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What if the next winner of the Super Bowl was determined, not by players scoring touchdowns or field goals, but by one team winning because of a referee’s ruling over someone being offside or taking too much time in the huddle? There would be an outcry that the game was decided by the officials and not the players. The officials may have been following the rulebook, but the results would be very unsatisfactory to the fans in the stands. Yet that seems to be what happened with the criminal lawsuits tied to the Flint water crisis.

After nearly eight years of litigation and $60 million in legal costs, the Michigan Supreme Court has upheld the dismissal of criminal charges against nine defendants in the Flint water crisis that began nearly a decade ago. Because the prosecution used the one-man grand jury, the indictments were considered invalid and all charges were dismissed, including those initially filed against former Gov. Rick Snyder.

If the cases had actually gone to trial it’s hard to say what might have happened. Perhaps there might have been some convictions. Perhaps there might have been some acquittals. Perhaps there might have been some plea bargains. Each case is somewhat different and the facts about who did what and who knew what are complex.

Some of the defendants might have found protection under the umbrella of governmental immunity that gives officials some protection in pursuing their legal duties. Others may have been found guilty of exceeding the bounds of their governmental powers.

But whatever the outcome, it would have been determined by the major players in the case, the prosecutors, the defendants, the judge and jury. The results certainly would not have satisfied everyone, but there would have been a feeling that at least the process was played out with some sense of fairness.

**The history of the prosecutions**

The history of the criminal prosecutions of those involved with the Flint water crisis is long and complex. The initial prosecutions began about seven years ago, when Attorney General Bill Schuette, initially filed charges in 2016. As the process began, a few officials took plea deals and others prepared to defend themselves in court if necessary.

However in 2019, newly elected Attorney General Dana Nessel said the initial charges were flawed, dismissed them and started over with a new list of criminal charges. However, because of the statute of limitations, they needed to act quickly. The limits are six years for most felonies, 10 years for a few others. The one-man grand jury is considered a quicker route to filing charges.

**The one-man grand jury**

In charging the nine defendants, the one-man grand jury was...
Education Beat

**Flint Schools seek Mott Foundation partnership for Holmes-Brownell campus upgrades**

*By Harold C. Ford*

The snarl(s) – those visible to the public, and those unseen – in ongoing effort(s) to upgrade the aging lineup of school buildings shepherded by Flint Community Schools (FCS) untangled a bit with the unanimous passage of a proposal by the Flint Board of Education (FBOE) to seek a $14 million grant from the Charles Stewart Mott Foundation to further upgrade the Holmes-Brownell campus on Flint’s northwest side.

Voting in favor of the proposal, introduced to the public on Oct. 16 at a special meeting of the FBOE, to ask financial support from the Mott Foundation were all six of seven members present: Michael Clack, president; Joyce Ellis-McNeal, vice president; Claudia Perkins, secretary; Laura MacIntyre, assistant secretary/treasurer; Terae King, trustee; and Melody Relerford, trustee. Dylan Luna, the board’s treasurer, was absent.

The 6-0 vote marked the most dramatic step forward in a possible partnership between FCS and Flint’s largest foundation to upgrade the district’s buildings. The possibility of such a liaison – once titled Flint

North end focus

The starting point for a possibly reinvigorated FCS-Mott relationship is on Flint’s north side at the Holmes-Brownell site at 6602 Oxley Dr. (Holmes) and 6302 Oxley Dr. (Brownell).

According to a presentation by Flint Superintendent Kevelin Jones, FCS will seek a $14 million grant to “provide our community a dynamic pre-K-8 campus” and “allow the district to be competitive for enrollment in North Flint.”

Upgrades are to include:
- Renovating the early childhood center at Brownell
- Adding early childhood playgrounds
- Constructing a new community center titled “the Cube”
- Rerouting the parking lot
- Replacement of the running track
- Adding new outdoor facilities for football practice and elementary play

(Continued on Page 5)
(Continued from Page 4)

Ed Beat ...

- Installation and/or upgrading of tennis, basketball, and pickleball courts
- Upgrading the facades both buildings

An overarching goal of the plan is “to blend … three facilities into one full campus experience that is inviting to the community,” Jones said.

