

(Dees, continued from p. 2)

the cameras aren't there, you'll never convince the Southern Poverty Law Center to go in."

Dees entirely controls the Southern Poverty Law Center's operations. His friends and colleagues dominate its board. He and other top executives receive salaries in excess of \$100,000 a year.

The Center is loath to allow outsiders to examine its books but its filings to the IRS, required for all non-profits, are quite revealing. During the past decade, the Center's expenditures on its projects have never matched the interest earnings on its huge endowment, which now stands at \$68 million. In 1992-1993, the Center raised \$11.4 million in contributions and had total revenues of \$13.6 million. Its program expenditures were \$4.2 million. In 1994, while income rose to \$15.2 million, spending was \$4.9 million.

Much of the money is provided by poor and elderly people on fixed incomes, responding to the Center's dramatic appeals for money. *The Montgomery Advertiser* is the only major newspaper to have taken a hard look at the Center's finances, publishing an eight-part series on the organization in 1994. It uncovered one case where a woman sent a check along with a note explaining that she needed to buy an overcoat but preferred to send her money to the embattled Center. Dees passed the note around the office and then incorporated the woman's letter in a new fundraising appeal.

The American Institute of Philanthropy grades charities on their spending of contributions and gives organizations an F if they can operate for more than five years without raising more money. In 1993, when the Center had \$52 million in reserves, \$16 million less than today, the AIP calculated that it could operate for 6.7 years without another penny. Only three of 300 charities examined by the AIP could have funded their programs for longer. The Council on Foreign Relations, spartan in contrast, had reserves to cover 3.8 years of operations.

Defending his group's huge reserves, Dees says that the Center is seeking to build a \$100 million endowment, at which point it will be able to end fundraising forever and concentrate on its civil rights work. Dees has been pitching this line at least since 1978, when the

Center's newsletter said it would halt fundraising activities as soon as it had accumulated \$55 million. When Bill Moyers learned of the Center's hoarding of cash a few years ago, he stopped acting as a fundraiser for Dees.

What's especially vile is that the Center rarely ventures into court. Between October of 1989 and December of 1994, the Center filed only a dozen suits; just two of these went to trial. During one 14 month stretch the Southern Poverty Law Center filed not a single lawsuit. During the five year period, the Center took in about \$50 million in contributions, more than \$4 million per lawsuit.

In 1995 the Center spent less than \$2 million on its legal cases. When a journalist asked for details of litigation, Dees came up with only three complaints: a suit on behalf of Connie Mansfield, whose son was murdered by the head of a white supremacist group and who was eventually awarded \$1 million by a Florida court; a suit seeking to prevent William Pierce, author of the racist novel *The Turner Diaries*, from collecting royalties; and a suit seeking damages for the heirs of Dr. David Gunn, who was murdered in 1993 by an anti-abortion activist. Stephen Bright runs a true civil rights organization and one that's not afraid to take on unpopular causes. His Southern Center for Human Rights has an annual budget of \$600,000, currently handling 50 death penalty cases and 24 cases on prison conditions. One person who formerly worked for Dees's outfit says, "The Southern Poverty Law Center doesn't raise money to do the work. It raises money to raise more money."

Dees declined our request for an interview, but the Center's Judy Bruno tells us that the number of cases handled by the Center is irrelevant and that it's the impact the cases have that counts. She also said that the Center performs far more than purely legal transactions. She points to its educational projects, such as the "Teaching Tolerance" program which provides free educational materials to schools across the country.

Dees's own lawyering skills are unimpressive. His big victory in the Donald suit was due to the hard work of the Figures brothers in the criminal case. Dees was especially inept in the 1975 defense of Joan Little, who was acquitted

Wall Street Journal Ends Hunt for Red Clinton

As noted in our February 1 issue, *The Wall Street Journal* had been predicting earlier this year that Bill Clinton's re-election strategy would have the president moving sharply left. Last January 23, the morning of the State of the Union address, a *Journal* editorial said that Clinton's most important and powerful allies within the Democratic Party were the "ideological liberals", whose chieftain the *Journal* identified as Michigan Rep. David Bonior.

After waiting patiently for months for Clinton to submit to Bonior's fierce will, the *Journal* has finally given up and faced the facts. Paul Gigot, "Potomac Watch" columnist for the *Journal* editorial page, wrote on May 24:

"I've recently tried to keep a list of conservative ideas Mr. Clinton has embraced. I don't dare miss a speech or press conference. Repeal the gas tax? Of, course. Megan's Law to inform neighborhoods about convicted sex offenders? Let's hold a White House signing ceremony. A tax credit for adoption? Splendid idea. Deplore judges who are soft on crime? His own appointee, Judge Harold Baer, is a bum! Drug war? Call in Gen. Barry McCaffrey for reinforcements...

