

A Commitment to Tolerance

Morris Dees Aims at an Inclusive America

BY TIM EIGO

The State Bar Convention in Tucson was the occasion of a visit with Morris Dees, the co-Founder of the Southern Poverty Law Center. Dees has committed decades to the growth of the center, which began as a small civil rights law firm and today is known around the world for its legal victories against white supremacists, its tolerance education programs and its online tracking of hate groups.

Morris Dees spoke with us immediately after his keynote address at the Bar luncheon.



ARIZONA ATTORNEY: Just this past month, the body of Emmett Till was exhumed and the murder case reopened in Mississippi. What do you make of that?

MORRIS DEES: There have been a number of successfully opened cases and successful prosecutions. One is going on now down in Mississippi—Edgar Ray Killen—an 80-year-old man is being tried [and since convicted of manslaughter for the 1964 killings of civil rights workers James Chaney, Michael Schwerner and Andrew Goodman].

I think investigative reporters have done a good job unearthing witnesses to these events. There was a documen-

tary film about Emmett Till, and supposedly the filmmaker has found people who are willing to come forward and say that more than the two people who were originally tried were involved.

The autopsy, I assume, is just a due diligence thing on the part of the prosecutor in order to see if there's some evidence. It's hard to see to me how an autopsy could prove anything other than he was brutally murdered. Most of these old cases come from witnesses, who overheard the killer brag about what they did. That's how most of them have been convicted.

AZAT: The Southern Poverty Law Center has been under fire before—

sometimes literally. Does the reopening of cases like these cause more danger for the center?

DEES: We don't get any threats because of these cases. The Klan is a shadow of itself, and nobody will come after us simply because they're trying an old Klan leader over in Mississippi. But we do get on a lot of talk shows because we can put the whole "how Mississippi was in the 1950s and 1960s" in context for today's listeners who weren't born then.

AZAT: Before coming to the law, you were a successful book publisher and marketer. And it was in George

McGovern's presidential campaign that you were one of the first to use multi-page solicitation letters. Did that work help you when you did trial work in being persuasive to juries? Do people want more information rather than less?

DEES: You know, it would take about two hours to give you the 50-cent short course in direct marketing. Like Thomas Jefferson said, "Please excuse this eight-page letter I wrote you, but I don't have time to write you a shorter one." There is something to that. Sometimes a one-page letter is quite appropriate.

On the other hand, if I were trying to convince you to buy a Volvo, you might look at all 30 pages of the manual. Some people just open the door and smell the new car and they've got a preconceived idea; the first paragraph of a long letter gets that person. But then if somebody wants to look at the last page of the tech manual to see what the gear ratio in the transmission is, that's why you have a long manual.

It's not that long letters turn you on or off, it's just that they add more information for people who need more of the story.

AZAT: You've admired Clarence Darrow for saying people "should focus on what is agitating the world at the time." But has the center always agitated ahead of the curve?

DEES: It's hard to know. Some of the things we do are just traditional civil rights cases. Our litigation work right now I would say is not ahead of the curve. It's just out there where there's a great need. We're representing juveniles in Mississippi and Alabama, because the juvenile justice system is atrocious. They lock them up in two prisons away from their homes; we just got through winning a big victory abolishing those two institutions and setting up county systems.

But I think our work tracking hate groups was way ahead of the curve. We started that in 1980, and pretty much people thought, "You can't really believe the Klan would lynch some-



body today,” which they did shortly after we started.

We decided to set up a group [Klanwatch, now called The Intelligence Project] that would track these hate groups. It turned to be there are hundreds of them.

We also have a migrant justice project. The federal government—Legal Services—can’t represent migrants in class-action lawsuits. So we got some of the best lawyers together and set up a group, and we’re trying to go after the pine tree planting industry, which is one of the biggest rip-offs. These are legal workers. They come in on work permits, and they’re supposed to be paying them \$600, \$700 a week, but they pay them about \$200 a week, and they’re doing it through a scam we think we’ve uncovered. We’ve filed four lawsuits against four of the largest tree planters.

AZAT: When you started Klanwatch, not all the center staff thought it was a good idea.

DEES: Some of the lawyers who came along there were well-intended and well-meaning people, and they just came there for a different reason. They thought it was a waste of resources, and maybe they didn’t see what we saw. But I think they’ve all changed their minds since. It takes time to do what you’re proving; we started the Klan program in 1980.

