Bankrupting Hate:

*Berhanu v. Metzger* and the Communications of the White Aryan Resistance

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Paper
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The increased attention to racial injustice prompted by the Black Lives Matter protests in 2020 made me want to better understand the history of white nationalism in Oregon. During my initial exploration of potential History Day topics, I came across an issue of the *Oregon Historical Quarterly* focused on white supremacy in Oregon. It included an article about the murder of Mulugeta Seraw by agents of the White Aryan Resistance (WAR) and the ensuing civil trial, *Berhanu v. Metzger*. Curious about the topic, I did more research and became intrigued by the First Amendment issues reflected in the case as well as the discovery that WAR was a pioneer in the white nationalist movement’s use of mass media and electronic communications. With further research, I learned that the white nationalist movement has been at the forefront of using innovations in communication technology to recruit and mobilize followers, and that *Berhanu v. Metzger* played a pivotal role in shifting the historical trajectory of white nationalist communications. The regulation of the movement’s communications is also a hotly debated issue, as evidenced by the conflict over whether the legal strategy in the case undermines First Amendment free speech protections.

When choosing my topic, I was hopeful that I would be able to conduct in-person archival research at the Oregon Historical Society, the City of Portland Archives and Records, and the University of Oregon Library Special Collections. These libraries were closed due to the pandemic, but I was able to request some digital resources from them, including the trial transcript, newspaper clippings, meeting minutes, and interview transcripts. I was also able to access primary source materials from WAR’s online archive and Morris Dees’ book about the case. Additionally, I conducted interviews over
Zoom with participants in the trial and an expert on the subject so that I could better understand their perspectives on the case. My secondary source research focused primarily on law review articles and academic journals analyzing the historical context and legal debates surrounding the case.

After thoroughly researching my topic, I created an outline of my argument to assist me in the writing process. I then drafted my paper and began refining my argument and connection to the theme. Finally, I worked on cutting the paper down to the word limit and adjusting the organization, language, and quotes used to support my argument.

My historical argument is that *Berhanu v. Metzger* was a pivotal court case that changed the trajectory of white nationalist communication strategies by creating a more dispersed movement reliant on the internet and social media. This shift has intensified the debates over the balance between free speech and society’s need to regulate violent and lawless action. My topic has historical significance because the innovative legal strategy used in *Berhanu v Metzger* put one of the 20th century’s most influential white nationalists out of business while inadvertently contributing to the growth of a more dispersed and expansive white nationalist movement that is harder to control or shut down.
Social movements throughout history have relied on communication to recruit, mobilize, and engage followers. Over the past century, white nationalists in the United States have been at the cutting edge of using innovations in communication technologies to build their movement. Tom Metzger, founder of the White Aryan Resistance (WAR) and one of the most notorious white supremacists of the late 20th century, spearheaded the white nationalist movement’s use of mass media and the internet. Metzger used First Amendment free speech protections to disseminate his message and enlist followers. In the 1980s, Metzger targeted his recruitment at skinheads in Portland, Oregon, where white nationalist ideology was flourishing. Under the leadership of Metzger’s recruiter, Portland skinheads began a series of violent assaults, culminating in the murder of Mulugeta Seraw. Seeking to defeat Metzger, the Southern Poverty Law Center (SPLC) sued WAR, arguing that it was liable for Seraw’s death. The jury ruled in favor of the SPLC, a verdict that ultimately put WAR out of business. The SPLC’s use of civil litigation to circumvent First Amendment protections sparked heated debate among advocates and legal experts. Despite this debate, the SPLC continued to use this strategy over the next decade to target extremist groups. The strategy inadvertently contributed to the growth of a more dispersed movement that relies on virtual communication unmediated by a central organization, making it harder to control or shut down and prompting intensified debates about the regulation of free speech.

**Communication in the White Nationalist Movement**

Communication plays a central role in the growth and influence of social movements. Throughout US history, social movements have relied on communication
strategies to recruit participants, forge a collective identity, and coordinate unified action.\textsuperscript{1} With advancements in communication technologies, successful movements have adapted their strategies to more effectively disseminate their message.\textsuperscript{2}

