Why Do I Write? - It is not because of any psychosis

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Curtis Zachery wore his hair close; maybe it was because of the bald spot which dominated the top rear portion of his head. His skin color was a consistent chocolate blend. His hands belied his profession; he had the best-kept hands of any painter I had ever known. Zach was known for his complaining. I once heard him get into an argument with a woman who wasn't having any of his most persistent character-flaw. She attempted to silence him with a mimicking whine, and her cutting words, "You complain more than a mean old woman." I admit I am paraphrasing her words, but I think you get the point. The insult didn't bother Zach; he acknowledged her telling point with a smile and then continued his irritating whine.

I said earlier Zach was a painter. What I didn't say was the type of painter he was – he was an inside house painter. When anyone inquired about outside work, Zach would immediately dismiss the inquiry.

Zach's favorite lament was a rather simple one – "everybody thinks they can paint". It was a craftsman's complaint; "they" buy the cheapest paint available, follow none of the rules of application, and slap the paint on the wall expecting wonderful results.

As Zach balanced himself on the ladder and reached for the far corners of the ceiling, he painted and complained. As he a came down from the ladder, as if talking to anyone, but to no one in particular, he renewed his whine - "Just because you can put paint on the walls doesn't mean you are a painter."

I knew Zach's life's lesson applied to any profession-- painting, lawyering, acting, dancing, doctoring and even writing. Yes, he took longer to complete a job than most painters. When he undertook a new project, he practically moved in. When I arrived to work, Zach had

let himself inside, and would be consuming what was clearly not his first cup of coffee. His painter's whites were still white. His hands, nails, and other portions of his body, all revealed he had not yet started painting. Zach preached patience as part of one of his life lessons. He also imposed this principle on others who interacted with him on a daily basis. In his morning sessions with me, my morning paper would remain in his hands as he complained loudly about those "asses" down at City Hall.

Sure Zach over-extended his stay at times, but this fault was offset by his contributions to this dance we call life. One such contribution was his willingness to receive my early morning pleas to replace yet another broken glass pane in the front door. Seemingly there was graffiti on the bathroom walls of the interstate service stations, with directions to our office, encouraging travelers to come at night and throw a brick, rock, or stone through the front door. Zach received my call at least a dozen times over a fifteen-year period. He never revealed our vandalism secret to those arriving to work later; he continued his consumption of his coffee and his reading of "my paper."

Zach's rant on the ladder was heartfelt. Zach knew the years of studying his craft were not appreciated. He probably heard more than once from novices-- "I can paint," or comments such as-- "Why pay you; I can do the same thing." Time now tells me Zach was in the last portion of his dance with life, but I didn't know that at the time – he seemed so healthy, and when I joked about age, he boldly proclaimed, "That's okay, if I do trip and fall you are going to fall in the hole right behind me."

I must admit, however, his painting was exquisite. He used painter's terms – he told me once the technique he was employing was called "feathering." He needed no tool to cut a

straight line. He cared for his brushes as if they were children. When I questioned why he spent so much time prepping, he told me it was part of the lost art of painting.

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The summer between my fifth and sixth birthday it seemed everyone in my grandparents' farming community was dying. I don't remember whether I witnessed this ritual six, seven or even ten times, but it seemed like a lot. Death is personal.

They came to occupy my grandparents' extra bedroom. He - came from the farm near the other field, seven miles down the road. She - lived closer and was a mere five miles away. They - all were members of my grandparents' central Texas farming community. My grandmother, Chester Anna Wright, who we called Muh Chest, bathed their bodies. Both grandparents prayed for their souls; they gently helped them in the dying process.

I don't remember whether I showed my anxieties outwardly that summer, but I do remember Muh Chest holding me and explaining death and dying was as natural as life, and there was no reason for me to be afraid. Muh Chest brought me into the bedroom and placed my hand in his hand; she smiled and he did too. I remember my insides crying, I didn't cry outwardly – at least I don't think I did – I was a "big boy."