Upgrades of the Holmes and Brownell facilities — funded with more than $30 million* in COVID-relief/ESSER (Elementary and Secondary School and Emergency Relief) dollars — are ongoing. Overall, FCS has been the recipient of more than $150 million from multiple levels of government in response to the challenges of the coronavirus pandemic. Currently, Holmes’s students have been temporarily relocated to the Southwestern campus on Flint’s south side during renovation.

[*Based on amounts reported at the FBOE’s May 2023 meeting(s); $21.4 million for Holmes, $8.7 million for Brownell.]

The Cube

A new 3,000-square-foot community center to be called the Cube will, according to Jones, “create the opportunity to bring non-FCS students onto the campus and introduce our programming to potential scholars.”

The so-called Cube building will operate “autonomously” from and “collaboratively” with the school district. Day-to-day management is to be provided by FCS administration to include the principal at Brownell. The Cube is intended, in part, as a community center for area residents.

The Brownell-Holmes Neighborhood Association will be provided with office space in the Cube to offer resources and programming for area residents. Association President Jeanette Edwards – present at the Oct. 16 meeting – saluted the beginning of a newly-imagined partnership between FCS and north end residents.

“I appreciate you all, I thank you all,” Edwards said. “We’ve been fighting for this for a long time. I’ve been in that area 44 years. I know what it took to bring it down; I know what it takes to bring it up … We’ll continue to work with y’all.”

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College Cultural Neighborhood Association

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used to gather evidence and issue the indictments. Genesee County Circuit Court Judge David Newblatt acted as the one-man grand jury. While a one-man grand jury is uncommon in Michigan, it’s not unheard of. It allows a judge to hear evidence in secret to find probable cause for future charges. It can be a quick process and allows for witness protection. With the one-man grand jury the defendants do not have a preliminary examination where they can cross-examine witnesses before a trial takes place. The Michigan Supreme Court ruling said that was a violation of a defendant’s right to due process.

In the 2022 unanimous court opinion led by Chief Justice Bridget McCormack she wrote “(State laws) authorize a judge to investigate, subpoena witnesses, and issue arrest warrants. But they do not authorize the judge to issue indictments. And if a criminal process begins with a one-man grand jury, the accused is entitled to a preliminary examination before being brought to trial.”

Within the last year several Genesee County Circuit Court Judges, F. Kay Behm and Elizabeth Kelly, supported that decision and dismissed charges against the nine individuals. The recent Michigan Supreme Court decision reinforced those rulings by declining to hear an appeal. While there may be a slight chance for further appeals, any chance for further prosecutions is very unlikely. The Flint Water Prosecution Team led by Deputy Attorney General Fadwa Hammoud and Wayne County Prosecutor Kym Worthy, was quoted as saying, “Today, our Supreme Court has put the final nail in the coffin of the Flint Water Prosecutions.”

The reactions

As might be expected, those defending former Gov. Rick Snyder and the other eight defendants praised the decision as a fair limit on governmental power. An attorney for Snyder said that the former governor is “encouraged by what appears to be a declaration by AG Nessel of the end of this political persecution of public officials.”

Some blamed Attorney General Nessel and the Flint Water Defense Team for handling the case badly. Some feel that when Nessel dismissed the earlier set of charges and began the process anew, that the statute of limitations forced them to move quickly to a one-man grand jury.

Those who opposed the decision said that the one-man grand jury had been used for many years successfully and that this ruling was a slap in the face to Flint residents who suffered during the water crisis. In the Flint Journal Mayor Sheldon Neeley was quoted saying “The one-man grand jury has been upheld against plaintiffs from under-resourced backgrounds, while Snyder been allowed to evade justice based on a technicality thanks to a well-resourced, taxpayer legal defense. The standard of justice has not been balanced.”

In the end many Flint residents were disappointed but not shocked by the Supreme Court’s ruling.

What it means

Many can seriously debate the role of the one-man grand jury and the powers it should or should not have, and it is a reasonable discus-sion. But the meaning of the decision goes well beyond the immediate consequences for the former governor and the other defendants. Even if they were all convicted it wouldn’t undo the harm done to the citizens of Flint. Civil lawsuits and other programs have made an attempt to address some of those issues.

