

Introduction

The Georgia Crawl

by Jack L. Sammons*

Imagine, if you will, that you are a lawyer and that you are observing a gathering of people sitting at a round table. The assembled group is there addressing a particularly difficult problem in the local community—it does not really matter what the problem is so long as it is a complex one. The group includes a priest, an accountant, a business executive, a psychologist, an engineer, a philosopher, a physician, a city planner, an architect, and a lawyer; but you do not know the occupations of any of the people. If I asked you to identify the lawyer, my guess is that you could do so readily, even if the conversation had not afforded the lawyer the opportunity to display his or her knowledge of legal matters. In fact, if I pressed you harder, and the conversation was long enough, you probably would be able to give me some gross assessment of the lawyer's merit as a lawyer.

The reason you would be able to do this is that the practice of law shapes lawyers toward certain habits of thought and manners of being that lawyers then recognize in each other. For example,

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consciously or not, to identify the lawyer in the group, another lawyer would likely look for: the ability to recognize what is shared in competing positions; an attentiveness to detail, especially linguistic detail; an attentiveness as well to the ambiguities of language; a use of these ambiguities both for structuring the conversation and analyzing the issue; a focus on text and a markedly different sense of its restraint; a rhetorical awareness of the reactions of potential audiences to each competing position and even to each argument; an imaginative anticipation of future disputes; a realistic assessment of the situation even as a partisan in it; a recognition of the persuasive elements of all positions, especially those in opposition to the lawyer's own; a very particular form of honesty; an insistence on practicality combined with an acceptance of complexity; a shying away from broad principles and "proud words"; a concern with the procedures by which decisions are to be made; an equal concern with the quality of the roundtable conversation itself including a concern that all voices round the table be well heard and considered; an evaluation of positions in terms of an objective hypothetical authoritative decision-maker who serves as stand-in for social judgment, and, thus, a consideration of each proposed course of action from a particular social perspective.

Many other practices may shape its practitioners toward many of these same habits of thought, and surely this is all a matter of degree. Nevertheless, these habits of thought, these virtues of the practice of law, if you will, considered collectively can be seen as defining a unique character for lawyers as an ideal. Of course, the character defined by the practice makes sense only if the world works a certain way. In other words, the practice carries with it an implicit description of the way the world works. And, if we avoid the temptation to bracket God from this, we can see that it carries a theology as well. This is, of course, not the usual way we think of theology, but it may be a good way for our purposes.

Here is an example: Some of the habits of thoughts by which we would recognize the lawyer at the roundtable make sense only if doing good, at least social good if not all good, is a difficult thing to do. According to the practice, then, the world is the kind of place in which this is true, and our relationship with God is one in which He has placed upon us a rather heavy responsibility to exercise our judgment carefully.

What is this theology that is implicit in the life of good lawyers? How would we describe it? What is the theology implicit in the activities that constitute a good lawyer's life? The theology implicit, for example, in speaking persuasively for others, in a willingness to

argue either of the opposing sides of many issues, or in the constant offering of competing translations of the texts by which we define our communities? What would it mean to think of these activities, as our Patron Saint, Thomas More, did, as God's work? What might this attitude toward this work mean for the practice of law, for the lives of lawyers, for the legal community, and for our broader communities? And what might this theology of the legal practice have to offer to other theologies and to the discipline of theology itself? What might these learn from it? And what might it, in turn, learn from them?

These are the broad questions our presenters and commentators will address this morning. Each will do so in his or her own unique way. For, in our time, we have no choice but to be uncertain about how to address such questions and even whether they can be or should be addressed at all. Consider each speaker, then, as suggesting a way of getting started on the difficult task of returning us to this very long neglected conversation about the theological meaning of our work as lawyers, a conversation we hope you will join.