Over the past century, the white nationalist movement in the US has been at the forefront of using innovations in communication technologies to spread its ideology and to recruit and mobilize followers. The movement has been quick to adopt emerging forms of media, allowing it to systematically expand its base.\textsuperscript{3} Beginning in the late 19th century, white nationalists leveraged innovations that increased the affordability of the printing press to publish and distribute newspapers and magazines to a national audience.\textsuperscript{4} With the emergence of radio broadcasting in the 1920s, white nationalist organizations began using radio to update their followers and spread their message.\textsuperscript{5} White nationalist groups took advantage of advances in photocopying technology in the 1970s to mass produce written propaganda.\textsuperscript{6} In the 1980s, they were early adopters of the internet, building a “highly cyberliterate” movement.\textsuperscript{7}

\begin{itemize}
\item \textsuperscript{1} Lance Bennett and Alexandra Segerberg, “Communication in Movements,” in \textit{The Oxford Handbook of Social Movements} (Oxford University Press, 2014), 367-378.
\item \textsuperscript{5} Scrivens and Conway, 294-297.
\item \textsuperscript{6} Ibid., 294.
\end{itemize}
During the 1980s, one of the key pioneers in the white nationalist movement’s use of the internet and mass media was WAR, a group led by Tom Metzger, one of the most influential white supremacists of the late 20th century. To publicize WAR’s “pro-white” ideology, Metzger launched a cable access television show called “Race and Reason” that aired throughout the US. Metzger parlayed that exposure into appearances on national TV talk shows. He also initiated the use of a telephone hotline to update followers on the status of the movement and published a monthly newspaper that declared itself “the most racist newspaper on earth.” Most notably, Metzger pioneered the use of an online bulletin board to share news, disseminate instructions, and mobilize followers to action. According to Metzger, he was “the first” in the movement to use digital communication because he “saw the possibilities that computer networks would offer the White Nationalist movement.” Through his adept use of a variety of media innovations, Metzger “greatly influenced the discourse of the American extreme right during the 1980s” and “spearheaded the extreme right’s foray in cyberspace.”

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8 Winter et al., 5; Ibid.
12 Elinor Langer, Transcripts of Interviews with Tom Metzger, Box 63, Elinor Langer Research Collection on White Supremacy in America, Coll 306, Special Collections and University Archives, University of Oregon Libraries, Eugene, Oregon.
14 George Michael, “This is War! Tom Metzger, White Aryan Resistance, and the Lone Wolf Legacy,” Focus on Terrorism 14 (2016), 43.
15 Ibid., 52.
Free Speech Protections

The white nationalist movement’s sophisticated use of communication technologies has sparked ongoing conflicts over the balance between free speech and society’s need to regulate violent and lawless action.\(^\text{16}\) Added to the Constitution in 1791, the First Amendment is intended to protect the rights of Americans to express their opinions from infringements by the government.\(^\text{17}\) Modern jurisprudence has largely supported freedom of expression over the restriction of speech.\(^\text{18}\) Political speech, including hate speech, is one of the most highly protected forms of speech in the US. The Supreme Court affirms that “the proudest boast of our free speech jurisprudence is that we protect the freedom to express the thought that we hate.”\(^\text{19}\) The constitutional protections of hate speech have allowed white nationalist groups to freely communicate their views with few restrictions.

Since the beginning of the 20th century, the courts have outlined three narrow areas of political speech that are not protected by the First Amendment: “fighting words” (Chaplinsky v. New Hampshire, 1942), incitement of “imminent lawless action” (Brandenburg v. Ohio, 1969), and “true threats” (Watts v. United States, 1969).\(^\text{20}\)

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Advocates and legal scholars have long debated how to regulate hateful and violent communications within these legal parameters.\(^{21}\)

**The Murder of Mulugeta Seraw**

In the late 1980s, Metzger set his sights on the creation of a “White homeland” in the Pacific Northwest, initiating a series of events that changed the course of the debate about free speech regulations and altered the trajectory of white nationalist communications.\(^{22}\) The Pacific Northwest has a long history of white nationalist extremism and in the 1980s saw a proliferation of neo-Nazi skinhead gangs.\(^{23}\) Metzger sought to recruit these skinheads to become the “shock troops” of the movement.\(^{24}\) He took particular interest in Portland, Oregon where the skinhead movement was growing and drawing attention in the press.\(^{25}\) In the fall of 1988, Metzger sent his youth recruiter, Dave Mazzella, to organize Portland skinheads and enlist them in WAR's violent strategies.\(^{26}\)

Following Metzger’s orders, Mazzella joined East Side White Pride (ESWP), a Portland skinhead group lacking in structure and vision that Metzger hoped to transform into a more cohesive and effective white power gang.\(^{27}\) Mazzella’s first step in making Metzger’s vision a reality was to earn the respect and trust of ESWP through violent assaults on people of color. According to Mazzella, this violent action was encouraged

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\(^{25}\) Metropolitan Human Relations Commission.


\(^{27}\) *Berhanu v. Metzger*, 422-453.
by Metzger, who “wanted people that . . . could act out their part, . . . and that part was kicking some ass.”