The real damage is to the overall trust in government that has been battered from so many sides in recent decades. From the Flint City Council and the Flint Board of Education, to the U.S. Congress, the U.S. Supreme Court, and the White House, trust in government has been falling for decades. That lack of trust makes it possible for the Donald Trumps of the world to find a following as they denounce the traditions and institutions of government with the wildest conspiracy theories. That lack of trust is one reason why we often have a 10 percent or less voter turnout for local elections.

The real problem is that rebuilding trust is a much bigger job than replacing water pipes, slow as that has been in Flint. While not quite complete, most of the water pipes in the city have been replaced. It will take much longer to replace the trust that was destroyed by the all the aspects of the water crisis. The current court ruling is just one more obstacle in that process.

Beyond the City of Flint, restoring trust in the national and state government is even more complex than simply putting some new pipes in the ground or applying rules in a football game.

But it’s even more important than putting new pipes in the ground or who wins the next Super Bowl. Restoring that trust is critical for the survival of a democratic government.

EVM Political Commentator Paul Rozycki can be reached at paul.rozycki@mcc.edu. Rozycki also is president of the EVM board.
Review

“That’s My Moon Over Court Street”
resonates with “improbable happiness” and moving beyond ghosts

By Robert Thomas

That’s My Moon Over Court Street: Dispatches from a life in Flint is an intimate time capsule of a life in Flint composed of Jan Worth-Nelson’s collected columns from East Village Magazine, 2007-2022.

“My adult life in Flint,” she writes in her Introduction, “has had some dark times, and I haven’t been spared from hard and stupid things. These essays describe the improbable happiness I have found so often here. How could that happen in a town like this, even through some of its toughest times? These columns, one by one, represent a kind of answer; the vindication of claiming my life in this complicated city; to look at it, to love it, sometimes to despair about it, and to write it into the cornucopia of our collective human lives.”

In the first column, March 2007, “I never thought I’d stay this long,” the author pursues further questions about her life in Flint. “What does it mean,” she ponders, “to live in a place for a very long time? What does it mean, particularly, to live in a place for a very long time that is, say, bleak, unglamorous, and at its best, notorious? What does it mean, in other words, to live for a very long time in Flint?”

Worth-Nelson wraps up her questions by asserting that “when Gary Custer (late founder and publishers of EVM) asked if I’d like to write this column for a while, I realized I might have a lot to say about this old town.” And so she does, as exhibited by these “Village Life” columns. I reveled in the authentic conversational voicing of a gifted storyteller who writes vividly. I came to see her book as a collection of storied vignettes which proclaim that Flint’s story is the story of the people. This collection resonates with wit, humor, and innate humanity. It is humanity that weaves together Worth-Nelson’s reflections.

With “Bulldozing Flint is premature” for example, she responds to bloviator Russ Limbaugh’s call to “just bulldoze Flint” with a tale of neighborhood that concludes: “In the meantime, neighborhood life in all its lovely variety continues, the balm for discontent.”

Discontent and balm salt and pepper the pages of these columns from “Can there be happiness?” “Thinking about escape from Flint,” and “Life is unendingly fragile.” “Surviving with wrath and yoga,” “When you need to turn to art,” and “A reclaimed piano reclaims grace in a time of plague.”

Righteous anger and art rock and roll the wavy flow of these columns. The Flintoids Worth-Nelson profiles in her columns add herbs and spices to her Flint pot. What’s a story without colorful characters, heh? Flint supplies the goods, as the author demonstrates. The 2015 and 2016 columns are particularly visceral as the columns reflect on wrath in light of the complete failure of government at every level. I was taken with the author’s passionate consternation and indignation.

“Flint’s botched water crisis: betraying the Common Good,” “Can water be made holy again?” and “Primal scream, anyone? The Most (Blank) City in America?” and “It’s gotten hard to write about nuthatches” offer primal insights into a Flintoid’s PTSD after being poisoned by policy. Worth-Nelson resolves these reflections in “Buckle up for the pursuit of truth,” which opens with the First Amendment of the Constitution honoring free speech and closes with the author’s challenge: “Buckle up. I’m ready to fight.”

