

MEMORIAL PROFILE

The assassinations of Judge Robert S. Vance of the United States Court of Appeals for the Eleventh Circuit and civil rights attorney Robbie Robertson are a stark reminder of an all too recent past when violence and death were the routes frequently selected to suppress black protest over civil rights. Both men, one white (Judge Vance) and the other black (Mr. Robertson) were men of conviction who exemplified the kind of character and courage which was building a new South comprised of blacks and whites living together as Americans. Each was a man of special talents and virtues. Both were public men who worked within the system for change and were known to be men of personal moderation.

Credit, and that is a cruel word, for the bombings has been claimed by a previously unknown group vowing to continue its attack on the federal judiciary because of its lenient treatment of blacks convicted of crimes against white citizens. Threats have also been made against the National Association for the Advancement of Colored People and a bomb has recently been discovered at its Jacksonville, Florida office.

The bombing has revealed one of the more chilling aspects of American race relations. The re-emergence of white power groups modeled after Hitler's Nazi Party, willing to advance their agenda with similar violent tactics, is perhaps an expected response to rapid social change. Some do not take these fringe groups seriously. The tragedy of each man's death has exposed these groups as mere words never could. And perhaps this episode will be an occasion for men of law and reason to become more firmly committed to our shared values of democracy and the rule of law. If anything is to be gained from these deaths it must start with a recognition that, however calm things may seem, the rule of law is maintained by men of absolute courage, and by communities with solid convictions.

When I clerked for Judge Joseph W. Hatchett on the United States Court of Appeals for the Eleventh Circuit, I grew to respect the judges of that court and the historic Fifth Circuit for the dedication and energy they brought to the tough legal issues of their age. As one

of the younger and newer judges on that court, Judge Vance, only 46 when appointed by President Carter in 1977, was a man respected for his keen mind and determination. Judge Vance was known to be liberal on civil rights questions and other issues, but conservative on criminal matters. To examine his cases is to review some of the more heated issues of our time. In *Henson v. City of Dundee*, 682 F.2d 897 (11th Cir. 1982), Judge Vance set standards in sexual harassment cases. In *Arline v. School Board of Nassau County*, 772 F.2d 759 (11th Cir. 1985), he held that the Federal Rehabilitation Act provided protection for persons with contagious diseases. Lastly, in *Underwood v. Hunter*, 730 F.2d 614 (11th Cir. 1984), *aff'd*, 471 U.S. 222 (1985), he struck down a state constitutional provision denying voter rights to persons convicted of certain misdemeanors.

The assassins who struck down these extraordinary men did have an insight which frequently escapes normal people. An insight that a system is only the people who dedicate and give their lives to it. What these terrorists hope is that others will value their lives or comfort more than their ideals and that in the process society will yield to bullies and threats. What we must hope—and prove—is that they are wrong. There are more than a few devoted citizens. We are a nation of laws and a people of courage.

Many were unaware of either Judge Vance or Mr. Robertson before these tragic episodes. Similarly, most are unaware of the daily devotion, risk and sacrifice of thousands who give meaning to what might otherwise be empty words about democracy or the rule of law.

We should pray that these episodes are isolated and that those responsible will be brought to justice. At the same time we must be determined as individuals and as a society to hold firm to the rule of law, to democracy, and to a decent and civilized order. Lastly, we must promise not to forget these latest victims. They were men sacrificed on the alter of race hatred. We must know—as racists cannot—the value of the rule of law and the basic goodness of Americans of all races and creeds.

Joseph E. Broadus
Faculty Advisor