

“What Goes Around Can Come Back Around in Strange and Wonderful Ways!”

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Scripture

Matthew 5:23 - 25 Come to terms quickly with your accuser while you are on the way to court with him, or your accuser may hand you over to the judge, and the judge to the guard, and you will be thrown into prison. 26 Truly I tell you, you will never get out until you have paid the last penny.

Psalms 37:5 Commit your way to the Lord; trust in him, and he will act. 6 He will make your vindication shine like the light, and the justice of your cause like the noonday.

Exodus 32:1 You shall not spread a false report. You shall not join hands with the wicked to act as a malicious witness. 2 You shall not follow a majority in wrongdoing... 6 You shall not pervert the justice due to your poor in their lawsuits. 7 Keep far from a false charge, and do not kill the innocent and those in the right, for I will not acquit the guilty... 9 You shall not oppress a resident alien; you know the heart of an alien, for you were aliens in the land of Egypt.

Sermon

Four years ago this past August, Neo -Nazis, white supremacists and anti-Semites, convened to terrorize the town Charlottesville, Va. If you recall this was the "Jews will not replace us," tiki-torched march where white guys toting guns, clubs, chemical spray and flags with swastikas marched through Charlottesville.

They surrounded the only synagogue in town, assaulted counter protesters and ultimately killed a young woman named Heather Heyer, when one of them drove a car into a crowd at high speeds. The guy who deliberately drove his car into that crowd is now facing not one, but two, life sentences without the possibility of parole.

But also within days of this tragic event, a very interesting legal strategy started to come together to pursue some kind of accountability for those who actually planned the violence. Recordings of online planning and promotion showed the organizers promising, hyping and celebrating that it would “get” violent in Charlottesville and that the violence would specifically target Jews and people of color.

Here are just a few things that were said:

“There is an atavistic rage in us, deep in us, that is ready to boil over. There is a craving to return to an age of violence. We want a war.”

“...if you want to defend the South and Western civilization from the Jew, and his dark skinned allies, be at Charlottesville, on the 12th of August.” “Next up Charlottesville, Virginia. Final stop, Auschwitz.”

On numerous websites planners exchanged not only these threats but actual plans for attacking Jews and blacks, one of which encouraged driving vehicles into crowds of protesters.

Now in America, due to our constitution, we have to tolerate bigotry in the larger marketplace of ideas. But when that bigotry turns into conspiratorial violence, there is redress. In this specific case there were nine plaintiffs who were harmed that day, including a minister who was assaulted by the Neo-Nazis, four others who were also injured in the car attack, and a Jewish woman who was harassed, stopped and threatened by an anti-Semitic mob.

Jury selection began about two weeks ago and though it is still very early in the proceedings it has already proven to be a nightmare for those who planned and promoted the rally. According to a recent article in "USA Today," the lawsuit has already crippled many white supremacist groups and leaders.

"A federal lawsuit against the organizers of the deadly 2017 Unite the Right rally in Charlottesville, Virginia, has rattled hate groups and white supremacist leaders. The suit already has helped to dismantle some of America's most well-known white supremacist, and it has financially crippled one leader of the so-called Alt-Right, the white supremacist and nationalist movement that came to prominence under President Trump."

In June 2020, Richard Spencer told the court that the case had become financially crippling and so now he must begin to represent himself in court. The fact is, Spencer is representing himself because other lawyers stopped representing him when he stopped paying them.

At least two of the defendants in this case have gone into hiding and seven of the defendants have already had a default judgment levied against them by the court, or the equivalent of a guilty plea after they ignored court orders to comply.

As a result, most of the defendants have already lost their case due to this default judgment and three are facing fines already of over \$10,000 as sanctions from the court. The point of this litigation, overtly, is to bankrupt the Neo-Nazis and white supremacists, both individually and organizationally.

But holding them accountable by a civil lawsuit is an unusual thing. It is a similar tactic used in 2019 to go after white supremacists by a very brave and very young woman named Taylor Dumpson.

"Never heard of her?"

