

We the People

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of the United States, in order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

Article I

Section 1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section 2. The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

No Person shall be a Representative who shall not have attained to the Age of twenty five Years, and been seven Years a Citizen of the United States, who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and including Indians not taxed, three fifths of all other Persons. The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at least one Representative; and until such Enumeration shall be made, the State of New Hampshire shall be added to the first, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Pennsylvania five, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

When vacancies happen in the Representation from any State the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

The House of Representatives shall choose their Speaker and other Officers, and shall have the sole Power of Impeachment.

Section 3. The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof for six Years, and each Senator shall have one Vote.

Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Clauses. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year; of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one third may be chosen every second Year; and if Vacancies happen by Resignation, or otherwise, during the Term of any Senator, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.

No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

The Senate shall choose their other Officers, and also a President pro tempore, in the Absence of the Vice President, or when he shall exercise the Office of President of the United States.

The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States, the Chief Justice shall preside. And no Person shall be convicted without the Concurrence of two thirds of the Members present.

Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of Honor, Trust or Profit under the United States; but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment according to Law.

Section 4. The Senators and Representatives, when they shall assemble, shall be sworn or affirmed to support the Constitution of the United States, before they enter on their Oaths, and after which they shall be bound in Honour and Conscience to support and defend the same, until they shall be separated from their Office, and they shall, without the Consent of the House of Representatives, be privileged from any Question or Inquiries touching any Speech or Debate in either House.

They shall also be privileged from any Arrest or Imprisonment, when they shall be attending the Sessions of the House in which they shall be Members, and from time to time to travel to and from the same, and from time to time to be absent from any Question or Inquiries touching any Speech or Debate in either House.

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Please Just Shut Up and Listen!

By Ayana Airakan-Mance

In the summer of 2020, Arne van Oosterom of the DesignThinkers Group invited me to speak at their Wednesday Web Jam series on the recent spite of police killings of Black people. The invitation came after I had shared with a colleague, “You know we are tired of having this conversation... and we’re not just recently tired, we’re 400+ years tired.” A white policeman had murdered George Floyd in Minneapolis, Minnesota, a month before. That murder and those of other unarmed Black people were weighing on our hearts and minds. Below is a adaptation of my talk: **Please, Just Shut Up and Listen!**

Can Design Thinking service the creation of “Empathy” for “Others”?

How do you apply empathy to people whose stories make you feel uncomfortable? This is the overarching question today. In talking with Whites, I find many are uncomfortable, very uncomfortable. They feel attacked when faced with how America’s unholy past with slavery remains alive in a system of racism that results in violence against Blacks today.

They don’t know how to hear or listen to hard stories, to our stories. Hence the title of this talk.

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So, why are police killing Black people?

This is a painting of the 2nd Continental Congress in 1789, when this country was being formed.

These White men formulated concepts that were noble and wise in the Constitution of the United States: to form “a perfect union”, “establish justice and ensure tranquility,” and “secure the blessings of liberty to ourselves and our posterity.”

This new union was based on principles outlined in America's 1776 Declaration of Independence from England, which had exalted the "pursuit of Life, Liberty and Justice for All," and pronounced that "all men are created equal."

But all men weren't created equal in the English colonies, nor would they be in the new United States of America. Slavery—the ownership of human beings by other human beings—was a way of life that enriched landowners in this new land of liberty. Some human beings were specifically excluded from these lofty principles on which the US was founded. Black slaves remained property to be bought and sold.

Blacks had no control over their own bodies. Sold at auction like farm animals, brutalized to "tame" them. Black women were forced to nurse their enslavers' babies—who would grow up to be the women's future enslavers. Slave-owning White women rarely nursed their own babies.

In 1863, two years before the end of the Civil War, Abraham Lincoln delivered the Emancipation Proclamation, purportedly freeing slaves.

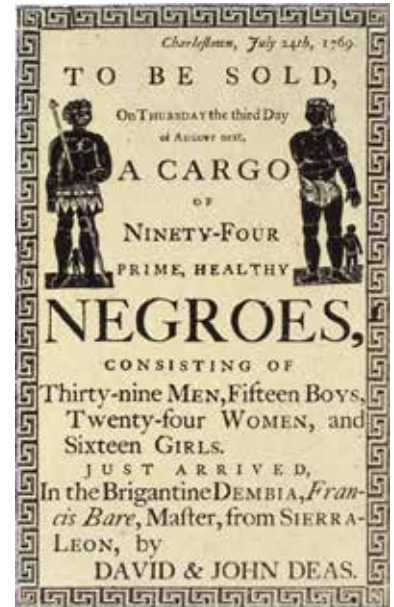
Our country was in turmoil, but the end of the Civil War offered hope.

