have been satisfied, over the last decade, as more than 40 million of us have no health care coverage of any kind, last year, 51 million. Leaving us alone among the industrial nations in failing to provide some form of universal coverage. Even though, as Dr. King argued, “inequality in access to health is the most pernicious discrimination of all”. Among the major industrials, we rank first in wealth, first in military expenditures, first in gross domestic product, first in millionaires, first in billionaires, first in health technology spending, yet ... we manage only 12th in standard of living for

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the poorest fifth of our society, 14th in efforts to lift children out of poverty, 16th in number of low birth weight babies. Amazingly, 23rd of 25 in infant mortality, and to our shame, 25th in children killed by gun violence.

4. How can we be satisfied, when across so much of North Carolina, and much of the nation, we allow rich and poor public

schools? Not just private schools mind you, but rich and poor public schools. Leading us to worry that the term “at risk” will become a description of a child’s fate, rather than his starting point and circumstance. As if it was thought acceptable to treat some of our children as second or third class citizens. Our religions teach that all children are equal in the eyes of God. We often operate our schools as if we didn’t believe it.

5. And how can we be satisfied when, in higher education, the vineyard in which I work, a study two years ago concluded that universities are more economically polarized today than at any time in the past three decades? So that if you come from a family making over \$90,000 a year, your chances of getting a college degree by 24 are better than one in two. If your family makes \$35,000 or less, the odds are one in seventeen. One in seventeen. The Education Testing Service finding, in surveying the student cohort at our 146 most selective universities, that fewer than 3% of the students came from families in the bottom economic quartile, and a whopping 75% come from the top economic quarter. As if wisdom, intellect, drive, ambition, and worth were somehow hereditary.

7. And again, in my venue, the legal system. The nation's poor, who most need assistance, remain the least likely to get it. Jimmy Carter said a quarter century ago, when I hoped it was exaggeration, that we have the "heaviest concentration of lawyers on earth ... but ... ninety percent of [them] serve ten percent of our people. We're over-lawyered and underrepresented." Study after study, across the nation, across the south, indicates at least 80% of the legal need of the poor is unmet. Fencing out millions on some of the most crucial issues of life. Making a mockery of the phrase "equal justice under law" -- etched into our courthouse walls -- in every state, and every county, and every city of this country.

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8. And, even in our politics, most foundational of all, it still seems that you have to pay in order to play. We're the only people in the world who believe that our elected officials walk up to total strangers, ask for thousands, or now, hundreds of thousands of dollars, get it, and are completely unaffected by it. Achieving a state of perfect ingratitude. A system of government in which those who

seek certain policies are allowed to give unlimited amounts of money to those who make the policies, can be called many things. But it can't be called democratic. And it can't be called fair.

9. And, finally, HOW CAN WE HAVE BEEN SATISFIED, when decade after decade, in cultural arena after cultural arena, in election after election, including even this historic presidential race, these debilitating disparities are barely even discussed? In law, in politics, in philosophy, in the academy, even in our pulpits, we turn our gaze away from those locked at the bottom of American life. Coming to think of a regime of economic apartheid as unassailable and unavoidable and untroubling.

Lincoln said the central purpose of America was that the weak should gradually be made stronger and that ultimately all would have an equal chance. But what was central for Lincoln has become foreign for us.

The frank truth is, if the exclusions and indignities of American poverty are right, then the Constitution is wrong.

If the debilitations of those locked at the bottom are acceptable, then our scriptures are wrong.

If these denials of equal citizenship and humanity are permissible, then we pledge allegiance to a cynical illusion, not a founding creed.

So I hope as we set about meeting our challenges – in Florida and nationally – we'll keep in mind that some of us have been in peril well before the crashes of 2008 and 9. That we have been satisfied with exclusions and barriers and denials of opportunity and dignity that we should not have countenanced. Not if we are who we say we are. Not if we believe what we say we believe. Not if we are the people we have assumed ourselves to be.

I'm sorry to become tedious with references to Lyndon Johnson – but it occurred to me, yesterday, that Americas great Community Action agencies may be the only place –
“Rarely in any time does an issue lay bare the secret heart of America itself. Rarely are we met with a challenge, not to our growth or abundance ... or our security, but rather to the values and the purposes and the meaning of our beloved nation. And should we defeat every enemy, and should we double our wealth and conquer the stars, and still be unequal to this issue, then we will have failed as a people and as a nation. For, with a country as with a person, "what is a man profited if he shall gain the whole world, and lose his own soul?"

Profit? Your soul? That – simply put – is the core of your mission. Work on the nation's soul. I wish it weren't as

difficult, or challenging, or lonely as it is. But it's helpful some times, when thinking of great challenges to remember those who have gone before.

When you think about it, I'm pretty sure Fannie Lou Hamer didn't do an opinion poll before she started the Mississippi Freedom Democratic Party; and Rosa Parks didn't conduct a focus group before she sat down for freedom. And this isn't the first time people in this room have worked for justice against the odds. It's your heritage. It's your defining mission, your naming purpose.

So I hope we'll commit, as we try to bail OURSELVES out, to a higher calling of citizenship of patriotism of obligation. One recalling that we're all in this together. That there can be no excuse for the richest society in human history talking about equal opportunity and equal citizenship and equal dignity and common cause so relentlessly – and doing so little, relatively speaking, so little to make those idle promises real. Turning our backs on our most foundational promises. Betraying the literal promise of America. I hope we'll subscribe to it. We'll declare our commitment. We'll enroll our hearts. We'll enlist our spirits. We enlist because....

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1. Somewhere we read, "We hold these

truths to be self-evident that all are created equal.”

2. And somewhere we read, that we are “one nation, under God, indivisible, with liberty and justice for all.”

3. And somewhere we read that “history will judge us on the extent to which we have used our gifts to lighten and enrich the lives of our fellows.”

4. And somewhere we read, that “injustice anywhere is a threat to justice everywhere”.

5. And somewhere we read, “we have to believe the things we teach our children”, believe them and make them real.

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6. And somewhere we read that “the arc of the moral universe is long, but it bends toward justice.”

7. And somewhere we read, that “whenever you did these things for the least of these, you did them for me.”

8. And somewhere we read, “You reap what you sew.”

9. And somewhere we read that the pursuit of justice and the pursuit of happiness can be as one. They march not in opposite directions, but hand in hand.

10. And somewhere we read, “no, we are not satisfied and we will not be satisfied until justice rolls down like waters and righteousness like a mighty stream.”

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