

FORUM

The joys(?) of exercising again



Nigel Alston
Motivational Moments

"To be nobody-but-yourself - in a world which is doing its best night and day, to make you everybody else - means to fight the hardest battle which any human being can fight; and never stop fighting."

- e.e. cummings

"It's 10 minutes 'til 6," my wife announced. She is an early riser, having already eaten breakfast and now reading the paper as I was slowly rolling out of bed. It is my day to meet the trainer and I have to get some cardio exercise in before he, Justin, puts me through my scheduled routine. We will work on my arms today. The last session focused on the legs. I was a little unsteady from that workout for a day or two. Over the last two months, my muscles and I have been reintroduced to exercise.

Several weeks ago I shared

the story of a gift I received for my birthday from a friend. It was a four-month membership at a local fitness club. I could only shake my head at the time, as I fit in the category of those adults (60 percent) who are not regularly active. Of course it depends on what you consider active. If it means some form of exercise, and it does, I was totally inactive. Regular suggests some pattern of activity. I really belonged in the second category of adults (25 percent) who are not active at all.

That's why getting started hurt.

It was not the gift membership that got me going, though. It's interesting to note that unless something drastic happens to kick-start you, inertia keeps you in your current state. Drastic could be deteriorating health, winded when you walk across the room, not being able to bend over to tie your shoes, or like Star Jones, your leg is so heavy you have to pick it up to put your shoes on.

What woke me up, literally, was a phone call before 6 a.m. the week after my birthday.

"I am on the way to pick you up," he said.

"Pick me up for what?" I

said to myself. "You must be out of your mind."

And my wife couldn't believe what she saw next. I got out of bed, put my exercise clothes on (yes, I had some; I just had not used them), put my sneakers on, and headed to the fitness club. Actually, she was amazed, yet supportive.

And I need a lot of support, as I am not a morning person. I like to stay up late, and getting up before 6 a.m. is a major accomplishment - especially on a routine basis, as I do now. Sometimes I feel as if I am sleepwalking through the motions: slowly putting on the sweat pants, sweat shirt and shoes, heading out in the dark and off to the gym.

It is a battle some mornings. Thoughts of, "Go back to sleep," compete with, "Don't stop now!" I am just telling you the truth. And my trainer, Justin, another friend's son, keeps me moving. He records what we do in each session, providing words of encouragement as I make progress, even if it is barely noticeable. "Good job, Nigel." "Come on, three more." And when I think I am about finished, I hear, "You are about halfway there, Nigel." Halfway! Oh man!

I hurt!

And after that, in a corner I hate to go to, I usually hear something like: "That was simple, wasn't it?"

Yeah, right.

Or, "That was fun, wasn't it?"

Justin is a good coach. He explains things, makes sure you understand why you are doing what you are doing, and keeps positively pushing you along the way.

I still struggle to get up early in the morning. But I can honestly say I feel better after I return home and prepare for work. I am beginning to tell a difference. And that is what gets me back for the next session.

A related benefit of exercising, I understand, is it can put you in a better mood. When you exercise, your brain releases a chemical called endorphins, which may make you feel happier. Now, if I can just get those endorphins released at 6 a.m.

Nigel Alston is a radio talk-show host, columnist and motivational speaker. He is a member of the Winston-Salem State University Board of Trustees. Visit his Web site at www.motivationalmoments.com.

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Judge Alito's civil wrongs record



George Curry
Guest Columnist

As the Senate Judiciary Committee examines the fitness of U.S. Appeals Court Judge Samuel A. Alito Jr. to replace Sandra Day O'Connor on the Supreme Court, it would be easy to presume that civil rights groups are opposing Alito's nomination simply because he is a conservative.

However, a careful reading of special reports compiled by the NAACP Legal Defense and Educational Fund (LDF), the Leadership Conference on Civil Rights (LCCR) and the Alliance for Justice shows that they have legitimate concerns about Alito's staunch opposition to civil rights and his eagerness to limit the power Congress has to remedy racial discrimination.