"Lately, Mr. Clinton has been moving so fast to the right he's beating Mr. Dole to the spot. He declared his opposition to same sex marriages even before the Kansan could make it an issue. Then, lest Mr. Dole find even an inch of running room, the president preemptively endorsed a GOP bill to allow other states to ignore the constitution's Full Faith and Credit clause and reject Hawaii's looming endorsement of gay marriage. Who needs the Christian Coalition when Bill Clinton is around."

Gigot somehow forgot to mention Clinton's endorsement of the most vicious welfare program in the country, from Wisconsin Governor Tommy Thompson. There's only one issue Bob Dole has left, the "Star Wars" missile defense. We confidently expect Clinton to hold an unveiling ceremony soon, perhaps on July 4. ■

of murdering her jailer (who tried to rape her). Dees was dismissed from the case early on when Judge Hamilton Hobgood charged him with coaching a witness. Charges were later dropped; Dees claimed he had merely been trying to get the person to repeat previous testimony.

Yet Dees's dismissal didn't stop the Center from milking the Little case for money. A decade later Center mailings talked of the organization's brave attorneys who "successfully defended JoAnn [sic] Little".

For a civil rights crusader, Dees has taken a number of bizarre stands. When Fred Gray — the first black lawyer in Montgomery and a man whose clients included Rosa Parks and Martin Luther King — was nominated for a federal judgeship, Dees withheld his support. Meanwhile, he backed the appointment of Brad Reynolds as the Reagan administration's chief civil rights enforcer and in 1992 supported George Bush's nomination of Edward Carnes to the federal bench. When civil rights groups complained about his endorsement of Carnes, Dees said, "What they think has no effect on my life one way or another."

A *New York Times* puff piece on Dees, published last May 12, noted the Carnes controversy, describing the judge as a "death penalty advocate". This, Bright says, is like describing John Wilkes Booth as a "Southern sympathizer". Carnes — who replaced Judge Frank Johnson, a courageous Republican who reformed Alabama's prisons and mental health system — has devoted most of his career to promoting executions and removing legal obstacles to state killing. He wrote the death penalty law in Alabama, which is one of the most one-sided in the nation. For example, even if a jury votes for life imprisonment, the judge can override and impose a death sentence. One-quarter of the prisoners on death row in Alabama are override cases.

Carnes argues that the death penalty is not racist. While he was assistant attorney general in Alabama and the state's point man on the death penalty, ten men were executed, of whom eight were African-American. Carnes defended one prosecutor who divided potential jurors into four categories: strong, medium, weak and black. He has also said that defendants in Alabama have excellent

lawyers, despite numerous cases where public defenders barely put up a defense. Death penalty opponents found examples of defense attorneys being drunk during trial and one case where a lawyer representing a death row prisoner filed a one-page brief to the Supreme Court. According to Bright, "Killing poor people in Alabama is like shooting ducks in a barrel because the lawyering is so bad."

Carnes, incidentally, was easily confirmed. The only Democratic senator who bothered to show up at the hearing was Alabama's Howell Heflin, one of Carnes's chief backers. Senators Ted

The Center's entire legal staff resigned in the late-1980s, partly because Dees was so reluctant to take up legal issues of most concern to the poor.

Kennedy, Joe Biden and Paul Simon had more important matters to attend to that day. More recently Carnes met with Senators Strom Thurmond and Orrin Hatch, and helped draw up a section of the Clinton administration's anti-terrorism bill, which severely limits the ability of federal courts to review state convictions.

Most top jobs at the Dees Center have been filled by whites. Between 1971 and 1994, the Center hired only two black attorneys, both of whom quit in frustration. The fundraising staff, however, has been largely female, black and low-paid. One factor in the late-1980s exodus was that the Center refused to provide benefits to its low-wage employees.

For its 1994 series, *The Montgomery Advertiser* interviewed thirteen former black staffers, twelve of whom complained of racial problems at the Center. Christine Lee interned at the Center in the late-1980s while studying at the Harvard Law School. Like many black employees, she found a paternalistic posture on the part of the Center's top directors, including Dees and legal director Richard Cohen. Lee remembers Cohen calling his black secretary "a credit to her race" and says his nickname for her was "Little Girl". Lee, who now practices law in Washington, tells us that Co-

hen "thought it was a term of endearment but I doubt he'd use it for someone that wasn't black and female."

