Feast of Gratitude, Feast of Sorrow

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Unitarian Universalist Meeting House
November 20, 2011 – Sunday before Thanksgiving

Joy and woe are woven fine. Thanksgiving, with all of its heartiness, with all the joy of family gatherings, arrives for many of us in the midst of losses and sober thoughts. A beloved member has died unexpectedly and entirely too soon. On a personal level, I am reminded that Thanksgiving marks the second anniversary of my mother's death.

And beyond the particularities, each year Thanksgiving in this place brings us back to a particular conundrum. We are blessed to be living in this little sand bar thrust into the ocean; we have ample reasons to give thanks. But we now realize that the particular story we were always told of Thanksgiving, which took place within 60 miles of where we are sitting now, has undertones of racism and colonial conquest and is placed within a larger story of overwhelming sadness and injustice. The conventional, and sanitized, story of the Pilgrims and Indians is almost like the Peaceable Kingdom I talked about last week, only instead of the lion and lamb lying down together, the Calvinist Separatists and the pagans enjoyed a feast of fowl and deer and fish and corn. But we know that the context of this feast was that it was the tip end of a European conquest that would forever change the Native Americans' way of life and reduce them to a tiny remnant occupying a small fraction of the great land they had once roamed freely.

This is why the Chatham Wampanoag activist Frank James and others urged in 1970 that Thanksgiving Day be designated a day of mourning.

"Come, ye thankful people come," we sing. We know deep in our guts that the key to a spiritually fulfilling life is an attitude of gratitude. Those who choose to bless the world are happier than those who condemn it, and more importantly, their light shines so that others can see it. Blessings multiply.

But how do we sing our songs in a strange land? Does the attitude of gratitude take account of the epic tragedies of the past? It is hard enough to be grateful when we run into misfortune ourselves. When we have bad news from the doctor, or we are missing our children, or our dear ones who have passed away, or our account is overdrawn or that bothersome skin complaint is back — how can we be grateful when life deals us a sorry hand, as it often does? And if we can be grateful despite personal setbacks, can we maintain gratitude despite the injustices by which the European settlers built the society that we enjoy today?

To answer this we have to start with what we have to be thankful for. On a personal level, spiritual maturity consists in recognizing that we don't make it here on our own. We are

relational beings. As the scripture says, we live in houses we did not build, drink from wells we did not dig, eat the fruit of olive trees we did not plant. No one is an island. We are connected to everyone who made all this possible. And if we are aware of this, gratitude naturally flows.

To whom are we grateful for our individual existence? The conventional answer is God, but that won't go down well with some of you, so try this: my own existence is due, most immediately, to my own parents. But stop and think what kind of a miracle it is that you or I came into being at all. As my late colleague Forrest Church once expressed it[1],

> "Your parents had to couple at precisely the right moment for the one possible sperm to fertilize the one possible egg that would result in your conception. Right then, the odds were still 3 million to one against your being the answer to the question your biological parents were consciously or unconsciously posing. And that's just the beginning of the miracle. The same unlikely happenstance must repeat itself throughout the generations. Going back ten generations, this miracle must repeat itself one thousand times, one million three hundred thousand times going back only twenty generations."

Now many of us in Chatham recently read the book *Mayflower* by Nathaniel Philbrick. Forrest Church read it when it first came out in 2007 and here's what he had to say:

> "There's a new book out on the Mayflower. It's quite a good book, telling a lively, unlikely tale. Five of my direct ancestors happened to be on that tiny boat, which brought the first band of doughty Pilgrims to our shores in 1620. Early in the book, I was brought up short when one of the five – remember I wouldn't be here this morning without the unwitting assistance of all of them – 24 year old John Howland, an unmarried servant, fell off the Mayflower into the ocean half way across the Atlantic. Miraculously he caught the rope his fellow Pilgrims threw overboard in their desperate attempt to save him, and he lived. Had John Howland drowned, you might be hearing a better sermon this morning, but I, assuredly, would not be preaching it."

You and I are the result of a series of particular historical accidents, and perhaps you know some of them. I know that if my father had not survived about seven months on the beach at Anzio in the Second World War, I would not be here; many of his comrades did not survive.

Beyond the historical accidents that resulted in our births, there are all the characters we

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[1] "Beating the Odds" by Forrest Church sermon Feb. 18, 2007, http://www.forrestchurch.com/writings/sermons/beating-the-odds.html

met along the way, the teachers, comrades, friends who helped us out and made us who we are.

But there is also more general historical story that informs who we are. And part of that is the story recounted in *Mayflower*, the story of the Pilgrims' encounters with the native tribes. This is important whether or not we trace our own ancestry to the Mayflower, for it is kind of a national founding myth.

I talked last week about Steven Pinker's new book about the decline in violence in the present age, and I mentioned that Pinker had set out to puncture the myth of the Noble Savage, to which Westerners and especially liberals are prone. We tend to see pre-Columbian America as a kind of Eden, with peaceful hunter-gatherers living off the land, land which was held in common, worshiping nature even as they were one with it. Pinker paints a very different picture, and the most violent society in his study was a prehistoric Native American one in South Dakota, where more than 60% of all deaths studied in a burial were from violent means.