What you just read was part of a program I prepared for the audience of this symposium to read as it settled down along the rows of seats in our Moot Court Room to hear the speeches that follow this introduction. Those speeches, in some ways, were preparation for a roundtable conversation that the audience did not get to hear, but you will get to read. The transcript of the roundtable conversation is followed by a concluding dinner speech by Millard Fuller, a helpful primer on theological conventions, written by Father Dan Edwards, and a brief afterwards that addresses a few concerns I had about the conversation as a way of continuing it.

The conclusion of the program materials, the part suggesting that the audience "consider each speaker as suggesting a way of getting started on the difficult task of returning us to this very long neglected conversation about the theological meaning of our work as lawyers," was a hedge. Oh, I knew, because I had read most of them in advance, that the speeches were, without exception, terrific. This hedge, though, was against the possibility that they would not hang together. Now that the symposium is over, I am still not sure they do. It did become clear to me, however, as the day and the conversation progressed, that the speakers and the later participants in the roundtable conversation were headed in the direction of hanging together in a very interesting way.

The interesting way in which they could hang together, however, is not exactly what I had expected. Before I wrote the afterwards, I thought about subtitling it, borrowing a line from the folk-rock group, Belle and Sebastian, "Oh, that wasn't what I meant [for us] to say at all,"¹ and then confessing my culpability for giving so little guidance to the participants about what I had in mind—a neglect that, at the time, seemed like a good idea. And maybe it was. The more I worked on the afterwards the clearer it became to me that what we had done not only could hang together, but was something important—something, perhaps, very important—although, as I said, not what I had expected.

I think you are going to be pleased with this symposium and find it rewarding, perhaps even in unexpected ways as I did. There is no hedge in this.

Now, as designated author of the introduction, I am in the position of wondering what might help you, dear reader, to find your way into the importance of this conversation more readily than I did. It occurs to me that an analogy to a practice other than the law, assuming that the law is your practice, might help because it is sometimes easier to see our own lives through analogies to others, and this symposium is about our own lives as lawyers. So I offer to you here, by way of introduction, an analogy to a different profession. It is an odd analogy, to be sure, and oddly presented. I think you will find it interesting; I hope you will find it useful.

At the concluding dinner of the symposium, Millard Fuller, a lawyer and the co-founder with his wife, Linda Fuller, of Habitat for Humanity International, spoke to us about his practice of law and its relationship to his faith.² His speech was a cleansing for mental palates that may have been dulled by a day of overly rich academic fare, for Millard is a man of rock-like faith, clarity of vision, and has a very healthy skepti-

1. Belle & Sebastian, *Get Me Away From Here, I'm Dying, on IF YOU'RE FEELING SINISTER* (Matador Records 1999).

2. Millard Fuller, *A Symposium: The Theology of the Practice of Law, Reflections*, 53 *MERCER L. REV.* 1137 (2002).

cism towards theology. He is someone who is not surprised at all that when he speaks of God he finds himself telling stories.³

For Millard, justice is what both theology and law are about; and justice is, more than anything else, a giving of preference to the poor. He is an extraordinary man and one against whom others, especially other Christians, can measure their lives.

It is impossible not to be moved by someone like Millard Fuller, and I know I certainly am. But, as is almost always the case for me, as I listened to his lawyering stories, I caught myself wondering about the lawyers on the other side of the obvious good that Millard was trying to do in his representations. Is it possible to find something of God's work in those who hold the good in check? Is there, as Thomas More's character in *A Man For All Seasons* said, a potential service to God "in the tangle of [the] mind?"⁴ Even in the tangle of the social mind that is the law?

Down the stairs and around the corner from where Millard spoke in the Georgia Music Hall of Fame, I saw a small display about Blind Willie McTell, a Georgia Bluesman, born in 1901 in Thomson, Georgia, and raised in Statesboro, a town not too far down the road from where we were.⁵ Blind Willie, also known as Blind Sammie, Barrel House Sammie, Georgia Bill, Red Hot Willie, Pig 'n Whistle Red, Georgia Sam, and other names, was a consummate twelve string blues guitarist and story teller with a unique slide and finger picking style.⁶ He played his

3. "And if our God is the God who made himself known through the promise of Israel and the life, death, and resurrection of Jesus, we should not be surprised that when our speech becomes God's speech, that is, when we participate in God's revelation, we find ourselves involved in a story." STANLEY HAUERWAS, *WITH THE GRAIN OF THE UNIVERSE: THE CHURCH'S WITNESS AND NATURAL THEOLOGY* 191 (2001). This book is from the Gifford Lectures delivered at the University of St. Andrews, 2001.

