

Testimony of David Mott RE: HB 1099

I am testifying today in favor of HB 1099 introduced by Delegate Carr, on behalf of the Bethesda African Cemetery Coalition and the Maryland Poor Peoples' Campaign. We strenuously urge you to support passage of this important legislation that aims to exhume, protect and memorialize critical African-American Maryland history, the lessons of which all citizens of our state will benefit from learning as we work to create a more inclusive and humane future for all.

HB 1099 is Right Step in Right Direction, but Could and Should be Improved to Confront the Immediate Crisis Threatening Preservation of Historical African American Sites in Maryland

Too many sites of African American history in Maryland have already been obliterated by disrespect, neglect and/or been buried under the concrete and asphalt of commercial development. Too many state, county and local officials have preferenced the interests of developers over the importance of historic preservation and public awareness and education. Whether because of ignorance, animus or blindly following the conventional wisdom of economic development at any cost, these decisions have brought these sites – and their importance to us all – to the brink of extinction.

Therefore, there is urgency in the need for this legislation.

In order to strengthen this legislation to better meet the urgency of this situation we would propose the following amendments:

- The work of the Department and the Fund should begin immediately and not be held up pending results of the study. A study is good and necessary to document the extent of the need for preservation, but not needed to begin funding preservation, restoration and memorial projects as endangered sites are already known. Any delay in protecting these valuable historical sites will only place them in greater danger. Examples of sites urgently needing protection are the remnants – including burial ground and cemetery – of the Waybard African Community on River Road, Bethesda, and another site endangered by the expansion of I-270.

- The Department and/or the fund must have the mandate and authority to intervene to stop any development that endangers a potential historic African-American historical site until an archeological survey is conducted and its findings made public and shared with all stakeholders. The Department and the Fund should then be empowered to mediate resolution of the matter in the interest of preservation, restoration and memorial.
- Oversight and Advice to the Department and Fund from stakeholders in preservation, restoration and memorial is imperative to promote input from people closest to the issues and projects, and to insure openness and transparency around decisions made. Creation of an Advisory Board composed of representatives from the ranks of the stakeholders such as those mentioned above should be part of this legislation.

Background and Context Supporting the Need for This Legislation

The history of Africans and African Americans has been twisted, perverted and misrepresented for centuries in this country, first to justify slavery and the Civil War fought to preserve that “peculiar institution;” then to revise the history of slavery, the Civil War itself as “noble” but “Lost Causes,” and Reconstruction as an assault and terrible imposition and affront to the Southern Way of Life, brought by northern-bred carpet baggers, corrupt and ignorant former slaves.

The reality was quite different. The truth is that Africans were ripped from cultured civilizations. They fought enslavement from the moment the chains were put on. They worked tirelessly to preserve their culture and organize themselves under the most horrendous circumstances, in which their lives were not their own. They resisted, they rebelled, they organized escape networks so as to liberate each other. They fought in the civil war to liberate themselves.

During reconstruction, freed African men and women fully embraced their freedom, enacting democratic state constitutions, building communities, establishing schools – indeed systems of public education – bought, sold and owned land, built thriving businesses, churches, public services. And they voted, ran for and won offices locally, in state legislatures and in Congress.

But in a deal that garnered Rutherford B. Hayes the presidency, the federal troops were withdrawn in 1877, leaving the fragile experiment in multi-racial democracy

that was Reconstruction at the mercy of the resurgent white supremacist old guard. The gains were rolled back, the experiment crushed. The ascendancy of the Lost Cause narrative idolizing the Confederacy was underway, and Jim Crow was not far behind.

In an afterward to his novel, *Freedom Road*, Howard Fast asks the question why this history has not been more widely understood. He answers it this way:

“When the eight-year period of Negro and White freedom and cooperation in the south was destroyed, it was destroyed completely. Not only were material things wiped out and people slain, but the very memory was expunged.

“Powerful forces did not hold it to be a good thing for the American people to know that once there had been such an experiment – and that the experiment had worked. That the Negro had been given the right to exist in this nation as a free man, a man who stood on equal ground with his neighbor, that he had been given the right to work out his own destiny in conjunction with the southern poor whites, and that in the eight-year period of working out that destiny he had created a fine, a just, and a truly democratic civilization.”

Maryland was a slave state. Throughout the state there are numerous remnants of African/African-American communities that rose up and prospered during Reconstruction, some whose lives stretched into the mid-20th Century. Their remnants are surviving evidence of “such an experiment,” as Fast recounts.

But over time these communities were erased by the encroachment of white society. While there may not have been apocalyptic erasures of African communities and their political successes such as took place in Wilmington, North Carolina in 1898 (the only coup d`etat in American history) or Tulsa, Oklahoma in 1921, no doubt violence was used when deemed necessary.

Other pressures were brought to bear to erode and finally destroy these communities and deliver commercially valuable land to white citizens and developers – methods such as manipulation of land prices, taxes policy and other legal devices. The result: African community residents could no longer afford their homes, so they sold the land or just left it.

So much of these communities have been destroyed – bulldozed, paved over, dug up and sent to local dumps. An example of this is the desecration of the African burial ground and cemetery of the African Waybard community that grew up after the Civil War on River Road in Bethesda. Much of the community has been the victim of commercial development. In the 1960's a good portion of the cemetery and burial ground was paved over to make a parking lot for a housing development. Recently Montgomery County granted a permit to an Arizona company to build a storage facility on another portion the community's burial grounds. There are but a few open land areas left of the former community. A local organization, the Bethesda African Cemetery Coalition and members of the church that was part of the old Waybard community are waging a fight to stop the desecration and, instead, use this land to erect a memorial and museum. Sites such as this need to be preserved. They represent a critical link to the truth of our past -- and most importantly the heroic struggle of marginalized African Americans recently released from bondage who built communities, families and a future under the most difficult circumstances. It is a story of a people who absolutely believed in the value of democracy and the promise of America.

We are in an important period of re-evaluation of our nation's past and present, and in particular the racial relations and injustices that run through our country's history, in order to better see a way to a more just and inclusive society. But we cannot begin to know how to go forward until we understand the truth about where we have been.

That is why HB 1099 is so important. This bill provides critical tools to help descendent communities and people of conscience save the evidence of these historic communities in order to commemorate their achievements and tell their story. We urge you to strengthen and then pass this legislation.

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