When Lee returned to Harvard she wrote an evaluation of her experience, saying, "I found the attorneys racist, sexist, and condescending...They take license to make racist jokes and rationalize it because their work is devoted to championing 'our' cause." Based on the experiences of Lee and of Dennis Sweet, a lawyer in Mississippi whom colleagues describe as one of the most brilliant attorneys ever to practice in the DC public defender's office, Harvard Law School professor Charles Ogletree no longer recommends that African Americans work at the Southern Poverty Law Center. "I cannot encourage people to go there," he told *CounterPunch*. Alabama civil rights lawyer Rose Sanders has called the Center's employment practices "a mockery of those who died to end discrimination".

Over the years a number of media outlets, including "60 Minutes", have begun investigations into Dees's affairs, but most have backed off after receiving complaints from Dees and his supporters. Former staffers who have spoken to the press have been subjected to smear jobs. When Christine Lee spoke

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to a *Montgomery Advertiser* reporter, a crony of Dees's accused her of being hostile to white people. Lee's mother is white, as is her husband.

When the *Advertiser* submitted its 1994 series on the Center for a Pulitzer Prize, Dees worked relentlessly to sabotage the entry, whistling up supportive letters from Joan Claybrook of Public Citizen, Rabbi Abraham Cooper of the Simon Wiesenthal Center and George McGovern.

In the 1960s, Dees had sued the *Advertiser* over its segregated wedding announcements and now George McGovern sent a letter to Seymour Toppling, administrator of the prize, saying that Dees was the victim of "revenge". "[It would] be ironic", McGovern wrote, "if the Pulitzer Committee played an inadvertent role in smearing one of the great champions of justice and tolerance." (*The New York Times* also served up this charge in its May story, saying that Dees dates the *Advertiser*'s hostility to him to "his lawsuit...forcing the paper to desegregate its wedding page".)

The true story is entirely different. The *Advertiser* had been a viciously racist newspaper but began a new life after being sold in the early-1960s. The newspaper was already planning to abandon the practice of segregated wedding announcements when Dees, apparently having learned of the impending change, filed a half-baked lawsuit that was later summarily dismissed by Judge Frank Johnson. That decision was upheld when Dees appealed. Dees's attention-grab-

bing suit actually delayed changes at the newspaper because the owners didn't want to be seen as caving in to outside pressure. Ray Jenkins, a senior editor at the time, calls Dees's version of the affair "an out and out lie".

Jim Tharp, who edited the *Advertiser*'s groundbreaking series on the Center, says that the newspaper had been generally friendly to Dees and the Center. The *Advertiser* had published a series called "A Mighty Stream" to celebrate the Center's unveiling of its Civil Rights Memo-

The Center raised \$50 million from donors during a five-year stretch in which it filed only a dozen suits.

rial. Tharp himself had attended several Christmas parties at the Center, which is separated from the newspaper by a parking lot, and Dees was a volunteer for an *Advertiser* charity. As Tharp points out, Dan Morse, the lead reporter on the later series, was a five-year-old living in Illinois when Dees filed his case. "We started asking questions because we kept hearing stories from former employees [about racism and shady fundraising] at the Center," Tharp says.

A number of former staffers at Dees's Center wrote to the Pulitzer Committee to defend the *Advertiser*. "As a black attorney and a former intern...I am quite aware of the extraordinary public rela-

tions machinery that the Center can bring to bear upon its foes", wrote Montgomery lawyer Donald Jackson. "Without doubt, the Center's hiring practices as it relates to minorities and minority attorneys, in particular, are atrocious. For critics to claim that the *Advertiser*'s reporting on these and other issues was somehow in retaliation for SPLC's having filed a lawsuit in the 1960s...borders on being bizarre."

McGovern later wrote a letter of apology to the *Advertiser*. "I should not have criticized your paper without a careful independent investigation", he confessed. "I regret it all the more after learning that you are one of the precious few in the small band of editors who supported me in '72."

Every time anyone criticizes the Center, Dees and his entourage claim that they are being smeared by unscrupulous adversaries. Judy Bruno told **CounterPunch** that the organization's critics "always have an axe to grind with us. It's called jealousy. They have organizations that aren't as successful as ours."

So it seems that everybody is out to get poor Morris Dees. Stephen Bright, Millard Farmer, *The Montgomery Advertiser*, the former staffers who have complained about conditions at the Center: all nurse petty grudges, which account for their criticism. It's reminiscent of the man on vacation who complains, "You people don't drive very well around here. This is the third accident I've been in today." ■

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