4. ROBERT BOLT, *A MAN FOR ALL SEASONS* 73 (1962).

5. Almost all of the hard biographical facts concerning Blind Willie McTell in the following, except where otherwise noted, are from MICHAEL GRAY, *SONG & DANCE MAN III: THE ART OF BOB DYLAN* 517-47 (2000). In fact, the idea of using Blind Willie McTell as my subject comes from Gray's book. Gray's work, in turn, is based on original research done by David Evans and published by David Evans and Bruce Bastin as notes for an album featuring McTell, the Georgia Browns, Carley Weaver, and Buddy Moss, *ATLANTA BLUES* 1933, JEMF Records, issued by the John Edwards Memorial Foundation, Folklore & Mythology Center, UCLA, LA, California, 1979. *Id.* at 518 n.1. This was, according to Gray, the first time that any substantial, accurate biography of McTell had been published. *Id.*

6. *Id.* at 517, 520.

heavy instrument with a much lighter touch than it usually receives. He was also something of a musical theorist and was able to read and write music in Braille, a skill he acquired in his twenties at the Georgia Academy for the Blind in Macon.⁷ To the consternation of some later purists, and the pleasure of his audiences, Blind Willie had a breadth to his repertoire unlike any other Bluesman of his time. The British blues expert, Samuel Napier, described him this way: "He sounds like no other artist, nor does he apparently subscribe to the trends set by other artists . . . [H]e has the compelling dramatic voice of the best bluesmen coupled with the wit and imagery of the greatest folk-poet."⁸

Along with Charley Patton, Blind Lemon Jefferson, and a few other Bluesmen who were men of the cloth, Blind Willie, after his mid-life conversion to Christianity, struggled to find the right mix of his faith and his work in his work.⁹ Sometimes this struggle took the form of alternating between preaching and singing the Blues, but often he did both by adding gospel numbers to his performances.¹⁰

In 1949, after his conversion—and after his recording career, he thought, had come to a halt—newly formed Atlantic Records, a small company then noted mostly for its jazz recordings, took an interest in Blind Willie. The interest may have been prompted by a brief post war revival of the public's interest in acoustic country blues, or it may have been Ahmet Ertegun's, the co-founder of Atlantic, interest in historical recordings. But, in either case, Atlantic's interests were not necessarily the same as Blind Willie's. For Blind Willie had changed.¹¹

I would like you to imagine with me, then, a conversation between the Atlantic record producer and Blind Willie in which Blind Willie says, essentially: "I'm not the same. This is God's work now."

Atlantic: Willie, you've always done a little country Gospel, and adding a couple of tracks will be fine, but what we want is the Blues.

BW: It's all Gospel.

7. Turner Simkins, *Who Was Blind Willie McTell*, <http://www.blindwillie.com/about/blindwillie.html>.

8. Simon Napier, *BLIND WILLIE MCTELL: ATLANTA TWELVE STRING*, sleeve notes (Atlantic Records 1972).

9. *Id.*

10. *Id.*

11. See Samuel Charters, *BLIND WILLIE MCTELL: LAST SESSION*, sleeve notes (Prestige/Bluesville Records 1992).

Atlantic: (Puzzled.) Gospel is about God, Willie. It's church music. The Blues is about . . . well . . . it's about the Blues.

BW: No, brother, the Blues is Gospel too, but not in the way you're thinking. I'm not talking about what the music is about; I'm talking about what it is.

Atlantic: Come on, Willie, the Blues is not Gospel. For Christ's sake, man, Blues is the Devil's music. It's not Gospel at all.