Nathaniel Philbrick, in his telling of the story of the Pilgrim-Indian encounter, tries to avoid stereotypes. The Natives do not come across as saintly, but neither do they came across as demonic. Atrocities are committed on both sides in the Seventeenth Century, though the ones committed by the English tend to have higher body counts and less provocation.

But the question of who started the fighting, or the body count, is not the central justice question, as I see it. To me the real justice issue is the taking of the lands, and I have done a little looking into that. It turns out that there is something called the Doctrine of Discovery. Before Columbus, as the Age of Exploration began, the Pope issued a bull, or decree, which told Spain it could take lands from any non-Christian people that it encountered[2].

Well, the European courts took this decree and ran with it; as the European powers competed with each other for territory in the New World, the courts said that each parcel belonged to the European power which "discovered" it or, more accurately, explored it.

There is a US Supreme Court case from 1823, Johnson v. M'Intosh, which summarizes this doctrine[3]. At issue was the ownership of two large tracts of land in what is now Illinois. There were two corporations who asserted they had good title because their predecessors has purchased the land from Indian tribes before the Revolutionary War. But the colony of Virginia, in which the land was located at the time, like all the colonies, had specific laws forbidding any private person to buy land from Indians.

It was that law which proved fatal to the case of the side claiming from the Indian deeds.

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[2]http://en.wikipedia.org/wiki/Discovery_doctrine

[3]21 U.S. 543, 5 L.Ed. 681, 8 Wheat. 543 (1823)

This is what lawyers would call the nub of the case, the reason for the outcome. But the court did go on to cite the doctrine of discovery as a backup position: why did Indians not have the right to sell to private parties? Because the Doctrine of Discovery gave the colonizing powers as sovereigns the exclusive right to buy Indian lands.

Now normally, anyone who owns land has the right to sell it; why should it be different with Indian lands? Because of the conquest by Europeans, is Justice Marshall's answer; in the following quote, he wrestles with that fact and tries to justify it; it's kind of convoluted language, so I'll try to go slowly:

> However extravagant the pretension of converting the discovery of an inhabited country into conquest may appear; if the principle has been asserted in the first instance, and afterwards sustained; if a country has been acquired and held under it; if the property of the great mass of the community originates in it, it becomes the law of the land, and cannot be questioned. So, too, with respect to the concomitant principle, that the Indian inhabitants are to be considered merely as occupants, to be protected, indeed, while in peace, in the possession of their lands, but to be deemed incapable of transferring the absolute title to others. However this restriction may be opposed to natural right, and to the usages of civilized nations, yet, if it be indispensable to that system under which the country has been settled, and be *592 adapted to the actual condition of the two people, it may, perhaps, be supported by reason, and certainly cannot be rejected by Courts of justice.[4]"

This is very lame reasoning; it isn't really reasoning at all. He basically throws up his hands, says it can't be justified under theories of natural rights and the usages of civilized nations, but that's the way the land was taken so we're going to recognize this because to do otherwise would upset the applecart.

Now we can deplore this reasoning, but we are still on the same applecart.

I am told that courts still apply the Doctrine of Discovery as the law of the land. I have read a commentary on this case which points out that the chief result of the case is not to totally disallow or downgrade the Indian's rights in land vis-a-vis the US, but to confirm the rule that only sovereign colonies, monarchs or states can buy land from Indians[5].

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[4]Johnson v. M'Intosh 21 U.S. 543, 591, 5 L.Ed. 681, 8 Wheat. 543 (1823)

[5]Kades, Eric, "History and Interpretation of the Great Case of Johnson v. M'Intosh" *Law and History Review* Vol. 19, No. 1 Spring 2001

You will see in the Mayflower history that many settlers did buy land individually from Indians in the early years, though even then the colony tried to make them apply to the court for permission before they did this. You will also see that where there were hostilities, as in the Pequod War and King Philip's War, the colonists seized a lot of Indian land without compensating them as spoils of war.

But the fact remains that a great deal of Indian land was paid for. This fact might ameliorate the injustice if it had been for a fair price. But there were two factors which made it unfair. First, as I understand it, nothing in native culture gave them a clue as to what land ownership meant to a European. For centuries in Europe, land had been the principal medium of wealth; the larger the estate, the more crops and livestock it would support, the more money these could garner on the market. Because land was so important economically, property law was well-developed. The Indians practiced agriculture, but their basic social organization was hunter-gatherers. They had no livestock. Much less courts, deeds, registries of deeds, surveyors, plats, measuring devices or legal precedents. So conveying land to them meant giving someone a right to hunt or raise corn on it, what Western law calls usufruct.

Second, the rule that only sovereigns could purchase Indian lands meant that the sovereign had all the bargaining power. Think about a monopoly. If I have a monopoly on widgets, if I am the only seller of widgets, you are all going to have to pay whatever price I charge if you want to buy widgets. A seller with a monopoly can drive prices up.

