

# Don't be penny-wise, pound-foolish with our future

My late uncle William B. Maxwell III referred to himself as a “chancery lawyer.” No one ever understood what he was talking about. Even his peers at Spilman, Thomas, & Battle, where he was the de facto firm historian, never got it. But as so often happens when in conversation with the dead, it hits years later: On the job, in traffic or in a dream. I think I get it now. And this insight hits me especially at this crucial articulation in our nation’s legislative history.<sup>1</sup>

Sen. Joe Manchin, thanks to your considerable political acumen, West Virginia is poised to play a pivotal role in our country’s further course.

Let us be clear. I, like you, Sen. Joe, have personally benefited from the largesse of our state’s energy bonanza. Like you, I hail from a political family. I, too, am a born-raised-and-proud West Virginian. I do not feel my blood makes me any different from or better than my neighbors. My Daddy, Judge Frank J. Maxwell Jr., always said he “ran with the foxes and hunted with the hounds.”

My point here is my

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roots are in the land and in the blood of West Virginia going back generations. Maybe some familial habits and history are worth sharing. Sensing and learning from my land and blood ancestors helps me feel my way through the right thing to do.

Management of my family’s 700-plus acres near Mount Clare was passed on to yours truly. I am a mineral-rights owner, as well as a land steward, who cares about the land and what will happen to it in the future.

Circumstances oblige me to see matters from multiple perspectives. Regularly, I put considerable mileage on my Jeep to see and catch up with the land’s neighbors, local business partners and fellow stakeholders. I endeavor to honor my roots and responsibilities in this Almost Heaven home of ours. I love West Virginia.

Like a good “chancery

lawyer,” Uncle Bill looked beyond his own lifetime and his immediate heirs. For he also left a quarter million dollars to the West Virginia University College of Law’s Center for Energy and Sustainable Development. It’s an investment that is already paying dividends for our future. The center’s director, James Van Nostrand, has been working tirelessly to show how West Virginia has already suffered a “lost decade” of not investing in a clean-energy future and how the Build Back Better Bill can provide not just jobs in the state, but a chance for the state to catch up and be at the center of that future. Your predecessor, Sen. Robert C. Byrd, had already warned us against clinging to the energy past, just as he expressed his regret for supporting the Klan and the Vietnam War.

Sen. Manchin, I do not peg you as a political enabler for corporate interests. I know you to be sincere. But as in any conversation with people who count in our life, there are equal parts pain and love. I get that we are all self-reliant Mountaineers who just want

to stay out of the cross-hairs of the “revenueers.” Like many West Virginian grandmothers, my maternal grandmother made bathtub gin too.

This forward-looking Build Back Better Bill is an opportunity to step up and use power for our future common good, beyond your and my lifetimes. In the long run, it is not about being on the temporary winning side of hysteria and fear. Facing the Grim Reaper, we all are in the same boat named Almost Heaven. We all float on the same waters of mortality, whether it is in a yacht or in a kayak. We all ask the same question, “Did I do the very best I could in the circumstances in which I found myself?”

I encourage you, Sen. Manchin, to think long term on behalf of us, your constituency and our posterity. Vote for the Build Back Better Bill in its entirety and consider infrastructure as future generations will do. It is children and climate that matter. We do not call it Mother Earth for nothing.

There is important new thinking, broadening “infrastructure” to some-

thing larger than physical roads and bridges. We Mountaineers were the original frontier pioneers. Let us again lead the country as trailblazers in a risky world, like that of our forebearers, who could abide because they dared.

In the 1960s, the enactment of Medicare was a social program decades in the making, following initial discussions going back to Republican Teddy Roosevelt and subsequent proposals fought for by Democrat Harry Truman. I believe that would cover your and my grandfathers’ and great-grandfathers’ generations. You are very supportive of Medicare for West Virginians, and it could be said that West Virginians’ concern about Obamacare repeal guaranteed your re-election. It is time to create a new imaginative frontier, whose benefits, once enacted, might secure the success of your next campaigns.

Of course, a \$3.5T bill will have to be paid for. And it will be, if you vote for it as proposed. Those falsely claiming it will be a burden on the U.S. Treasury have no excuse, just as there is no

reason to advocate under these circumstances for a cheaper alternative. Knowing that only those like yourself and myself, with more than \$400K in annual income, will face increased taxes, I have no problem making a down payment on a future that will last beyond you, me and anyone else alive today. That’s just common decency and basic fairness. A \$3.5T investment in our posterity that you and I can afford costs the average American \$0.00.

I understand that this is a risk, because our current political climate is irksome. But our democratic experiment has always required daring and ingenuity. This is why our failure must not be one of imagination. Thinking long term, like a chancery lawyer, is just being a cunning, canny and patient public servant, serving West Virginia in order to ensure that all West Virginians receive their fair serving of what has always made America great — looking out for our kith and kin by thinking ahead.

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