BW: You think God only speaks in the major fifth? Why should the Devil get all the good music? (Aside.) I think Martin Luther said that, didn't he?

Atlantic: How would I know who said that? What I know, and what you know as well, is that Robert Johnson went down to the crossroads.¹² That's what we are talking about here.

BW: Yeah, but maybe it wasn't the Devil he met there. Maybe it wasn't the Devil that gave him the gift. I'm not afraid of going to the crossroads; not afraid of what I might find there.

Atlantic: Look at Johnson's life, Willie. This isn't some man of God we are talking about!

BW: So he was poisoned or stabbed—don't know which—and maybe for good reason. Too many women loved him who shouldn't have loved him. That was what he did with his freedom. Does it mean his music didn't come from God just because he misused it?

Atlantic: Alright, Willie, so what is the Blues then?

BW: It's suffering as an act of hope. Not one man's; everyone's. When I hear the Blues, now, I hear lamentations about a world gone wrong, a morning of the world's death, a crying out to the hierarchy of angels through sinful voices overheard by sinful ears, which is the only way we can cry out.

Seen the arrow on the doorpost
Saying, "This land is condemned
All the way from New Orleans
To Jerusalem."¹³

12. Robert Johnson, born May 8, 1911, in Hazlehurst, Mississippi, is probably the best known and, as many would argue, the most important of the Mississippi Delta Bluesmen. Johnson, whose early guitar playing was ridiculed by Son House, another Mississippi Blueman, suddenly developed a truly remarkable ability thus creating rumors that he had traded his soul to the Devil in exchange for guitar proficiency. The trade is said to have taken place at a crossroads at midnight. See generally PETER GURALNICK, *SEARCHING FOR ROBERT JOHNSON* (1989).

13. Bob Dylan, *Blind Willie McTell*, on THE BOOTLEG SERIES Vols. 1-3: RARE AND UNRELEASED, 1961-1991 (Columbia 1991).

BW: The singing itself is a holy offering toward the suffering, the struggle—an offering of hope. Some people understand that. The worse it gets the more you sing; the more you hope. And where there is hope there is belief; it's not the other way round.

Now a white man go to the river, take him a seat and sit down
 The blues overtake him, he jump overboard and drown
 Yes he's weary, weary hearted and blue
 And that's why we're cryin' these weary hearted blues
 Now a colored man go to the river, take him a seat and sit down
 He takes the blues, he come home back to town
 And yet he weary, weary hearted and blue
 And that's why I'm cryin' these weary heated blues.¹⁴

BW: I know what the Blues are now. I know what I am doing when I sing them. And in the singing our suffering and our struggle is sanctified. So, it *is* Gospel I am singing. And for this I feel thankful and, being thankful, how can I not thank God?

I traveled through East Texas
 Where many martyrs fell
 And I know no one can sing the blues
 Like Blind Willie McTell¹⁵

Atlantic: You are confusing your work with your church, Willie. That lamentation stuff is the language of church; what *we* talk about is the way you use a bottleneck on a Stella twelve string. The

14. Blind Willie McTell, *Weary Hearted Blues*, on THE DEFINITIVE BLIND WILLIE MCTELL (Legacy Records 1994).

15. Dylan, *supra* note 12.

church understands sanctification, Willie. Your audience understands the Georgia Crawl. (And I hear a serpent in that Willie, don't you?)

What makes me love my woman:
She can really do the Georgia crawl.¹⁶

Atlantic: If you try to talk about sanctifying the Georgia Crawl or Georgia crawling into sanctification, neither church nor work is going to be what it should. You know folks aren't going to let you go on like this in church, Willie. There's no talking about crawling in church and there shouldn't be talk of lamentation or talk of sanctification in the Blues.

She can do the Georgia crawl
She can walk in the spirit of the Lord.¹⁷

BW: There is just one God, brother. What the church does is show me how to name Him in the Blues; how to sing the Blues with Him and, by singing with Him, singing to Him and taking that back to church to start all over again.