On the night of November 12, 1988, Mazzella met with ESWP to discuss plans for setting up a telephone hotline for WAR and committing “random acts of violence . . . physically assaulting, attacking people.” After leaving the meeting to distribute WAR propaganda, the members encountered Mulugeta Seraw, an Ethiopian immigrant, and his two friends. ESWP members Ken Mieske, Kyle Brewster, and Steven Strasser began cursing and hollering racial slurs, resulting in a brawl in the street that escalated quickly when Mieske emerged with a baseball bat. Mieske hit Seraw from behind with the bat while Brewster and Strasser kicked him. Seraw died the next day.

Berhanu v. Metzger

In 1989, Mieske, Brewster, and Strasser pleaded guilty to Seraw’s murder and were sent to prison. On October 20, 1989, the day following Mieske’s conviction, the SPLC filed a civil suit against Tom Metzger and his son John, the leader of WAR’s youth division. The suit was brought by the SPLC’s Morris Dees and Elden Rosenthal, a Portland attorney, on behalf of Engedaw Berhanu, Seraw’s uncle. They saw the case as an opportunity to bring down “the most dangerous demagogues” of the white supremacy movement by holding the Metzgers liable for Seraw’s death. The SPLC intended to put WAR and the Metzgers out of business by suing them for punitive

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28 Dave Mazzella quoted in Berhanu v. Metzger, 452.
29 Ibid., 446.
damages, a strategy that they had used previously to achieve large jury verdicts against the Ku Klux Klan (KKK). Bringing civil rather than criminal charges against hate groups enabled the SPLC to circumvent barriers imposed by First Amendment protections. The basis of the SPLC’s claim was that WAR’s advocacy of violence in conjunction with the paramilitary training of skinheads created the necessary “substantial assistance or encouragement” required to prove the Metzgers’ vicarious liability for Seraw’s death under the legal theories of aiding and abetting and civil conspiracy.

The case, *Berhanu v. Metzger*, went to the Multnomah County Circuit Court on October 8, 1990, where it was presided over by Judge Ander Haggerty. In his opening statement, Dees outlined how he intended to prove that the Metzgers were personally responsible for Seraw’s death, describing how the Metzgers had recruited Portland skinheads who they intended to train to commit violence with the objective of instigating a white uprising. The SPLC presented recordings from WAR’s telephone hotline, newsletters, cartoons, and other WAR communications that contained hateful messages and encouraged violence against people of color. As evidence of WAR’s connection to ESWP, they presented a letter written by John Metzger introducing Mazzella and inviting ESWP to join the youth division of WAR: “[W]e would like to open up communication with your group . . . we work with any pro-white, anti-drug, White group as long as they don’t talk.” Mazzella testified that he had been sent by the Metzgers to recruit and organize skinheads and that “to gain respect and point East Side White Pride in the

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35 Taylor, 95-144; Saccuzzo, 395-425.
36 Saccuzzo, 416.
right direction, he had led them on a reign of terror." In one particularly incriminating recording, Metzger lauded Seraw’s killers for doing their "civic duty."

The Metzgers, representing themselves, argued that their speech was protected under the First Amendment and that the suit was an attempt to undermine their constitutional rights. Tom Metzger claimed that his only weapons were ideas and "[t]hat’s all I have ever used, the art of changing people’s minds . . . through legitimate means." The Metzgers also argued that they had no connection to Seraw’s death and could not be tied directly to the murder as they were hundreds of miles away, in California, when Seraw was killed.

The evidence presented by the SPLC convinced the jury that “the Metzgers’ decision to send Mazzella to Portland directly led to Seraw's violent death." The jury found the Metzgers and WAR vicariously liable for Seraw’s death and assessed damages at $12.5 million, one of the largest judgments in Oregon history at the time. The ruling bankrupted WAR, forcing it to shut down its communications infrastructure, and “basically put Metzger out of business." After the verdict, a defiant Metzger declared “I’ll be broke and, under the Constitution, I can advocate violence now and nobody can sue me anymore. . . . The white racist movement will not be stopped.” Metzger continued to preach his hateful message until his death in 2020.

