

Opinion **Montgomery County shouldn't pave over a Black community's past**

A Maryland Supreme Court decision continues the battle over a historic cemetery in Bethesda.

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By the [Editorial Board](#)

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Today, the strip of River Road that was the subject of a recent ruling by the Maryland Supreme Court is known to most visitors for its cheap gas, fast food and hulking apartment complexes. But tucked between an 18-story condominium building and an auto repair shop is a tiny white church with a long history.

When the Macedonia Baptist Church opened more than a century ago in Bethesda, its presence there was far from incongruous. Surrounding it was a small but vibrant Black community originally established by formerly enslaved people in the later half of the 1800s, in an area defined first mostly by small farms, then by light industry and, eventually, by the nearby suburban developments with racially restrictive covenants. The [Moses Cemetery](#) was — and is — a sacred burial place for the members of this River Road community: Today, drivers along that busy thoroughfare see a McDonald's where they once would have seen the dirt road leading to a grassy plot dotted with simple grave markers.

The African American benevolent society known as White's Tabernacle sold the property in 1958; the terms of the transaction are unknown. Over the years, the land was separated into multiple parcels for multiple uses. One of these parcels belongs to Montgomery Parks. Another belongs to the county government-funded Housing Opportunities Commission; it's this one that is at the heart of the newly issued state supreme court decision.

The legal question resolved by the opinion is complicated: Does a Maryland law demand that anyone seeking to sell a burial ground for any other purpose, as the HOC hopes to do, obtain a court's approval to do so? A majority of the justices said no. But, crucially, they also said that the descendants of those interred in Moses Cemetery *do* have the right to seek a remedy to an alleged violation of Maryland common law regarding burial places. The coalition led by the Macedonia Baptist Church plans to do so.

The question of what that remedy might be has a moral aspect as well as a legal one. Right now, the portion of the historic cemetery owned by the HOC is a parking lot. The church and its partners, who include three documented descendants of those laid to rest in the cemetery, will likely seek an injunction prohibiting vehicles from continuing to sit atop their ancestors' graves — which they maintain constitutes ongoing desecration. They may also ask to have the lot, or portions of it, removed and replaced by a memorial recognizing the dead and telling their stories. The descendants could make the same request for the parcel currently owned by Montgomery Parks. The county hopes to include this land, in addition to a portion of the housing commission's property, in its Willett Branch Greenway project to create an "urban park" along the stream that once cut through the cemetery.

A park, admittedly, sounds more appropriate than a parking lot — and Montgomery County officials say they intend to conduct an archaeological assessment of the land and, eventually, create a memorial of their own. But the descendants of those buried at Moses cannot forget that when the cemetery was initially developed, bodies were torn from the ground and tossed in trucks to be carted away or dumped in a ditch. They can't forget that no one asked them before turning the site into a parking lot. How will the archaeological assessment be conducted, and will conducting it further disturb the graves? What kind of memorialization will take place? No matter what the courts say, the descendants of the interred should be at the center of these conversations.

Segregation helped to create this neighborhood and its cultural cornerstones: a school, a beer hall, a cemetery. Eventually, segregation, albeit of a different type and different era, helped destroy it. Real estate became even more valuable, and in the mid-20th century, while White residential areas in Bethesda remained zoned as residential, the Black area along River Road near Little Falls Parkway was rezoned commercial. Developers, according to historians, pressured its residents to leave their homes behind, sometimes intimidating them into signing papers they did not understand, sometimes getting them drunk, sometimes both. Even before that, the Ku Klux Klan had harassed them under cover of night.

The Moses Cemetery is only one of what researchers expect are thousands of onetime Black burial grounds around the country — including others in D.C. and its environs. Many of these places were ceded not by choice but by force, to make way for urbanization, suburbanization and industrialization. This wrong can never really be righted. But the way to start atoning for the past is to give descendants of these communities a genuine say in determining the future of their sacred spaces.