Atlantic: But how do you know any of that, Willie? I'm not even sure what that means. It's not something you can show your

16. Blind Willie McTell, *Broke Down Engine Blues*, on THE DEFINITIVE WILLIE MCTELL (Legacy Records 1994). Bob Dylan has described this as "a Blind Willie McTell masterpiece," and performed it on *World Gone Wrong*. Gray, *supra* note 5, at 542. Dylan is quoted from a 1993 San Diego interview conducted for Reuters News agency by Gary Hill, published widely, and from the liner notes to *World Gone Wrong*. The point here is to notice how familiar Dylan is with the expression "Georgia crawl" and how associated it is with Blind Willie McTell. This all in preparation for the next quotation from Dylan in the text. See *infra* note 17.

17. Bob Dylan, *Gonna Change My Way of Thinking*, on ONE SLOW TRAIN COMING (Special Rider Music 1979).

audience or anyone for that matter. Your God doesn't offer Himself for our observation¹⁸ and, since you've got all kinds of people in the audience with all kinds of ways of thinking about this, you can't go on as if He did.

BW: I don't know how I know Him. He doesn't offer that for my observation either. There is not some little Bluesman inside my head who can somehow know how the big Bluesman knows. I do know, however, that in order to answer that question I would first have to know who God is.¹⁹ And that I get that from church as best as it can be gotten, and what a Bluesman can say to the church is that who He is and how we know Him has something to do with singing the Blues.

BW: (Speaking quickly before Atlantic could respond.) But there's nothing wrong with folks seeing the Blues as holy in some other way. I can talk to them about that. We'd be talking the Blues. Have you ever heard triumphal Blues? I haven't. Look, God, like light being either a wave or a particle, takes the shape He does perhaps because of the way we relate to Him. That doesn't make God any less real or any more subjective than it does light. It just means he is known only in relationship. The trick, of course, is to make sure that it is *the* light that you are seeing and not the headlight of a passing freight train.²⁰ That's where the church, that's where the text, comes in.

18. It is a shame to give Hegel's famous observation to Atlantic's record producer, but stay with it because Blind Willie gets his turn with it in a minutes. GEORG WILHELM FRIEDRICH HEGEL, LECTURES ON THE PHILOSOPHY OF RELIGION, INTRODUCTION AND THE CONCEPT OF RELIGION I:313 (Peter C. Hodgson ed. 1984): Hegel goes on to say: "[I]n order to find the grounds of religion we must abandon the abstract relationship of observation." *Id.* God, for Hegel, is only to be known in relationship. For further discussion, see, NICHOLAS LASH, EASTER IN ORDINARY: REFLECTIONS ON HUMAN EXPERIENCE AND THE KNOWLEDGE OF GOD 108-14 (1988). Blind Willie picks up on Hegel's theme in just a minute, but it is very difficult to express, and, I'm afraid, he soon makes a mess of it. This is because Blind Willie is very wedded to visual imagery. Trying to get this straight is enough to give you the blues. Hmmm.

19. This challenge to an epistemological approach to theology is based on John Webster, BARTH'S ETHICS OF RECONCILIATION, 24, as cited and discussed in Stanley Hauerwas, WITH THE GRAIN OF THE UNIVERSE: THE CHURCH'S WITNESS AND NATURAL THEOLOGY 190 (2001).

20. You can see here what I meant, *supra* note 18, about Blind Willie struggling to express Hegel's insight. This is difficult for Blind Willie because, while God is not offered for our observation, and we have no point from which to observe how it is that we come to know him, nevertheless it is Blind Willie's faith that the visible does allow some clue as to the invisible and that experience and revelation are not separate categories. This is why his choice of "a passing freight train" as an example of idolatry is either very unfortunate or very discerning because freight trains, especially slow ones coming are, for Bluesmen, so obviously holy.