40 Dees and Fiffer, 267.
41 Michael, 46; Ibid., 240.
42 Berhanu v. Metzger, 1298; Dees and Fiffer, 261.
43 Dees and Fiffer, 250.
44 Elinor Langer, interview with author, December 22, 2020; Berhanu v. Metzger, 1279.
47 Rosenthal, interview with author.
48 Taylor, 141-142.
The Legal Debate

The SPLC’s legal strategy in *Berhanu v. Metzger* was fiercely debated among advocates and legal scholars. Proponents of the strategy heralded it as a valuable tool for countering hate by using civil litigation to sidestep First Amendment protections. As one proponent asserted, the strategy provides “an enticing option in the battle to secure real justice . . . for victims of hate-group violence.” Proponents also applauded the SPLC’s use of aiding and abetting and civil conspiracy charges to hold WAR’s leaders accountable for the violent actions of their agents. While individual members of hate groups may be held criminally liable for their violent acts, criminal law “generally leaves the organization that promotes and enables the attacks unscathed.” Civil lawsuits can weaken or destroy the hate groups themselves by suing them for punitive damages, potentially bankrupting the organizations.

Opponents of the SPLC’s legal strategy argued that using civil litigation to target hate groups for their speech undermines First Amendment protections and can set a dangerous precedent for future restrictions on free speech. Michael Simon, who presented an amicus brief at the trial on behalf of the American Civil Liberties Union, expressed concern that holding an organization “liable for the egregious conduct of its agent impermissibly chills the rights of free speech and political association under the First Amendment.” Opponents also noted that the rules of evidence are much looser in

51 Taylor, 101.
52 Koenig and Rustad, 306.
53 Ibid.; Taylor, 137-139.
54 Michael, 46-47; Saccuzzo, 419-424.
Civil libertarians and advocates expressed concern that the SPLC’s approach could have the effect of silencing speech and bankrupting organizations on all sides of the political spectrum.\(^\text{57}\) According to Simon, “If the standard for unprotected speech is low, people will be deterred from freely speaking their minds. People not speaking their minds means their freedom of speech no longer exists.”\(^\text{58}\) Instead, opponents argued that the best way to achieve the SPLC’s goals was to promote more speech, using the “marketplace of ideas” to counter racist beliefs.\(^\text{59}\) As Simon explains, “The best remedy for bad speech is good speech.”\(^\text{60}\)

**The Evolution of White Nationalist Communication**

Despite criticism of the SPLC’s use of civil litigation to bankrupt WAR, the SPLC continued to use this strategy throughout the 1990s to target groups including the KKK and the Aryan Nation.\(^\text{61}\) However, the success of this strategy was short-lived. According to Rosenthal, “These hate groups have decentralized. . . . They don’t want to get sued . . . so most white supremacy groups that are running around now are very small, don’t have assets, and the strategy that we used in the Seraw case really won’t work.”\(^\text{62}\)

The decentralization of the movement has not lessened its size or influence. In the past few decades, the movement has expanded its use of internet communication and social media, creating a dispersed network that is more difficult to control or shut

\(^{56}\) Michael, 46.

\(^{57}\) Ibid.


\(^{59}\) Saccuzzo, 420-425.

\(^{60}\) Simon, interview with author.


down. While many white nationalists today are not formal members of any group, online platforms allow them to connect with like-minded people. Cyberspace has given white nationalists a platform to distribute their propaganda to a worldwide audience that is much larger and more diverse than previously possible. Using online communication has also made extremists more difficult to track and defuse as they have taken to using encrypted platforms such as 8chan, Parler, and Discord that enable them to "inflict pervasive harm with almost no risk of being prosecuted."

The shift to a dispersed online organizing model has expanded the movement's potential for violence. White supremacists have been responsible for more than half of domestic extremist-related murders in the past decade. For example, the white supremacist "Unite the Right" rally in Charlottesville, Virginia, which was largely organized online, brought together more than 500 extremists from around the country and ended in deadly violence. The organizing power of the movement is further exemplified in the insurrection that occurred on January 6, 2021, when Donald Trump supporters, many of them white nationalists, stormed the US Capitol. The insurrection, which was largely organized over social media, killed six and injured more than 100.

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64 Janik and Hankes.
65 Tsesis, 748.
66 Quote from Koenig and Rustad, 309; Scrivens and Conway, 298-306; Smith, "Lone Wolves.”
69 Ibid.; Smith, "Lone Wolves.”
The resurgence of the white nationalist movement has intensified the debate over the balance between free speech protections and societal order.\textsuperscript{72} The movement’s reliance on the internet and social media has added complexity to these debates as online platforms are more difficult to regulate and raises new questions about the limits of free speech.\textsuperscript{73} The white nationalist movement’s evolving use of communication technologies in response to the SPLC’s civil litigation strategy in \textit{Berhanu v. Metzger} highlights the need for new legal strategies that can address the rising threat of white nationalist extremism while still protecting freedom of expression.