Reconstruction, as the 12 years after the Civil War were called, lasted from 1865-1877. Progress seemed at hand with the passage of the 13th Amendment abolishing slavery.

The 14th and 15th Amendments also guaranteed citizenship and protection of rights. At first Black men could vote and be elected to state legislatures.

But the 13th Amendment contained a loophole... "slavery should not exist...except as a punishment for crime whereof the party shall have been duly convicted."

The 13th amendment to the United States Constitution provides that "Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction."





Whites began enacting laws that criminalized activities like “loitering” (sitting or standing in public), refusing to sign yearly labor contracts, talking to or looking wrong at white people. “Black Codes” limited the migration of Black people to other states. Whites at this time justified their terror in service to what was called the “Lost Cause.”

Black Codes were reinforced by the terror of the Ku Klux Klan (KKK), whose principal weapon was lynching. When today’s racists want to threaten Blacks, a hangman’s noose is still their signature warning.

Black people were arrested and severely sentenced for minor transgressions, thus becoming criminals, and being forced into laboring for free—again. AND, with criminal records, losing many of the rights they had just gained. Police harassment of Blacks for minor traffic offenses, for crimes like selling cigarettes, for failing to signal a turn, are the modern-day equivalent of those laws.

Over the past eight years there has been an awakening about the killings of Black people by police. Every week or every day there seems to be another Black person killed by vigilantes or the police—in fact, what brings us here today is the killing on May 25th of George Floyd or rather the video that allowed the world to witness his killing.



A cell phone video made the world witness the agonizing final eight minutes and 46 seconds of George Floyd’s life. What resonated with Floyd’s death was that he was, at the time, just the most recent Black killed by police over the course of two months. Eight Black people had died at the hands of police or white vigilantes during this period. There’s a direct link between what happened to George Floyd, Breonna Taylor, Ahmaud Arbery, Trayvon Martin, 12-year-old Tamir Rice, and 7-year-old Aiyana Johnson and the Jim Crow laws, and Black Codes that resulted in those gruesome lynchings decades ago. That racist subtext courses throughout American history and erupts before an outraged world today.

Large racial and gender wage gaps in the U.S. remain, even as they have narrowed in some cases over the years. Among full- and part-time workers in the U.S., blacks in 2015 earned just 75% as much as whites in median hourly earnings...

From: Pew Research Center: July 1, 2016

The difference today is that exposure by mainstream media and social media outlets has brought these acts of violence based in blatant racism directly before the eyes of the world. The talking heads who are “talking” about these acts use “safe” terms such as unconscious or implicit bias—that the underlying racism causes people unconscious of their own bias to commit today’s horrors.

The arrest of two Black businessmen in a Philadelphia Starbucks in 2018 focused a spotlight on unconscious bias. As the men waited for the arrival of their white colleague, the store manager called the police—because the men hadn’t ordered. Upon arriving, the police arrested the two even though they explained they were just waiting for their associate. Just as the police were removing them, the white associate arrived, verified the men’s account, and asked the police why his colleagues were being arrested. Without responding, the police continued the arrests.

Mainstream media labeled the manager’s reaction “unconscious bias” based on preconceptions that people hold about those who are different from them. That the men were Black and hadn’t yet ordered was seen as a suspicious activity by the manager—and by the police. These actions

seem unconscious because they are so prevalent. They are based on inherent prejudices that are centuries old. Starbucks closed all their locations for a week after this event to hold “Unconscious Bias” training.

We all hold unconscious beliefs because seemingly, we as human beings need to categorize.

Unconscious biases are social stereotypes about certain groups of people that individuals form outside their own conscious awareness. Everyone holds unconscious beliefs about various social and identity groups, and these biases stem from one’s tendency to organize social worlds by categorizing.

Unconscious bias is far more prevalent than conscious prejudice and often incompatible with one’s conscious values.