Atlantic: No you wouldn't be talking the Blues, Willie. Just as you are not talking the Blues now. When you are outside of your church you've got to keep all that to yourself. You can't treat what is not church as if it were. Your church will tell you the same.

BW: I've got no self like that to keep it to. I can't identify myself with what I am when I am alone when every thought I think discredits that perception. I perform in public; we all always do—all the time. Church is about public truth or it's about nothing at all.

Atlantic: Willie, look, let's bring this all back home. If you start talking about singing the Blues with God or God being in the Blues or whatever you are saying, people are going to think you are crazy.²¹

BW: They'd be right.

Atlantic: Leave that to the saints, then. Bluesmen aren't holy men.

BW: So, instead of God being with us in our ordinary lives you would rather we trusted the pattern-setters who experience impossibly that which is beyond human experience? That's a cop out. It might be more than that, but it's also a cop out.²² All the people I sing to are holy. You don't have to be a blind man to see their light.

Atlantic: Come on, Willie, who do you think comes to see you? Why do you think these people come to see you? No, wait, let me tell you why. It doesn't have a damn thing to do with God. People come to see you to hear the Blues, for sure, but also all that goes with that: Having a good time or feeling just a little bit better, getting drunk, getting loose, getting laid, laughing out loud, seducing each other, cheating on each other just to keep things interesting and to make them seem important. And when things get nasty, as they often do, Willie, bringing out the knives *because* they had made things seem important. Truth is you're background music for all that, Willie. Your fans, the people you are doing this for, the people you want to serve, are, way too often for me, about ten wrong words away from killing each other. You may not see that because you are, after all, blind, Willie.

21. It was not always the case that such thinking was odd, or so believes Roberto Calasso, who notes that "In the Greek language the word *theós*, 'god,' has no vocative case . . ." citing the linguist Jakob Wackernagel. "Theós has a predicative function: it designates something that happens." ROBERTO CALASSO, *LITERATURE AND THE GODS* 5 (2001).

22. This, I am afraid, is a four sentence summary of Nicholas Lash's wonderful critique of William James. See LASH, *supra* note 18, at 108-14.

BW: I know better than you do that we depend on each other. I know that in some ways the only non-idolatrous security there is is found in the presence of others. Being blind makes me gifted in that way, brother. And I know—I know too well—the terrifying uncertainty of that. I know, too, that people want something to be important in their lives, even if they have to make it up. They all do. The Blues tells us all that. That's its theological message. It is my message, too, as I now know; and, yes, it is left, as all things are, to the chance of the audience who hears it. But, because we are *all* like this in *all* that we do, the Blues also tell us, we are always dependent on the whence from whence we came. "To whom do we tell what happened on the earth, for whom do we place everywhere huge mirrors in the hope that they will be filled up and will stay so?"²³

Well, God is in heaven
 And we all want what's His
 But power and greed and corruptible seed
 Seem to be all that there is
 I'm gazing out the window
 Of the St. James Hotel
 And I know no one can sing the blues
 Like Blind Willie McTell²⁴

23. Czeslaw Milosz, "Annalena" *NEW AND COLLECTED POEMS (1931-2001)*, 414 (2001).

24. Dylan, *supra* note 12. As Michael Gray describes it, Dylan is, as he often does, playing off readers' expectations. This time it is those expectations created by Robert Browning, a Dylan favorite. The familiar Browning line from *Pippa Passes* is, of course, "God's in His heaven—All's right with the world." Gray, *supra* note 5, at 542. Browning's poem is about the youth the world has at the coming of spring. *Id.* at 544. As Michael Gray puts it, "Dylan's 'seed' deftly acknowledges this context, while shriveling it away at once into the biblical rhetoric of 'corruptible seed'—a latency that promises only further decay in a world already old and exhausted." *Id.* "The biblical text from which Dylan takes 'corruptible seed' is 1 Peter 1:23-4: 'Being born again, not of corruptible seed, but of incorruptible, by the word of God, which liveth and abideth forever. For all flesh is as grass, and all the glory of man as the flower of grass. The grass withereth, and the flower thereof falleth away.'" For Blind Willie, it is in the lamenting of the falling away that he can be born again.