\textsuperscript{72} Tobin et al., 29-35.
Annotated Bibliography

Primary Sources


This article in one of Portland’s African American newspapers highlights Seraw’s murder as evidence of the prevalence of racism in Portland. It also provided me with useful context on the reaction of Portland’s African American community to Seraw’s death.


This web page on the WAR website has audio clips of interviews that Metzger and other members of WAR conducted in the 1980s. The interviews offer insights into WAR’s use of communication methods to propagate its message.


This is the transcript of the trial. It helped me understand the perspectives of the key figures of the case, and it offered insights into the evidence that was presented and the SPLC’s legal strategy.


This page on the SPLC’s website includes the complaint and judgment of the case, which helped me understand the plaintiffs’ legal reasons for suing the Metzgers and the outcome of the trial.


In this book, Morris Dees discusses his experience of the trial and the strategy used by the SPLC. It helped me understand Dees’ perspective on the case.

This article in WAR’s newspaper discusses violence as an important method of social change and advocates the use of violence to pursue WAR’s agenda. It helped me understand the violent rhetoric of WAR and Metzger.


This is a video clip from an interview conducted by Oprah in the 1980s of both racist skinheads and liberal skinheads. It provided insight into the perspective of racist skinheads and highlighted one of the ways in which WAR and other white nationalist groups spread their message to the public.


This is a continuation of the video cited above.


This oral history of retired US District Court Judge Ancer Haggerty discusses the judge’s life, career, and family. He speaks about his experience of the trial and other notable cases in his career. It helped me understand Judge Haggerty’s perspective on the case.


I interviewed Judge Haggerty over Zoom. He discussed his experience of the case and the impact that the case had on his career and Portland. My conversation with Judge Haggerty offered interesting insights into the atmosphere of the trial.

Langer, Elinor. Transcripts of Interviews with Tom Metzger, Box 63. Elinor Langer Research Collection on White Supremacy in America. Coll 306, Special
Collections and University Archives, University of Oregon Libraries, Eugene, Oregon.

This is a transcript of an interview conducted by Elinor Langer of Tom Metzger that goes into great detail about his life and beliefs. It helped me gain insight into Metzger's views and goals.


This article discusses the case and the implications of the verdict. It helped me to understand the perspective of the national media at the time.


This is the opinion of Supreme Court justice Samuel Alito in the case *Matal v. Tam*, which reaffirms the importance of the right to free speech, including hate speech. This opinion highlights the historical protection of political speech within US jurisprudence.


This article from one of Portland’s African American newspapers discusses Seraw’s death and a Portland protest that took place after the killing. It helped me understand the community’s perspective on Seraw’s death.


These meeting minutes from the Metropolitan Humans Relations Commission include testimony from community leaders, organizations, and the police about Seraw’s death. The testimony highlights the perspective of the Portland community on Seraw’s death and provided me with background information on the prevalence of skinheads in Portland at the time.

This is Tom Metzger’s Twitter page that contains tweets from 2013 to 2020, the year that Metzger died. This page demonstrates Metzger’s continued involvement in the white nationalist movement after the trial. It also provides an example of current white nationalist communication through social media.


In this article, Metzger discusses the technological revolution and his use of computer technology to disseminate WAR’s message. He also explains the benefits of using computers to communicate with followers. [Note: WAR was initially called White American Resistance before changing its name to White Aryan Resistance. This article was published prior to the name change.]


In this article, Metzger discusses his appeal to the appellate court following the verdict in Berhanu v. Metzger. It helped me gain insight into Metzger’s view of the trial.


In this article, Metzger discusses his view of Morris Dees and the Anti-Defamation League in response to Dees publishing his book about Berhanu v. Metzger. This helped me gain insight into Metzger’s view of the trial.


This article discusses the creation of Metzger’s TV show, Race and Reason. It helped me understand how Metzger and WAR used television as a method to communicate their white supremacist beliefs.

This article describes the case as well as a counterclaim that Metzger filed that was thrown out by Judge Haggerty. The article helped me understand the national media attention garnered by the case, and it includes quotes from Metzger that provided insight into Metzger’s perspective on the case.


This web page on the WAR website contains video clips from Metzger’s TV show, Race and Reason. It highlights one of the methods of communication used by Metzger and WAR.


This article discusses Race and Reason’s premise as well as the intent behind the show. It helped me gain insight into WAR’s views as well as how Metzger used television to disseminate those views.


This article describes the verdict of the trial and discusses the implications of the verdict for hate groups and the Portland community. It helped me understand the local community’s perspective on the case.