This is the converse scenario – it is a single buyer; it's not called a monopoly, it's called a monopsony. If private parties had been allowed to bid, the Indians could have made them compete against each other and driven up the price. By enforcing the rule that only governments could buy, the colonies and the the state and national governments got the Indians to sell their lands for a song.

I hasten to add that the discovery doctrine is not the whole story; there is also a doctrine called aboriginal title. In 1946, Congress passed an act by which Indian claims under aboriginal title can be compensated, and claims are being paid out, though the value of those claims is limited.

The word "occupy" has gotten a new meaning now. We are all occupied with the occupy movements, but we might consider the word in this historical context. Justice Marshall said the Indian inhabitants are to be considered as mere "occupants," though under natural law they might be considered owners. This is a shocking injustice. Descendants of Europeans,

which is most of us in this room, occupy lands formerly occupied by native Americans. The laws of the state and nation say we own our parcels of land. Did we steal this land? Yes and no. Our predecessor governments paid for it, but they rigged it so that they would not pay a fair price.

Now where are we on the gratitude reflections? I am grateful that I have this great land to enjoy today, I am grateful that once in a while the settlers and Indians could sit down to a common meal, but I am sorrowful that my English forebears did not deal more fairly with the Indians, just as I am sorrowful that my southern ancestors amassed wealth through slave labor.

We are the inescapable beneficiaries of oppressions committed by our ancestors; that does not mean we need to bury our heads in grief and shame. It means that in the gratitude for the life we are given there be woven some recognition of these injustices and some responsibility not to perpetrate them in our own lifetimes.

We drink from wells that we did not dig. The blessings we enjoy due to the oppressive conduct of generations gone by are one type of a larger class – all the blessings of our lives which we did not earn. Dick Fewkes' fine reading lists many of these:

For the sun and the dawn
Which we did not create;
For the moon and the evening
Which we did not make;
For food which we plant
But cannot grow;
For friends and loved ones
We have not earned and cannot buy.

Christian theology has a word for an unmerited blessing: it is called grace.

It was grace that lifted the shadow from the soul of John Newton, who as the captain of a slave ship, was more intimately and personally involved in oppressions than any of us will ever be, and led him to write the words "I once was lost but now I'm found, was blind but now I see."

The reading I did a moment ago is the reading I have done almost every Thanksgiving since I entered the ministry, because it points the way to gratitude in the face of loss and grief. "Thanksgiving is standing still, with an injured and an open heart and letting the River run freely through us." We cannot right every injustice by which the modern world was created, but we can open our hearts to the sufferings of people throughout history. As we enter onto the Tricentennial celebration of this town, let us keep an open heart and open mind for all who ever lived in this enchanted corner of the world that we are presently lucky enough to occupy. Amen.

Reading “Run River Run” by Susan Hull Skirt magazine, Charleston SC 1996

We are what we are given/and what is taken away..." — Wendell Berry

Norman Maclean wades into the swift silver of Big Blackfoot River, casting for memories with the same reverence that he reserves for trout. Planting his feet in the slowly deepening riverbed, Norman begins to hear the long story of his life cascading by — from his birth in Missoula, Montana, where the river banks were the breasts on which he fed as a child, through a restive adolescent initiation in the roaring rapids, the still reflections of his first love, to the dark eddies of gambling and debt that pulled his brother under. Now all are gone home before him in that great race to the sea. "Eventually," Norman concludes from the timeless sibilant prayer of water on rock, "eventually all things merge into One, and a River runs through it."

There is a river that runs through us. It is Mystery, it is Life, some say God. It descends through my granite soul with the force of gravity and love, plunges through empty canyons, chisels out corridors with its wet hands and slowly, ever so, widens the cracks and crevices of my failures into pools where grace collects. The injury of the river is also its gift. Where I have been cut deeply, so there Life most deeply, most surely, flows.

I don't believe that the gifts of God come in the form of goodness, but in the face of Life itself. In danger's shadow as well as dazzling light, in a disquieted heart as often as a still mind, in labor as in love. If we would receive the sacred, we must receive the river's flow, even as it injures, even as it takes away.

I thank God for my handicaps said Helen Keller, unable to hear a bubbling stream or see its glistening green or put it into praise. Yet she praises: I thank God for my handicaps, for through them I have found myself, my work, my God.

That, to me, is thanksgiving. It's not about being glad for the good things that have happened to us — they are simply moments in the sun. Thanksgiving is standing still, with an injured and an open heart and letting the River run freely through us. Each year at this time, I stop and cast into the water. I recount the story of the year past, of life given and taken away: our planet's staggering losses, our moments of forgiveness, our fulgent gains. I think of a friend's child who came swimming into this world on amniotic rivers, and I remember my grandmother's final

crossing over t the other shore. I remember the intense hope of eyes brimming with the vows of marriage, and the loosening tears of those whose hope was broken. I think of my own love found, or friends lost.

We are what we are given and what is taken away, blessed by the name of the giver and taker... The confluence of all things returns to the Sea, the Source. The Gift unites with the Giver. Let the river run. The banks of my heart are wide with thanks