Have you ever experienced or exercised unconscious bias?

I have been on the receiving end of unconscious bias—not violent but grating nonetheless. I was at a professional networking event in San Francisco, where I have lived and worked for many years. One of the white guests with whom I was in conversation asked me how “the traffic was coming into San Francisco from Oakland.” Oakland is a city east of San Francisco. By this time, the Black population in San Francisco had dropped to 7% from the highest percentage count of 12%. Oakland at the time had a robust Black population of around 20%.

I was confused by her question because no one had talked about where we lived or worked. This assumption, from my understanding, is a demonstration of unconscious bias. San Francisco's Black community has been diminishing, but there are still a few of us living here. I looked at her, probably with surprise and annoyance, and told her that I didn't know how the traffic was because I live and work in San Francisco. Other times, I've been told I don't "talk Black;" I have been asked where I'm from, because I don't fit others' boxes/stereotypes.

Unconscious bias is the result of systemic racism. What is systemic racism?

Recent college graduate Kennedy Mitchum petitioned dictionary publisher Merriam Webster to enhance the definition of racism "as a system of advantage based on skin color." We now know the term white privilege. White privilege alludes to this concept. Mitchum persisted in her request, and Merriam Webster agreed to change the definition. So how is Merriam Webster now defining racism?

1. A belief that race is the primary determinant of human traits and capacities and that racial differences produce an inherent superiority of a particular race.
2. A doctrine or political program based on the assumption of racism and designed to execute its principals.
3. Racial prejudice or discrimination.

Numbers one and three are the school book definitions. Number two's definition begins to look at racism providing a systemic structure, doctrine or program based on inherent biases. In the U.S., it is a political or social system founded in white privilege.

The wealth gap between Black and white households continues to grow. It's not getting better, it's getting worse.

The cause of this disparity is the inherent systemic racism built into educational systems. If we look at a city like Montclair, a wealthy hamlet adjacent to Oakland, we can begin to see the disparities in the qualities of education between the two cities. Property taxes fund the schools. Wealthier Montclair produces more taxes for its schools. The properties in primarily Black neighborhoods in Oakland or San Francisco are not as valuable, thus not providing the school system enough funds for more robust resources for their schools. There is great disparity of resources between school districts and neighborhoods.

Even though schools were desegregated almost 70 years ago, segregation still exists due in part to this use of local property taxes to fund corresponding schools. Were property taxes evenly distributed, all schools would receive equal funding. This disparity in education leads to societal disenfranchisement of Blacks and communities of color. Children do not have access to resources to better themselves. These areas become school-to-prison pipelines.


City governments and banks have deliberately devalued neighborhoods/communities of color through the practice known as Redlining. Redlining is when these institutions draw a red marker around the areas where they will invest or where they will divest. This egregious practice has been horrifically detrimental to Black neighborhoods—and prevented Black Americans from fully benefiting from the wealth of property ownership.

How might we use research skills to address our unconscious biases which drive systemic racism?

In closing, how can we use Design Thinking to begin to look at crafting methods/structures for people to develop authentic allyship? How can we craft empathy especially for those whose stories make us feel uncomfortable? How can we look at the roots of this discomfort and see where it is coming from? Is it coming from our historical past? How can we show how the past lives in the present? How can we challenge these biases and develop allies? I like the concept of storytelling, to keep the conversation going. How can we help traditional power holders to allow others to develop their own power?

I'd like to finish with a quote from Deborah Willis's June 19, 2020, New York Times article called "Sources of Self-Regard, Self-Portraits From Black Photographers Reflecting on America".

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The aggregate wealth white households have held has historically far outstripped that held by the Black community. And while it has increased for white people since the 1980s, it's remained stagnant for Black people.

From: Business Insider: July 8, 2020

Photographer Chester Higgins sums it up beautifully:

“Too often, African Americans are relegated behind the borders of indifference and extensive hatred. My people don’t feel safe. We are constantly being looted by the system–this has to stop. We did not invent structural racism in our society and can’t bring it down without allies. Who knows what tomorrow will bring, but I plan to keep standing up for the change that makes us all better people.”

Chester Higgins Jr.
Brooklyn, New York

Source: <https://www.nytimes.com/interactive/2020/06/19/arts/black-photographers-self-portraits.html>

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