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The High Price of Hate Crimes

Activist cites new racial intolerance

“I’m far from being free of prejudice,” civil rights activist and attorney Morris Dees told a group of students at UB February 20. “I grew up in this country.”

The subject was race relations, the occasion the sixteenth annual Martin Luther King Commemoration. Dees, founder of the Southern Poverty Law Center and its outgrowth, Klanwatch, was the keynote speaker of the event, which drew a full house to Slee Hall on the Amherst campus. Earlier in the day, he met with a mixed crowd of about 50 law students, faculty and undergraduates.

Along with his audiences, Dees is concerned about the increase in intolerance in the United States, as exemplified by the David Duke phenomenon in Louisiana. His remark about prejudice came in response to an Asian-American student who spoke of his fears in the wake of increased “Japan bashing”. Organized hate groups like the Klu Klux Klan, Dees explained, are not the source of most bias or hate crimes in the country. “There is a rising tide of racial violence. But hate groups don’t commit these crimes. They are committed by our next-door neighbors.”

Dees has been most successful in prosecuting hate groups, however. He and the Southern Poverty Law Center prosecuted the Metzgers of California for the White Aryan Resistance murder of an Ethiopian man in Oregon last year. Dees also brought the 1988

suit against the Klan for the death of Michael McDonald, a black man murdered by the Klan in Mobile, Alabama. Dees won a \$7 million verdict against the United Klans of America, bankrupting the organization. The verdict against the Metzgers was for \$12.5 million. The message, Dees said, is that these groups will “have to pay out of their pocketbooks.”

Fighting for the underdog was not how Morris Dees began his career. He grew up the son of a tenant farmer in Alabama, and received his first lesson in justice as a teenager, when the family’s “hired man” was

arrested. Dees’ southern accent thickened as he related the story to law students.

“My father told me to get Clarence out of jail,” he recalled. The hired man, Clarence Williams, was charged with assaulting a police officer who arrested him for drunk driving.

Dees described his trip to another county, where the judge, who also ran the general store, was holding court behind the store counter, carving cheese during the proceedings. The sheriff told how Clarence was driving, ran off the road, staggered and then



Civil rights attorney Morris Dees addresses student forum.

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swung at him. Dees had spoken to Clarence before, and was told Clarence had run off the road when the tie rod on the car broke, and bumped his head. When he told the Sheriff, the Sheriff stated, "Nigger, I'm taking you to jail."

"I said, 'Clarence, tell the story to the judge,'" Dees said. "He did. The judge slammed down the cheese knife. He said 'Guilty. \$100 fine. Bubba, tell your daddy to send up \$2 a week.'"

Later, Dees said, he found out the judge received payment only on guilty findings, and thus had some incentive for his verdict. Dees later sued the state and had the system abolished.

But that was not the end of the matter. Dees went back to his father and related the story. "If you so mad, why don't you go to law school," suggested his father.

"He didn't want me to grow cotton," Dees confessed. "He said he'd never seen a boll weevil in a law book."

Levin Jr. in 1971, founded the Southern Poverty Law Center. Klanwatch was formed from the Center in 1980, in response to the resurgence in organized racism.

A book read in an airport in 1967 was the real inspiration, Dees said, for his work. "I had done some ACLU stuff, had hauled marchers in Selma, but in 1967, I read *The Story of My Life*, by Clarence Darrow. Darrow was an attorney for the railroads during labor union strikes early in the century and observed the railroad hired strikebreakers brutalizing the workers. Darrow represented the strikers, but the railroads kept him on doing corporate law because of his skills.

"I went home and set out to do what I said I would," Dees said, which meant doing what the SPLC specializes in: voting rights, hate crimes and women's rights cases.

"I try to represent the powerless against the powerful," he said. "I haven't got anything against the powerful. I tell people to go to big firms

and do pro bono. If you work for those places, you can have a positive influence.

The bottom line doesn't have to be reached at the misery of consumers."

SPLC relies on volunteer attorneys, three in the case of the Metzger prosecution. "We do a few cases, we try to do them well and try to set precedents." In addition, the Center does educational outreach, including a program called "Teaching Tolerance," for use by teachers in schools.

"We're a multi-cultural society growing much more so, and we have growing problems with intolerance," Dees said. "Most hate crimes are not

committed by white supremacists."

Dees had a comment on the marketplace for a law student who asked why he suggested joining a firm instead of starting a public interest practice.

"There are so few jobs in the public interest sector," he stated. "If you can start your own, you should. But just because you can't get a job in public interest doesn't mean you can't join a firm and do good work."

Second-year law student Erika Raymond asked whether Dees felt civil rights litigation was still a viable strategy, given the ultra-conservative makeup of the U.S. Supreme Court.

"Bush and Reagan have appointed 70 percent of the sitting federal judges," Dees agreed. "You've seen cut-backs in criminal law, particularly search and seizure, fueled by the drug war. Yes, it's a lot tougher to bring but there's lots of laws on the books and if you find a violation, you should win on them." He conceded the Center was moving its focus from the courtroom to the classroom, but denied it was because of conservative judicial leanings. "In our kind of work, even Reagan and Bush appointees don't disagree with us," he said. "We use state courts. Whether you can bring up new issues, I don't know. I don't think there will be new *Brown v. Board of Education*."

Dees does see a correlation between economic hard times and rising racism, pointing out that when the economy goes, historically blame is placed on immigrants and minorities. The solution, he feels, is in education. He told his audience how the mother of Michael McDonald, the lynched Alabama man, had forgiven her son's killers.

"We must understand that we are all victims. We talk about the trivial differences, political correctness. We must think about the lesson of love," he concluded. ■

"We must understand that we are all victims."

Dees did go to law school, but not before he established a successful direct-mail publishing business. He graduated from the University of Alabama School of Law in 1960, and opened an office in Montgomery. He was indirectly involved in the civil rights movement during the late 1960s, and in 1967 sued the state to stop construction of a white university in a city which already had a predominantly black state college. He sold the publishing business in 1969, and, along with Julian Bond and Joseph J.