White sheets, white robes, black and brown-toned skins, and the ritual of summer baptisms and burials--these were all part of the summers of my childhood. We prayed in the morning. We prayed before every meal. We also had prayer service prior to sleeping. My grandparents prayed more than anyone I have ever known, Muh Chest seemed to understand "ashes from ashes, and dust to dust" meant she, too, was not exempt. It seemed to me she was not going to short-circuit her path to salvation.

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I write because the images come in waves and stay whether invited or not. Sometimes they are vivid, in living color, and are accompanied by music. Other times they are in the form of the settling and caring voice of an elder. Oh, sure, you can call it therapy, or some form of psychosis, but I would disagree with you. I think it is more about sharing life's experiences. Zach's complaints are part of those life lessons. He probably painted more walls, knew more about products, and could tell you whether a product would or would not work. His knowledge was the accumulation of long hours spent studying his craft, but it was also part and parcel of his and other's life experiences. If he had been totally honest with me, he would have had to admit to the many conversations he had with blank, partially- painted or completed walls.

I write to share these experiences. Perhaps this is my attempt to make sense of it all. I write to allow the images to speak, dance with me, to have a voice. I write to conquer the images which terrorize me; they, too, should have an equal voice. This is all part of my life experiences.

Muh Chest understood that when she placed my hand in one farmer's hand. Although, the farmer said nothing, I believe his smile helped soothe my internal fears. The death process had now softened his hands; his face seemed so soft and kind. He died that night.

I spent thirty-five years as a lawyer. I represented people, with all their glory and warts. Their races and nationalities varied; their religions represented the scope and breath of faiths we worship; their wealth represented the same type of diversity found in their dialects, their body types and their complaints. At times, I had to tell their stories in context of the confines of the law-- those four walls, without deviation, in black and white. Most times, however, their stories were aided by storytelling, by taking their life experiences and explaining to others theirs is a shared experience. Sure, the oral didactic is the image thought of when the reference to lawyers

occurs, but on most occasions, the fight is carried out via the written word. I bring with me who I am – those thousands of souls.

In 1993, I received a call from Nadine Strossen, who, at the time, was the President of the American Civil Liberties Union. Nadine told me she and others were writing a book to be entitled *Speaking of Sex, Speaking of Race*. She wanted me to contribute a chapter, but gave me little in guidance of what she wanted me to write. I questioned whether she wanted an academic paper; she told me that was my decision. I wasn't told how many pages were expected, but Nadine did say they would be happy with whatever I could give them. In this conversation, I learned who the other contributors were; I knew some of them by name, others I knew nothing about. The contributors shared a common-bond-- they were published authors, most in an academic setting. They appeared to be colleagues, friends, and from listening to Nadine it seemed they had known each other for years. I asked when the chapter would be due; I was given a deadline of days-- less than a week. I didn't know whether to be insulted or complimented with respect to the late notice. Nadine was honest though, she said my name came up because of my representation of the Grand Dragon and his organization. I was an afterthought, but I knew if I agreed I could not dwell on this. After getting off the phone, I worried whether I could produce an academic matter with such short notice and with little or no guidance. I knew if I provided an academic paper, I would have to borrow from other completed works. But I also knew I did not care to provide an academic paper and a better approach was storytelling – something which represents a slice of all of lives. I met the deadline and my chapter was appropriately titled, *The First Amendment and the Art of Storytelling*.

To say my representation of the Klan and its Grand Dragon was fraught with controversy is not overstating my experiences in the least. Some of my enemies attempted at times to

become my friends; some of my friends filled the void vacated by my enemies. Who said the game of life differs any from the games we played as children – but that is not my point. During this period of time I remember being in Baltimore for purposes of appearing on a local television program. Prior to the show, I had lunch with Sherrilyn Ifill, who was then a professor at University of Maryland School of Law. I knew Sherrilyn from litigating a redistricting case together. Early on during our lunch Sherrilyn implored me to write. Even though our lunch was to catch up on each other's lives, the discussion actually became a discussion of culture, race, politics and history, all intermingled with that which makes us laugh, that which makes us cry. She wanted to make it known the art of writing was telling the story of our lives. I told her I understood. I am sure over the years she probably felt I was lying about my comprehension.