In “There’s no avoiding family life this season,” the column delves into the essence of true families. “We can make our own families,” she asserts. And we Flintoids do, as she accurately reports.

In “Flint moves beyond ghosts as autumn whispers in,” the author ponders, “how does a person move on? How does a community battered by trouble move on? It’s not like this is a new question—it’s THE Flint conundrum, the reality of Flint that continually makes us both a cautionary tale and also—Lordy, could we pull this off?—a template of recovery.”

In “Remembering a Flint walk when I’m far away,” Worth-Nelson opines that “We Flint people know what it feels like when the promise, the delusions of ‘progress,’ crash and burn. We also know that after the crash, sometimes there might be beauty to be reclaimed, peace in the quiet after the purveyors of greed go away. A lot of us are damaged in the ruins, but that doesn’t mean we’re not still capable—we can still see a carpet of red and gold in somebody’s unraked yard, for example, and passionately love it.”

“Neighborly life can be full of grace” fittingly concludes this collection. “Regardless of what I understood about life when I got to Flint in 1981,” writes the author, “there is nothing richer or more affirming than the love and generosity of good neighbors, of relationships steeped in shared history and nurtured in understanding. This is what I know now about what matters in life—and what Flint has given. So when I die, I think there will be no bitterness: I lucked out when I landed in Flint.”

Upon pondering, That’s My Moon Over Court Street reminded of a quote from George Orwell’s essay “Why I Write”: “When I sit down to write a book, I do not say to myself that I am going to produce a work of art. I write because there is some lie I want to expose, some fact to which I want to draw attention, and my initial concern is to get a hearing.”

Jan Worth-Nelson gets her hearing with this collection of her reflections. “I know, I know,” she asserts in “Flint moves beyond ghosts as autumn whispers in,” “just watching isn’t enough. But it’s something to be good at; paying attention, after all, is a serious calling.”

Reviewer Robert R. Thomas is a former EVM board member, passionately devoted denizen of East Village, and a former San Francisco cable car driver.

7
**East Village Magazine needs your help:**

**Keep local journalism alive in Flint**

For so many important reasons, Flint needs local journalism.

* Flint needs to have witnesses to the work of elected officials.
* We need to know how the city council and school board are managing their responsibilities to us.
* We need to know who’s running for office and what they stand for.
* We want to know about the culture in the city, about our library, about art and restaurants and interesting events.

As we near our half-century birthday, we are looking to assure a vibrant future for the magazine. We need new energy.

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There are roles available for ad salespeople, social media managers, editors, reporters, and more. While primarily a volunteer commitment, grant funding and donations make it possible to provide stipends to some of our staff.

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The same goes for our support functions: selling ads, soliciting donations, and writing grants are a valued trust for us – crucially keeping us going in our day to day devotion to providing excellent local journalism. If you have any of these skills, if you are curious, and maybe need a new adventure, check us out. The cost of all this is your time and dedication.

We also can use donations, the purest form of support. Please consider a contribution to EVM via PayPal via our website, eastvillagemagazine.org, or send a check to Village Information Center, 720 E. Second St., Flint MI 48503.

We want you and your help! If you are interested, contact EVM board chair Paul Rozycki, paul.rozycki@mcc.edu or EVM consulting editor Jan Worth-Nelson, janworth1118@gmail.com.

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"What the hell is going on here?"

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Bring a little bit of adventure to your life. Sharpen old skills and learn new ones. Help to save democracy and preserve a free press!

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Get involved!
of the term “cold war” to Thomas Parker, a Mott Foundation program officer during an earlier Academics Subcommittee meeting.

“This collaboration is the end of a cold war,” Relerford reported Parker as saying. “Yep … that’s right,” confirmed a head-nodding King.

Parker, present at the Oct. 16 meeting, neither confirmed nor denied the “cold war” comment. At the end of the 37-minute meeting he uncharacteristically engaged some FCS officials in conversation on the auditorium stage where FBOE meetings are conducted.