Well, in 2017, Taylor Dumpson was elected by her peers to be student council president at American University in Washington, D.C. becoming the first African American ever elected student body president in the University's 124-year history.

That historic event was immediately greeted by nooses and bunches of bananas being hung around the campus. And then, following some publicity, a prominent Neo-Nazi website, actually run by one of the current defendants in Charlottesville, also took up the racist attacks against her. He posted her personal information online and encouraged those who frequented the website to step up the threats against her.

But rather than running away and hiding, in what I think most of us would agree would have been quite legitimate fear, Taylor's response was to stand up and fight back. With the assistance of the Lawyers' Committee for Civil Rights Under Law she brought a civil suit against those who coordinated the attacks.

Her lawyer then, Kristen Clarke, is now the head of the Civil Rights Division at the U.S. Department of Justice, appointed by President Biden. And Taylor won! The judge ordered a large monetary judgment against the Nazi who owned that website and who orchestrated those attacks.

Taylor explained this novel approach in a recent interview with Rachel Maddow on MSNBC. "...civil litigation is just one of the many tools available to survivors of hate incidents and hate crimes and to be able to bring their perpetrators to accountability. In my suit, we were able to sue three of the individuals who cyber-harassed me online as well as the Daily Stormer's parent company using a novel kind of idea of public accommodations as that avenue. Basically, you're not allowed to discriminate against people in places like schools and hospitals and other places like that that are accessible to the public. And so, being able to use litigation and civil remedies as an avenue for people to be able to hold their perpetrators accountable is one of the ways."

"I think it sends a very strong signal to folks in that movement that survivors will speak out, survivors will use their voices and use every avenue available to them, including litigation to hold people accountable. ...luckily, defendants ...have been forced into the shadows because of litigation like the case I was able to bring, like the case that's being brought right now [in Charlottesville]... And so, I hope this is a fatal blow to their movement..."

Following her graduation from American University, she received her JD from the Cardozo School of Law. "And so where is she now?" you might be wondering?

Well... Taylor Dumpson now works as a civil rights attorney and is a 2021 President's Fellow at, wait for it, the Lawyers' Committee for Civil Rights Under Law. Once a target of a racially-motivated hate crimes and cyber-harassment by members of white supremacist groups, Taylor Dumpson did not allow those acts to deter her, nor did she let it break her. Instead, she stood up to and fought back by pursuing litigation against those Neo-Nazis who cyber-harassed her. And she won.

Taylor says: "People think about protests and advocacy or lobbying or different things. But litigation can also be a tool for social change."

Her case was one of the first times that a Court held that online harassment can interfere with one's use of a public accommodations, since the harassment made it unsafe for her to attend classes. Not only was she able to reach that landmark settlement, but by using the principles of restorative justice, she was also able to finally come face to face with one of her attackers.

This particular white man, in his late teens, from the Pacific Northwest, decided he was willing to make amends. And even though his attacks were far from the worst received, he was, in the end, the only one who took responsibility.

Taylor wanted someone, a real person, not hiding behind an avatar or sneaking around campus, to be held accountable for the very real terror she had endured. Diagnosed with

Post Traumatic Stress Disorder she had at times lain for days in a fetal position because of the torrent of abuse. But she also believed in the power of restorative justice. "I needed him to understand this: I am a real person. I have real feelings. You have real impacts," she said. "It's not just words and you're not just typing mean things. It's bigger than that," she said. "It was a trying moment," she said. But it was worth it. "...I was able to look him in his eye and it's because I have a true belief that people can change." She said.

"I've had to remind myself, I have to believe that because if I didn't, then that would be them winning."

Standing up to and fighting back against injustice can take many forms and sometimes our actions may seem small and even insignificant. Taylor Dumpson is small in physical stature and was a rather insignificant - only a college student at the time, but now she is a mighty warrior for justice, whom you do not want to trifle with.

But we are not alone and when we combine our efforts strange and wonderful things will happen! As the Reverend Dr. Martin Luther King, Jr. once said, "The arc of the moral universe always bends towards justice!" And sometimes, I might add, when enough folks pile onto the open end of that arc, it just might bend a little faster!

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