At one time I submitted an academic paper to the *Notre Dame Law Journal*, at the journal's invitation. The paper was edited and returned to me for corrections, and it seemed to me the major criticism related to removing the storytelling from the piece. I didn't return the edits and didn't respond to the calls inquiring whether I was going to resubmit the paper. I saw in the edits the proverbial four walls of the law. I recognized the black and white of the decisions I had to make in reviewing the edits. I knew I could not dance in both formats if the edits were approved. Sure I knew the confines of academic writing. I had previously been published by *Thurgood Marshall Law Journal* [*Is the Diminution of Civil Rights the Road to a Color-Blind Society? The Law of Mea Culpa Nothwithstanding*]. I understood what the *Notre Dame* Editor's demanded; I simply could not comply.

I made a stab at dancing in two formats in 1993 and contributing a piece entitled *Confessions of a Constitutional Fool* for *USA Today* (October 1993) and in 1999 for *Dallas Morning News* in the public debate surrounding prayer in schools [*Dallas Morning News*,

November 14, 1999, *Pre-Game Prayer: Attorneys Debate Whether It Should Be Allowed at High School Football Contests*]. But it was not until 2004 that I began to I consider whether I needed to make a serious commitment to the writing profession. I had just contributed a chapter to the book, Black Cowboys of Texas. My chapter was entitled, *Rev. Mack Williams, Sr.: Nobody's Fool.* After the chapter was submitted, the editor, Sarah Massey, traveled from San Antonio to Galveston to visit with me. She said she came to encourage me to leave the law and dedicate myself to the profession of writing. She didn't care what I wrote; she just wanted me to write. I thanked her for her compliment and told her I would think about it. This thinking took me eight years.

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It was a typical summer day when I exited the federal courthouse in Galveston in June of 1998. The sun was intense. Mother Nature's contribution was to assure the humidity was at a level that we would notice. We did. When I turned the corner to go to my car, I noticed an elderly, slight built man accompanied by a younger man. When I noticed, he also noticed me and summoned me in his direction. It was Hugh Gibson, who now was serving in a senior status on the federal bench. I had practiced before Judge Gibson in both the state and federal courts for twenty years and even though our relationship was contentious in the early years, we had grown to respect and love each other's contribution to the law.

I noticed Judge Gibson's motions had become slower. Although he always talked in a whisper, his breath and voice now were labored. And even though he never had much color in his skin tone, his skin reminded me of those men and women who visited my grandmother's home to spend their final hours. Judge Gibson was dying.

Yes, we, Judge Gibson, the law clerk who accompanied him, and I, exchanged our societal niceties. And even though I knew that Judge Gibson was not fine, it mattered not. My assuring him of my likewise "fineness" was meaningless in context of what I observed. He asked me whether I was rushing; I don't know whether I was or not, but I told him I was not. He asked me to come upstairs to visit with him. Time didn't matter at this point so I accepted his invitation.

Judge Gibson never told me he was dying during my visit with him, but our conversation was dominated by death and dying. At one point, Hugh Gibson reached and grabbed my hand and whispered, as only he could do, "I'm tired." I knew he was saying he wanted the dying process to come to an end. Without saying it, he was telling me he had made his peace, he had lived his life.

Years later, my mother, whispered in my ear the same thing as she lay in her hospital bed. I must admit I didn't give her an immediate answer that day. I asked her for permission to think about it over the weekend. I traveled back to Galveston that day and spent the weekend thinking about her statement. I thought about Muh Chest's lessons. I thought about Hugh Gibson. I screamed to no one but myself; I complained life was unfair. On Monday, I traveled back to Fort Worth and told Mamma I understood. I held her head in my hands and whispered in her ear she didn't owe us anything. I told her she had raised the seven of us, and had kept us out of harm's way - she had my blessing. She smiled at me.

I knew it would not be long. I told her I was going to travel back to Galveston and probably would not be around when she died. She smiled again. When I left the hospital room, I called my brothers and sisters and told them death was imminent. I didn't tell them of Chester Anna's secrets.