An Oct. 17 statement sent to EVM by Ridgway White, president and CEO of the Mott Foundation read: “With unanimous approval from the Flint Board of Education, we look forward to receiving and reviewing a proposal from Flint Community Schools. We’re happy to consider supporting efforts to improve the Brownell Holmes campus for students and the community.”

“Colonial occupation” to “true community collaboration”

Whatever happened – in the public’s eye, or behind the scenes – it has softened the rhetoric of Laura MacIntyre, the FBOE’s harshest critic of the Mott Foundation’s relationship with Flint’s schools.

“This is … what happens when you have true community collaboration,” MacIntyre said. “This is what’s going to bring in the enrollment.

“Sometimes you have to change the way you’ve been doing things,” McNeal added. “We’ve got to learn how to work with our partners.”

MacIntyre then returned to a familiar theme when she dissented from the notion of a “cold war” relationship between the Mott Foundation and Flint schools. “There was never a cold war,” she said. “There was a colonial occupation.”

“Look out the window and smile”

“Now it’s time to move on … make things great,” Jones said. “We believe this facility will help lead to increased enrollment.”

“That (Brownell-Holmes) neighborhood has an opportunity to look out the window and smile,” said Relerford.

A rare moment of quiet reflection by FCS leaders followed Relerford’s comment.

EVM Education Beat Reporter
Harold C. Ford can be reached at hcford1185@gmail.com.
A selection of events available to our readers is highlighted — beginning after our publication date of Nov. 20. It’s a sampling of opportunities in the city. To submit events for our January issue, email info about your event to pisenber@gmail.com by Dec. 26.

Flint Institute of Arts

Now through Dec. 30 the FIA presents “American Realism: Visions of America 1900-1950,” features works on paper, paintings and sculpture capturing the evolving experience of 20th Century America. Well-known artists like Robert Henri, George Bellows, Guy Pene du Bois, Edward Hopper, Peggy Bacon, Reginals Marsh, Hughie Lee Smith will be featured. Women and artist of color active during this period will be emphasized.

Flint Institute of Arts
1120 E. Kearsley St., Flint
For more info visit flintarts.org or call 810-234-1695.

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Flint Institute of Arts
1120 E. Kearsley St., Flint
For more info visit flintarts.org or call 810-234-1695.

MW Gallery presents “Hand in Hand: Fine Art & Craft”
Now through Jan. 20, 2024
This exhibit featuring unique creations from contemporary artists who use craft materials and techniques continues. The exhibit shows the richness and diversity of handicrafts in contemporary art exemplifying the skill and creativity of African diaspora artists.

MW Gallery
111 E. Court St., Flint
For more info call 810-835-4900.

2023 Santa Run
Sat. Dec. 2, 11:45 a.m. - 1:30 p.m.
These events are all fun runs for all ages. Santa suits or reindeer antlers will be provided. The kids event begins at 11:45. The 5k and 1 mile run begins at noon. YMCA of Greater Flint 411 E. Third St., Flint For more info visit runsignup.com/Race/Info/MI/Flint/SantaFamilyRunandWalk

The Nutcracker
Dec. 2, 7:30 p.m. and Dec. 3, 3:00 p.m.
This classic ballet has been a tradition each year for many families. The Whiting presents Tchaikovsky’s music performed by The Flint Symphony Orchestra. Students from Flint School of Performing Arts provide the dance along with artists from Collage Dance Collective.
Tickets: $10 - $40
Whiting Auditorium
1241 E. Kearsley St., Flint
For more info visit thefim.org/event/nutcracker/

38th Annual Holiday Walk
Dec. 5, 5 - 8 p.m.
This event happens in the cultural center where everything from tree lighting, visits to Santa, carolers music, and food at the various venues in the area. Walk through the area and find what interests you. There’s a lot.
The Flint Cultural Center
1310 E. Kearsley St., Flint
For more info visit flintcultural.org/holidaywalk or call 810-237-7333.

Flint Youth Theatre presents “Little Scrooge”
Dec. 8 and 9, 7 p.m. to 8 p.m.
This adaptation of the classic “A Christmas Carol” is a kid-friendly comedy. Free with registration
FIM’s Elgood Theatre
120 E. Kearsley St., Flint
For more info visit tickets.thefim.org/little-scrooge or call 810-237-1530.