This article from the Knight-Ridder News Service, which is reprinted in WAR’s newspaper, discusses how white nationalist groups used technology in the late 1980s and early 1990s to propagate their message to a national audience. It helped me understand the importance of technology as a communication method in the white nationalist movement.


This article was written by Elden Rosenthal, one of the attorneys for the plaintiff in the Berhanu v. Metzger case. Rosenthal discusses his experience of the trial
and connects the 1990 trial to the resurgence of white supremacist rhetoric and hate crimes in recent years. This article helped me understand the strategies used in the trial, its significance in Portland history, and its connection to current events.


I conducted a Zoom interview with Elden Rosenthal to hear about his perspective on and experience of the trial. He discussed the SPLC's legal strategy and the impact that the case had on the decentralization of the white nationalist movement. He also highlighted the importance of communication in the white nationalist movement and WAR.


I conducted a Zoom interview with U.S. District Court Judge Michael Simon about his perspective on the case and the amicus brief he presented during the trial (prior to his appointment as a judge) on behalf of the American Civil Liberties Union. An amicus brief is a brief written by an organization that is not a party to the case in order to assist the court by offering information, expertise, or perspective. Judge Simon provided valuable insights into the First Amendment implications of the trial and the SPLC’s legal strategy.


This article discusses the predicted impact of the case on Metzger's influence in the white nationalist movement. It also highlights the perspective of other prominent white supremacists on the case and Metzger. The article is one of a series of articles by Snell, a Portland-based reporter who covered the trial, that helped me understand the local community’s perspective on the trial and provided detailed coverage of the trial and its aftermath.


This article asserts that the case caused Metzger to lose his standing in the white nationalist movement. It also discusses the continued prevalence of skinheads in Portland even after the case.

This article discusses Metzger’s role in inciting the violence that led to Seraw’s death. It also outlines the charges brought against the Metzgers and WAR.


This article discusses the details of the trial’s verdict and its likely impact on Metzger. It also highlights the perspective of Dees and community leaders, such as Portland’s mayor.


This article announces the case, discusses the SPLC’s purpose in suing the Metzgers, and outlines the events leading up to the trial.


This article describes Dave Mazzella’s role in the trial and in Seraw’s murder. It outlines his history of violence in Oregon and his prominence in the skinhead movement.


In this video of a TV show that aired in the 1980s, Tom Metzger shares insights about his beliefs and debates issues with other guests, some of whom have similar beliefs and some of whom have opposing views. This helped me gain insight into Metzger’s opinions and his use of television to communicate his ideas.


In this video clip from a CNN interview in the 1980s, Tom Metzger is interviewed about his beliefs and views on political issues. It helped me gain insight into
Metzger’s opinions and effective use of television to communicate to large audiences.


This is an article published in 1990 about the trial. It helped me understand the national importance of the trial and how the case was perceived outside of Portland.


This is an archive of some of the newspapers WAR published in the 1980s and 1990s. It helped me understand the types of communications used by Metzger and WAR to propagate their message.


This article discusses the trial and Metzger’s perspective on the case. It helped me understand the national media’s view of the trial and the national influence of the case.
Secondary Sources


This is a textbook on the US government. I used it for information on the First Amendment and the history of court cases challenging free speech protections.


This article describes Mulugeta Seraw’s death and includes primary source news clips from different local news stations on the night that Seraw died. This helped me understand the perspective of Portlanders on the day of Seraw’s passing. It also describes the history of racism in Portland that set the stage for Seraw’s murder.


This chapter describes the use of communication in social movements. It provided contextual information on the role and importance of communication in different types of movements.


This article discusses the nuances of free speech protections and important legal questions that have been raised about the limitations of the First Amendment. The article provided me with historical context for the disputes over the SPLC’s legal strategy.


This article provides an overview of the evolution of the white nationalist movement, focusing on the growth of the skinhead and neo-Nazi movements in the US during the late 20th century. It also provided me with context about hate-motivated violence and the creation of lone-wolf terrorism.

This article discusses the history of white supremacy in Oregon starting in the 20th century. It highlights the influence of national and international events on the white supremacy movement and white nationalist groups in Oregon. The article served as background information for my project.


This article focuses on the limitations of freedom of speech protections when it comes to incitement of violence. It outlines the history of First Amendment jurisprudence in relation to hate groups such as the KKK. The article provided historical and legal context for my analysis of the SPLC’s legal strategy.


This speech discusses the use of technology by white supremacists, and it highlights white supremacists’ roles as early adopters of modern technology. It further describes how the internet and social media have facilitated the spread of white supremacy. It helped to frame my analysis of white nationalist communication strategies.