The law clerk who had accompanied Judge Gibson downstairs had taken a seat at his desk in the next room. His door was open and he sat a mere fifteen to twenty feet from us. He pretended he was not listening, but he did; he could not hide his shock as we openly talk about death and dying. I felt sorry for law clerk; he didn't have a Muh Chest.

I told Judge Gibson I understood what he was saying. I told him I saw nothing wrong with what he said. I told him he had my blessings – if that meant anything to him. He smiled and thanked me; I smiled in return. Judge Gibson continued to hold my hand. He then changed the subject.

He told me I should write about my experiences. I told him I had been encouraged to write by others, and I was making a stab at doing so. I expressed to him my fears that others would not believe me, and would believe the stories were made up. Judge Gibson said he knew the stories were true; he had witnessed some of what I needed to write about, what I needed to tell. He again insisted on my writing. He continued to hold my hand.

Even in death Hugh Gibson was forever a judge. He released my hand, moved back in his seat – as to give him the requisite space to make a decision – he then asked me for an example of a story people wouldn't believe. I thought for minute and then told a particular event, a story, a slice of my life. No, I don't remember the story now; time has conspired to rob me of that memory. I do remember however the story recounted was of the "truth is stranger than fiction" variety.

Color now rushed to Hugh Gibson's face. His sly smile became bolder. He pushed back against his chair and bellowed a laugh of incredulity.

"No, no, no, that didn't happen … Did it? Oh, my God"!

In fact, we both laughed. We both wiped our eyes. We sat there for those seconds and watched each other's eyes. Hugh Gibson then leaned forward and again assured me, I should write. His assurance was still judge-like, as if pronouncing his verdict. And even though we had spent our time sharing his most personal thoughts, I still remained subject to giving him the respect due his position in life and title, "Yes, sir."

At the end of our discussion, I grabbed Hugh Gibson's now frail hands and thanked him for sharing with me his wisdom. I excused myself because I realized I had lost track of time, and because he now was appearing to tire. I summoned his law clerk to come in the room to attend to his Honor. When I exited the courthouse, the sun's ray remained intense. Mother Nature continued her application of the requisite humidity. Hugh Gibson died two weeks later.

Muh Chest sometimes referred to a man's hard headedness as the same hard headedness seen in mules. I think Sarah possessed my grandmother's view of men and mules; she remained persistent over the years. Every Mother's Day, Sarah and I would celebrate our mother's lives, smiles and deaths. We would meet at a half-way point and have an early breakfast together. Sarah would also mingle these breakfasts with the question of writing and whether I had made a decision yet. I would tell her I was still thinking.

When I finally made the decision to leave the law, I called her and told her over the phone. I wish I had made the two and half hour trip to Austwell, Texas, and shared my decision in person. Yes, I heard her joy, but I didn't see her smile. I also missed her congratulatory hug, something I needed with this decision which was laden with all life's uncertainties. Of course, others have encouraged me along the same line. Family, love ones and friends have noticed. Sometimes we don't listen to our children. And at times we discount the view of those special in

our lives because we color their views as being tainted, or biased, as in, "*that is sweet of you to say so, but…"* I am no different than you-- I didn't listen.

As Zach hung onto his well-worn ladder, he applied the final touches to his masterpiece. He continued to complain aloud, *"Everybody thinks they are a painter"!* Zach I know, and everyone thinks they are writers; everyone thinks they are capable of writing the next great novel.

I can write that. Heck, I can write a screenplay. My stories are scarier, better, more exciting.

Have you ever written before? Have you ever written a novel? Have you ever written a screenplay?

No, just read it. Just read it.

I know, you told me, and I understand … they, we, spend little time practicing, studying and working at the craft and art of writing and less time appreciating the works of folks who have dedicated their lives to this time honored profession. *I know Zach, I know*.

I hope I am different Zach. I hope I have learned from our discussions which took place from a ladder. And even though your complaint was oftentimes draped with humor - yes, we laughed - I still understood the seriousness of your life complaint. I hope I don't disappoint you my friend.