BW: Look, let me go on a little. There are those who accept conflict and those who contrast it with an ideal and that makes all the difference. Sometimes the Blues, because it accepts that people live with knives close at hand, can show them that we live *together* with knives in hand in conflict; and, when that happens, they are not so anxious to kill each other or, if they are, they want it explained in lines. That's what I want to try to do in your recording studio.

Atlantic: All right. Well, I've had enough. Your audience, what little there is left of it, expects you to be the Blind Willie they know. That's who I came to record.

BW: The Blind Willie they know doesn't just want to move them as they are. He never did. He's always wanted to move them toward what they might become as an audience of the Blues. Listen to what I have always done, man! I've been writing stories; I've been changing rhythms; I've been slipping from one kind of music to another and always making it the Blues.

Atlantic: Damn it, Willie! Look, bottom line, you are here to work for us.

BW: I am, but the person you hired to work for you is a Bluesman, that's why you hired him.

The real story doesn't end exactly as we might want it to. Blind Willie did the sessions Atlantic wanted him to do, as they wanted him to do them. And, while there are occasional flashes of truth, mostly in the few country gospel sides he added, for the most part these recordings sound like William Samuel McTier, his real name, trying to sound like the Blind Willie McTell he no longer was.

I pawned my sword and I pawned my chain
Well I pawned myself, but I fell to shame.²⁵

25. Blind Willie McTell, *East St. Louis Blues*, on THE DEFINITIVE BLIND WILLIE MCTELL (Legacy Records 1994). This song is also known as *Fare You Well*.

After those sessions, and one other a year later for Regal Records, Blind Willie tried to pour God out of a bottle. After a lot of coaxing, he recovered enough to perform one last, privately recorded, session for a record store owner in Atlanta. In these "Last Session" recordings, Blind Willie's singing, although with a voice ravaged by time and drink, and his playing were "almost unbearably poignant."²⁶ But he seemed to be "singing almost to himself."²⁷

Well, I heard the hoot owl singing
As they were taking down the tents
The stars above the barren trees
Was his only audience.²⁸

Soon thereafter, according to his wife, Kate McTell, with no one listening to him very much anymore, Willie quit the Blues. He began preaching full time and singing only spirituals, which is what he was doing when he died on August 19, 1959.²⁹

The tapes Ed Rhodes, the Atlanta record store owner, made were kept in his attic for years. One day, long after he had sold his recording equipment, he found the tapes lying in a trash can. Only one of them was salvageable.³⁰

"Accordingly, for Barth, a Christian cannot help but be 'a lonely bird on the housetop' . . . but nonetheless content. The song the Christian must sing is not an old, familiar, or popular one but a strange song that will not necessarily result in great choirs joining in the refrain. On the

26. Gray, *supra* note 5, at 533. For additional information concerning the "Last Session," Gray relies on Samuel B. Charters, *Blind Willie McTell: A Last Session*, Record Research, no. 37 (1961). *Id.* at 519 n.1.

27. Samuel B. Charters, *BLIND WILLIE MCTELL: LAST SESSION*, sleeve notes (Prestige/Bluesville Records 1992).

28. Dylan, *supra* note 12.

29. See Gray, *supra* note 3, at 518, citing interview materials with Kate McTell in David Evan's articles in *Blues Unlimited*, nos. 125-27 (1977).

30. Jim Powers, *Blind Willie McTell*, *CONTEMPORARY MUSICIANS*, reprinted on BluesNet at <http://bluesnet.hub.org/readings/mctell.html>, last visited 3/22/02.

whole, Christianity, as Barth describes it, is an exalted but 'forlorn hope,' with few or no chances to achieve the triumphant status of membership in the so-called world religions."³¹

Blind Willie thought that the Blues might have a theology, one that he wanted to spell out in his own church dogmatics, but he knew as well that doing so was not going to leave those dogmatics unchanged. Understanding that the Blues his church often shunned and the Gospel it embraced sprung from the same holy source of all music and believing, as I bet he did, that religion is the music we believe in,³² Blind Willie McTell knew what it meant to sing the Blues.