This article helped me to understand the SPLC’s legal strategy in Berhanu v. Metzger. It describes what aiding and abetting and civil conspiracy are and how to prove them in a civil suit. It also explains the benefits of using this strategy to sue white nationalist organizations.

This is an article about sign caps that were added in 2018 to street signs in Southeast Portland, where Mulugeta Seraw was murdered, to memorialize his death. The article helped me understand the significance of Seraw's death to the Portland community and his continued legacy.


This article, which was first published in The Oregonian in 1998, discusses Seraw’s death, its impact on Portland, and the proliferation of white nationalism in Portland in the decade after Seraw’s death. It helped me understand the local impact of Seraw’s death and the local perspective on the case ten years after the fact.


This article asserts that First Amendment protections have dangerous implications for the growth of hate speech and argues that the idea that the only counter for bad speech is more speech is misguided. It helped me to understand the perspective of legal scholars who are in support of further regulation of hate speech.


This article discusses the decentralization of hate groups as a result of the SPLC’s legal strategy. It highlights how the decentralization of hate groups has increased the white nationalist movement’s capacity for violence. I used this article when crafting my argument about the impacts of the SPLC’s legal strategy and why the strategy is no longer effective.

This article reflects on the changes in Portland in the 30 years after Mulugeta Seraw’s death, providing insights into the impact that Seraw’s death had on Portlanders’ perceptions of the presence of racism in Portland. The article highlights the continued presence of violence and racism in Portland and draws connections between recent events and the white nationalism of the 1980s.


This article discusses the insurrection at the US Capitol on January 6, 2021 and provides statistics on the number of people injured and killed as a result of the violence.


This article discusses the complex free speech issues raised by the debate over how to regulate social media. It helped me understand the debate over the protections of speech in relation to the white nationalist movement’s use of online communication strategies.


This report summarizes the trends in hate groups and hate-motivated violence in 2020, helping me to understand the increasingly dispersed nature of the white nationalist movement. It also discusses the January 6, 2021 insurrection at the US Capitol and the critical role of online organizing in mobilizing extremists from across the country.

This article discusses laws on hate speech and outlines the narrow areas of speech that are not protected by the Constitution. It provided information on the protection of political speech and modern jurisprudence regarding hate speech.


This article discusses the use of civil litigation by the SPLC to bankrupt white supremacist organizations, including WAR. It focuses on a 1998 case brought by the SPLC against the Aryan Nations. It helped me to understand the continued success of the SPLC’s legal strategy throughout the 1990s.


This article analyzes the use of civil litigation to bankrupt white nationalist organizations. It focuses on the benefits of using this legal strategy to punish organizations for inciting hate crimes and violence. It helped me to understand the perspective of legal scholars who support the SPLC’s legal strategy.


In this extensively researched book, Elinor Langer examines the details of Seraw’s death, the case, and the historical context for these two events. The book provided me with in-depth information about the events leading up to Seraw’s murder, Tom Metzger and WAR, and the court case.


I interviewed Elinor Langer over Zoom to discuss her perspective on the case as well as her experience as a journalist reporting on the case. This interview helped me to understand her insights into the impact of the case, especially on the Portland community. She offered a unique perspective both as a locally-based reporter who covered the trial and as a researcher and expert on the topic.

This article focuses on *Keenan v. Aryan Nations*, a SPLC civil case against a white nationalist group. It helped me understand how the SPLC’s legal strategy was used in subsequent cases to bankrupt white nationalist organizations.


This chapter describes Seraw’s death and specifically focuses on Tom Metzger and WAR as examples of organized hate. It helped to frame my analysis of WAR’s work.


This article examines the political career of Tom Metzger with a specific emphasis on WAR’s communication strategies during and after the 1980s. It helped me to understand Metzger’s significant impact on the far right in America.


This chapter describes the use of media by social movements, providing me with broader context about the role and importance of communication in social movements. It highlights how the advent of the internet has affected the growth of social movements.


This report discusses the resurgence of white supremacy and highlights the role of online organizing in recent white supremacist violence, including Charlottesville. It helped me to understand the current state of the white nationalist movement in America.

This article outlines the debate over whether hate speech should be regulated. It highlights the nuances of restricting hate speech, and it specifically discusses the case of verbal threats. It provided context for my analysis of the debate over the regulation of hate speech and First Amendment free speech protections.


This article discusses the proliferation of hate-based violence and hate groups in the US. It argues that the US must develop federal legislation that will protect people from hate-motivated violence. The author suggests that there are two ways that this can be accomplished: anti-militia statutes and the exclusion of hate-motivated speech and conduct from First Amendment protections.