"Judge Alito's 1985 application to be the Reagan administration's Deputy Assistant Attorney General in the Office of Legal Counsel reveals the beginnings of his ideology and subsequent judicial philosophy," the LCCR report observed. "In that application, he strongly embraces the conservative ideology of the Reagan administration, singling out his work to restrict affirmative action and limit the remedies available to victims of discrimination as areas that he was 'particularly proud.'"

The LDF report quoted Alito's comments in more detail: "Most recently, it has been an honor and source of personal satisfaction for me to serve in the office of the Solicitor General during President Reagan's administration and to help advance legal positions in which I personally believe very strongly. I am particularly proud of my contributions in recent cases in which the government has argued in the Supreme Court that racial and ethnic quotas should not be allowed."

His opponents were not seeking quotas, which had been forbidden by the executive order creating affirmative action.



Samuel Alito, President George W. Bush's nominee for Associate Justice of the Supreme Court, is sworn in before the Senate Judiciary Committee during his confirmation hearing on Monday.

LDF discovered that, "As a lawyer in the Solicitor General's office, Alito participated in three major affirmative action cases before the Supreme Court... He argued against court-ordered affirmative action as a remedy for violations of Title VII of the Civil Rights Act of 1964... against voluntary affirmative action under Title VII... and against voluntary affirmative action under the Constitution..."

In his 1985 application, LCCR noted, Alito wrote: "In college, I developed a deep interest in constitutional law, motivated in large part by disagreement with Warren Court decisions, particularly in the areas of criminal procedure, the Establishment Clause and reapportionment."

LCCR observed, "At the time of his statement, nearly everyone accepted the legitimacy of the Warren Court's 20-year-old rulings on reapportionment - Baker v. Carr, which said for the first time, that the federal courts had a role to play in making sure that all Americans have a right to equal representation; Wesberry v. Sanders, in which the Court ruled that Congressional districts have to be roughly equal in population; and Reynolds v. Sims, in which the Court held that state legislative

districts had to be equal in population, according to the principle of 'one person, one vote.'"

On the bench, Alito dissented from the majority's decision that a black employee had supplied enough information for her racial discrimination case to be heard by a jury. In Bray v. Marriott Hotels, Alito favored a very narrow reading of Title VII of the Civil Rights Act of 1964, the section barring employment discrimination. The majority said that if Alito's interpretation of the law had been accepted, "Title VII would be eviscerated" and that his view would "immunize employers from the reach of Title VII" in certain circumstances.

The majority also took Alito to task for his dissent in Riley v. Taylor, a case about whether the prosecutor had used racially-motivated peremptory strikes to exclude African-Americans from a jury. LDF said Alito equated that action to the statistical oddity of five of the last six U.S. presidents being left-handed. The judges in the majority rebuked Alito, accusing him of minimizing "the history of discrimination against potential black jurors and black defendants."

The Alliance for Justice Report noted, "University of

Chicago law professor Cass Sunstein examined Judge Alito's approximately 65 dissents on the theory that 'when a judge bothers to dissent from a majority is a good clue to what the judge cares most about.' What Sunstein found was 'stunning... (was that most) of Alito's dissents take positions more conservative than his colleagues on the appeals court, including colleagues appointed by Presidents Bush and Reagan...'"

Clearly, Alito is to the right of right-wingers. "Based on his history, philosophy, and performance on the bench, LCCR, along with many in the civil rights community, has concluded that Judge Samuel Alito will not bring a balanced conservatism in the mold of Sandra Day O'Connor to the Supreme Court. Instead he would bring a more hardened ideology that is outside of the judicial mainstream on a number of critical civil rights issues and that is well to the right of where most Americans stand."

George E. Curry is editor-in-chief of the NNPA News Service and BlackPressUSA.com. To contact Curry or to book him for a speaking engagement, go to his Web site, www.georgecurry.com.

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