Christmas Holiday Magic at Crossroads Village
Dec. 1-3, 8-10, 15-17, 20-23, and 27-30
The village is decorated with thousands of lights, village artisans make crafts to buy, and you can take a ride on the Huckleberry Railroad.
Crossroads Village & Huckleberry Railroad
6410 N. Bray Rd., Flint
For more info visit genesecounty parks.org.
Village Life ...
(Continued from Page 12)

done and fall asleep at the table like he did last year, his head plopping into the candied yams?

It’s hard not to caricature our anxieties, but who hasn’t been there in the ruins of the family feast, asking, as the tryptophan mercifully kicks in, are we all nuts?

That first Thanksgiving, for what it’s worth, must not have been a picnic either. In the myth, of course, there was peace around that table, but I imagine it was an immensely tense and strained affair — the natives in full regalia, the colonists gaunt from a summer of back-breaking and unfamiliar work. How did they talk to each other?

How did they get through it?

The settlers of the Plymouth colony, the story goes, had been saved by the food donated to them by the Native Americans, and thus their ritual of gratitude.

There must have been a vein of humiliation in accepting charity. The colonists had failed. Many had died of starvation. The natives, in contrast, were at home in the New World, which was their Old World. But they also must have had dreadful intimations. What they knew and what they had was soon to be obliterated, as they were violently pushed aside by the Europeans’ hunger — for land, for domination, for lumber, for more. More. More.

There it is again, that hunger — what makes us so fascinating, and what makes us so troublesome and dangerous to ourselves and to our planet.

Is there any way to slake our hungers without being destroyers? Is there a way to figure out how to have enough? Dear friends and neighbors, in this brown month, the month of our desire, here’s to being satisfied.

Happy Thanksgiving, Happy Holidays.

EVM Consulting Editor Jan Worth-Nelson can be reached at jan-worth1118@gmail.com.
Can we slake our hungers without being destroyers?

By Jan Worth-Nelson

Let us begin, in this brown month of November, with that most sensuous word, cornucopia.

As RJ the Raccoon explained to his forest buddies in Over the Hedge, “For humans, enough is never enough.”

The cornucopia, that enticing curved basket so full that its colorful contents spill out onto “the groaning board,” is a symbol of the abundance most of us have come to expect at our Thanksgiving feast.

November is a month of desire - and desire’s flip side, with winter approaching, is an ancient itch of fear.

If you pinch the inch of fat of even those most secure in their material lives, I contend you’ll hit on a nerve of angst - what if it all runs dry? What if I can’t get pineapple? Avocados? Asparagus? Olive Oil? What if the water runs out, as it did in some of the California fires? What if all the “stuff” I have is gone in an instant?

Even before the frights of 9/11, when the planes stopped flying, and Katrina, when the container ships stopped docking, our fear of the long winters is atavistic and increasingly hard to ignore. It was all exacerbated deeply by the water crisis, when we were afraid of what came out of our taps, and the pandemic, when so many of us were so alone, when we were afraid of each other -- when we were separated from the old traditions, from each other.

It’s very old programming, the blood of our ancestors remembering, the DNA of our bones urging that we get ready for the next catastrophe: The old school way: Get those tomatoes canned, slap fresh burlap over the potatoes, fix the chinks in the walls, seal the windows, and weatherproof the roof.

Of course, hardly anybody does that anymore. I’m going on old memories of my mother’s basement – not my own – stocked with stewed tomatoes, canned peaches and raspberry jam. My basement used to be bare, save for a couple of bottles of merlot almost forgotten in a cool, dark corner. I used to say blithely I could always run out to Oliver T’s if I run out, right? But since 2020 I’ve stocked it with cans of tuna fish, fruit cocktail, beans and spinach, boxes of mac and cheese, bottles of olive oil.

And of course, towers of toilet paper, cases of water.

Not exactly the answer to my copious need for independence, but necessary to that powerfully lingering COVID anxiety.

(Continued on Page 11)