This article discusses the case and its continued impact on Portland three decades later. It provided me with useful details on Tom Metzger, including quotes from Metzger and WAR’s telephone hotline.


This is a video that discusses the history of racism in Portland since the founding of Oregon. It also tells the story of Mulugeta Seraw’s death in the context of Portland’s history of white supremacy and hate groups. It contributed to the historical framing for my analysis.

This is a review of two books by Morris Dees about the SPLC’s use of civil litigation to target white nationalist groups. It provided helpful background information on the case and Dees’ career.


This article highlights the role of Kyle Brewster (one of the men convicted for Seraw’s murder) in the January 6, 2021 protests at the Oregon State Capitol that occurred in conjunction with the insurrection at the US Capitol. It demonstrates Brewster’s continued involvement in the white nationalist movement 30 years after he was imprisoned for Seraw’s death.


This report highlights the role of telecommunications, including broadcast radio and television, cable television, public access television, and computer bulletin boards, to advocate or encourage violent acts and hate crimes. It helped me to understand the importance of electronic communications in extremist movements in the late 20th century.


This is a radio broadcast about Seraw’s death and the court case that includes interviews with Elden Rosenthal and Joyce Harris, a Portland civil rights activist. It helped me understand Rosenthal’s perspective on the case as well as the perspective of a civil rights activist in Portland.

This article outlines the SPLC’s civil litigation strategy and highlights its use to sidestep First Amendment protections. It argues that civil litigation aimed at bankrupting hate groups is unconstitutional because it chills free speech. It helped to frame my analysis of legal scholars’ opposition to the SPLC’s legal strategy.


This chapter discusses the historic and current use of communication technologies by extremist and terrorist groups and individuals. It helped to inform my analysis of white nationalists’ role as innovators in adopting new communication technologies.


This article describes the history of racism in Portland. It provided me with historical context for the emergence of the skinhead movement and WAR’s ability to gain traction in Portland in the 1980s.


This article describes the history of race relations in Oregon and Portland as well as the growth of hate groups. It outlines the conditions that led to the rise of extremism in the 1980s, providing historical context for Seraw’s murder.


This article discusses the history of neo-Nazi groups in the US and Europe. It provided me with background information on skinheads and the neo-Nazi movement.

This article discusses the use of the internet by white nationalist groups in the 1980s to propagate their message. It helped to frame my analysis of the role of the white nationalist movement as innovators in the adoption of electronic communication technologies.


This article discusses the use of the internet by white nationalist groups starting in the 1980s through today. The article primarily focuses on Louis Beam, one of the first in the white nationalist movement to use computers to recruit and engage followers, and it also highlights the role of Tom Metzger. It provided useful context for my analysis of the white nationalist movement’s use of internet communications.


This article analyzes the roots of racist violence and argues that racial attacks are products of systemic racial inequality. It helped me understand the larger historical and societal context surrounding Seraw’s murder.


This article discusses the development of the SPLC’s civil litigation strategy, its limitations, and its successes. It also highlights *Berhanu v. Metzger* as an example of the strategy being used to bankrupt hate groups. It helped to frame my analysis of the SPLC’s legal strategy.

This article analyzes the protections of hate speech versus hate crimes under the First Amendment and outlines the types of speech that are not protected. It highlights important court cases that have further defined the protections of free speech under the First Amendment. It helped to inform my analysis of the historical and legal context of the case.


This biographical article describes Tom Metzger’s life. I used this source for specific details about his decision to establish WAR and his use of technology to communicate his message. This article also helped me understand how the verdict in *Berhanu v. Metzger* affected the rest of Metzger’s life and his continued work in the white nationalist movement up until his death in 2020.


This article analyzes the limitations of free speech jurisprudence and suggests that restrictions should be enacted against hate speech that is intended to elicit violence. It focuses on the negative impacts of hate speech and the shortcomings of First Amendment protections. It provided legal context for my analysis of the debates over the SPLC’s civil litigation strategy.


This article offers the perspective of Engedaw Berhanu, Mulugeta Seraw’s uncle, on Seraw’s death. Berhanu describes his experience of the day Seraw died and the trial. The article provided useful contextual information about Seraw’s backstory and the significance of *Berhanu v. Metzger*.

This article highlights Seraw’s murder and Metzger’s desire to create a white homeland in the Pacific Northwest as evidence of the history of white supremacy in Portland. The article provided me with historical context for Seraw’s murder and the trial.


This article describes how and for what purposes extremists use the internet at an individual and organizational level. It discusses the impact of digital communication technologies on extremist organizing. It helped to frame my understanding of the importance of electronic communication technologies to the growth of the white nationalist movement.