AZAT: You’ve described a time when you spoke about integration to your church congregation soon after the church bombing that claimed the lives of four girls, and the congregation walked out. They weren’t ready to hear it.

DEES: I can guarantee you that.

AZAT: Do you ever get the same feeling on the national scene? Would you

have guessed that people would not want to hear the message in 2005?

DEES: There are ebbs and flows in this whole issue. There’s a lot of racism on behalf of blacks, too. We’ve filed several reverse discrimination cases; I think we may have filed the first one in the country. What’s right is right.

I think the worst thing going on today is the influence of the religious right on teachers.

There’s a lot of systemic built-in bias around the country. Blacks and whites are treated differently in terms of how much identification you need to show when you use a credit card, how many pieces of jewelry they’ll put up on a table for a white looking at it versus a black.

And the “Lakeeshas” don’t get the same response to their job applications even though when they test it and send out 5,000 identical job applications, they just change the names. One is Emily Grant, and one is Lakeesha Washington; Lakeeshas get 50 percent fewer callbacks, even though the applications were absolutely identical. They simply looked at the name and perceived that this person wasn’t as competent and qualified.

That’s systemic bias, and people are not even conscious of it.

AZAT: That’s where the center initiative called Teaching for Tolerance comes in?

DEES: Yes. [For example,] it deals with gays and lesbians. It’s got to do with handicapped folks, who generally don’t get a fair shake. It deals with the elderly. There’s just a whole lot of biases.

AZAT: After all this time, does it still surprise you when you come across entrenched biases?

DEES: Everybody’s coming from a place in life. They might have a good reason to think why they think. And I think the challenge is to try to let them know how it makes you feel.

I think the worst thing going on today is the influence of the religious right on teachers. They go to the same fundamentalist church like everybody else in their community. And they come back and instill some of those theological values in kids that are probably good for some living habits but may

not be good from an educational standpoint—a lot of authoritarian attitudes formed from people who look at some this as always right.

AZAT: We hear a lot lately about dangers to judicial independence. You’ve tried cases in many courtrooms; how important is judicial independence to you?

DEES: I’ve tried cases all over the United States, and I can’t remember going before trial judges who weren’t elected. And being elected, sometimes they tend to think about what voters think about them.

My idea about judges wouldn’t fly. I think that lawyers should be certified as trial lawyers. And then they should be the judges; they can be a judge for three months, and then another gets to be the judge for three months. So lawyers would judge themselves, and they wouldn’t be appointed or elected. They simply would be picked at random off a list of qualified trial lawyers. It wouldn’t be a courthouse clique.

The appeals court would be the same way. You’d have a higher level of certification for trial lawyers. Some would be plaintiff; some would be defense. And the names would be put in and be randomly selected. They’d serve free; you wouldn’t get paid. It would be an obligation of being a lawyer. So that everyone could say,

“How you doing, Judge?”

AZAT: Ultimately, what do you think made you step up to live the convictions you felt?

DEES: You know, I don't think anybody knows why you do anything. I guess it's just that opportunities came to represent somebody in a case, and I had to sue to integrate the Alabama State Troopers; my buddy wanted to join, and he's black.

I guess it's little things built on each other. My daddy was real fair to black people; he wasn't a liberal or a conservative, but he wasn't a racist. His brothers were pretty racist and pretty bad. They ran a country store and had a Klan robe hanging in the back and all this stuff; but they liked me, too.

AZAT: Your former business partner, Millard Fuller, later went on to form what became Habitat for Humanity. What was in the water you two drank? How did two like-minded individuals find each other?

DEES: I think originally it was just fortuitous, just two students at the University of Alabama, and decided that we wanted to make money. But both of us had kind of a religious background. He was with the United Church of Christ, which was a pretty liberal bunch. And during college, I got turned off when the University beat back the young [African American] girl who was trying to get in. So I kind of had a mental change in my mind, and I took on more of the liberal bent.

So in 1965, he and I got involved in the marches in Selma. But then I bought him out in 1965 and 1966, because he wanted to go into full-time religious work.

But who knows? Both of us have used direct marketing; it's how Habitat raises its money. So we've both used our business skills, and I've used that to help found the Southern Poverty Law Center. 