Sister got 'em, daddy got 'em
 Brother got 'em, mama got 'em
 Woke up this morning, we had them Statesboro blues.
 I looked over in the corner,
 Grandpa and grandma had 'em too.³³

I am worried about what Blind Willie suggests. I am worried first about what might happen to his music and to his church if the two are connected even in the vague way he suggests. Can the church be church and the Blues be Blues on these terms? But then surely he is right that the Blues cannot be separated from theology if he is to be true to his church or, as he would have it, true to the Blues. Blind Willie sees the Blues as an enchanted activity; he sees something within the Blues he sings that is manifested by it whenever the Blues is done well. And yet, if this is true, is there a way for his church to maintain its distinctive-

31. HAUERWAS, *supra* note 3, at 197 (internal citation omitted). Barth is not the theologian we would expect to turn to at the end for a description of Blind Willie's faith, at least as his faith is imagined in the dialogue. As I said in the text, the ending the real Blind Willie had is not the one we would have wished for the Blind Willie imagined in the dialogue.

32. GEORGE STEINER, *REAL PRESENCES* 218 (1989). Steiner, however, uses the expression in a way different from this use of it.

33. Blind Willie McTell, *Statesboro' Blues, on STATESBORO' BLUES* (Indigo 1995).

ness, as all churches must do to be church, or does Blind Willie's thinking lead us into some amorphous spirituality that has a false appearance of being universal. Such a spirituality would drain the life of the church eventually and is communally risky because it does not know its own limitations. These limitations, however, at least as the Atlantic producer describes them, may themselves be limited, something that shows in the description of each activity they imply. Perhaps both activities, the Blues and church in Blind Willie's case, are more "fleshy" than this and, perhaps, these limitations disappear in the living of them. Perhaps, in their fleshiness they reveal what God has done rather than what we might make of what He has done. But, if so, we are still left with questions about how we are to live with our different understandings of what God has done when we try to spell those out (as we should if we are to understand them).

And then, practically speaking, what difference does any of this make? The Atlantic record producer is reacting negatively to what difference it might make—and I'd be worried about that too—but he is only imagining that and, as I understand him, Blind Willie is suggesting a difference that would be beyond the producer's imagination right now. I think Blind Willie would think that the Blues just gets better on its own terms. But he never says this and never describes, other than by his intentions, what he is going to do in the studio.

There are resources available to us for thinking about all this at least from some perspectives. Blind Willie's talk about lamentations, for example, takes us back to the Old Testament roots of his "new found" understanding of his life's work. What is to be learned there for our time and for Blind Willie's struggle? Is Blind Willie reflecting a truer telling of the history of his music? His brief reference to Robert Johnson—the Bluesman who went to the crossroads for, in some tellings of it, a Faustian bargain—tells us that the separation between music and theology may be of much more modern origins than we usually realize. If we peeked back at Bach, for an obvious example, as best we could do that, we would see little separation between the two and an understanding of music closer to Blind Willie's. In spite of all the potential distortions involved, this might be a useful activity.

Finally, a life in the Blues is not one, now or then, that one would recommend to his or her children. It is seen as a challenge to moral development (and that is surely an enormous understatement). For someone intent on living such a life, the temptation would be to suggest that they separate themselves from it, rebelliously perhaps, to hold on to who they are; but this, while it would encourage a separation of church and blues, makes little sense on Blind Willie's conception of his work. What are we to make of this?

The question, then, returning from Blind Willie's story to our own is: What does it mean to practice the law? There is a lot to be said here, as I think you will agree. Some of what there is to be said—the challenges, questions, descriptions, alternatives, genealogies, problems, and puzzles I have just reviewed—you will find in the pages that follow.

I hope you enjoy the symposium.

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