

DAY OF "CIVIL OBEDIENCE"

Judge: (reading from legal document presented
by Patrolman 2995, 5th Precinct, N.Y.C.)
"Anna Bennett arrested March 19, 1970
charged with disorderly conduct under
Penal Code 240-20-6. Appear in this Court,
9:30 a.m., June 5, 1970."

I, Anne M. Bennett, resident of New York City, aged 66, arrested and charged with "disorderly conduct." There were some 181 other adults so charged and 15 minors released without charge. How do such things come to happen? What do they mean?

A little before 7:30 that morning several hundred New Yorkers went to the Varick Street building housing the offices of Draft Boards 1-4, N.Y.C. I did not go to be arrested. I went to engage in substantive "dialogue" with persons employed by the federal government in the draft board offices. This was part of the Anti-Draft Week's national program of groups opposing the war in Vietnam.

When we got to the Varick Street building there were police barricades in front of the building and many, many police. This did not surprise me. The anti-draft action had been well publicized. Even the sign on the door "closed to the public" was not too surprising for the news media had carried reports the night before of California Draft Boards closed and there were rumors that all Boards would be closed. However, I am a citizen and so, under the First Amendment I felt that I had a civil right to seek an audience in the local office of the Federal Selective Service both to get information concerning the work of the draft board and to "petition for redress of grievance." I always expect my government to respect and honor, not only the rights, but, the obligations of citizens to participate fully as responsible members of the Republic.

The New York City police were unable to answer our inquiries as to whether the Draft Board offices were completely closed or if they were open for employees to work but closed to us, i.e., the public. The police sergeant agreed to see if one person, accompanied by a policeman, from the 500 or so persons who were picketing peacefully and orderly would be permitted to enter the building, to go to the Draft Board offices to see if they were open; and if open to present a request for small groups, eight or ten each, to be allowed in the offices to talk with the Board employees. I was asked by the co-ordinating group if I would be that "one person." I agreed but requested that a lawyer from the A.C.L.U. be permitted to go with me. The police made the request and it was granted by the office manager of the Board.

Shortly after 8:30 a.m. I crawled under the barricades. The police helped me get through and up on my feet again. The doors were opened for me, the lawyer and the policeman. Inside we were joined by a number of others: a representative of the Mayor, a police inspector, a federal officer and two or three other soberly dressed men whom I suppose were from some federal agency. I wondered who was protecting whom from what!

We were admitted into the office and I made the request to the office manager. He replied that the offices were closed to the public and we would not be admitted. I explained that since this was a federal office, the staff were federal employees, supported by the tax payers, we felt we have a right to be admitted; that we were a peaceful, non-violent group; that we wanted to talk with them on relevant, substantive matters in connection with the work of the Boards. The office manager repeated that the offices were closed to the public and that the decision was not his to make. He had orders, he said, to refuse admittance. He said the employees were working, doing "paper work." I asked to whom we might appeal the decision. He said that Colonel Akst in the Federal Building was his superior officer. However, it was evident that this order was from higher up than Colonel Akst. In answer to a question as to whether the employees might come down and talk with us over the barricades during their coffee breaks and/or lunch hour, the manager replied that they were forbidden to speak with us.

I explained that I could not speak for anyone but myself but that I did want him to know why I, a woman, not subject to the draft, sought an interview. I reminded him that every man, age 18 or 19, had to make a decision on the draft and file papers with the local draft board who must hear, keep and file those statements and any supplemental statements filed in the years following by the men of the nation. But, I reminded him, no woman was able to have her position on the draft, on the war, a part of the official record. For this reason I, a woman, felt an obligation to come. The manager did not answer.

Throughout the interview the office manager of Draft Boards 1-4 was most correct and courteous. I thanked him and said I hoped sometime we could talk. Obviously freedom of speech was suspended for everyone on March 19, 1970.

Returning to the street level I crawled back under the barricades with the help of the police and reported the interview over the loud speaker to the assembled crowd. The coordinating group consulted and decided to suggest that those unwilling to accept the refusal should form in small groups and proceed in an orderly fashion to the front entrance of the building. The person making this announcement made a reference to "those willing to commit civil disobedience form in small groups..." I felt, very strongly, that my intent was not to commit "civil disobedience," but rather "civil obedience." Therefore, I added my personal statement, namely, that I felt we had a civil right as citizens and tax payers to engage in dialogue in a building supported by our taxes and with staff paid by our taxes. Furthermore, I said, that "if we are subjected to police harrassment or arrest, or if we are locked out of the building, it will be the police and the Federal Government who are guilty of civil disobedience and we will be engaged in pursuit of our civil obligation, the highest form of civil obedience."

I was in the first group to insist on exercising "civil obedience." There were seven of us: Alfred Conrad, Jane Garmey, Murray Kempton, J. Schulman, Charlotte Sheedy, Jerry Wingate and myself (a newspaper man, two professors, two young mothers, a young man and a grandmother -- seven citizens). The police made no attempt to stop us. The front door to the building was opened. We walked in. The outside door closed. We started up the stairs to the second door and were stopped.

I had not noticed as we went in the front door of the building that the entry way was full of men, but it was. Except for a man wearing a uniform and badge who stationed himself at the outside door and whom I suppose was a federal officer and a man who later identified himself, without giving his name, as the landlord of the building there was no identification. The men ranged around the sides of the

entry, on the stairs and at the top of the stairs. The light was dim. If I were asked to identify any of these men in Court, I could not do so. When they spoke, as several did, the voices were anonymous. Only the seven of us were visible, identified.

We stood on the stairs for a little while. The men surrounding us were standing on the stairs, so we stood. Finally, we sat down on the stairs. One of the men, perhaps more than one - it was hard to identify voices - tried to persuade Mr. Kempton to leave. Mr. Kempton said he was staying. The federal officer at the outside door spoke to me in a very hostile manner, identifying me as the one who was told by the Draft Board office manager that we would not be admitted. I explained that I was exercising my civil right and obligation. When he continued his verbal attacks an anonymous voice silenced him.

I think it was following this exchange that I decided that for as long as I was held whenever there were police or federal "ears" about I would converse with my fellow citizens on "relevant" matters like a public speaker, contrary to my usual behavior in public places. So, I remarked that this treatment seemed strange to me because last summer when I went to South Vietnam with an independent group*

* U.S. Study Team on Religious and Political Freedom in South Vietnam.
Members of team: Bishop James Armstrong; Allan Brick; Hon. John Conyers, Jr.
Robert F. Drinan, S.J.; John de J. Pemberton; Rabbi Seymour Siegel;
Rear Admiral Arnold E. True, retired; and myself. Findings available
from Fellowship of Reconciliation or from Congressional Record of
~~July~~ ^{June} 17, 1969.

to study the condition of political and religious freedom under the Thieu-Ky government we had an hour with President Thieu in Independence Palace. He tried to justify the lack of civil rights and freedom under his government. We had a four-hour briefing with the Minister of Interior and his staff. We went to prisons and talked to prisoners. And, here, I said, in my own country I cannot get into a local draft board office to engage in dialogue.

Soon the "faceless-nameless" men began speaking, telling us we would not be admitted and that we would be physically ejected if we did not leave voluntarily. One of them told us, as I recall, that the New York City police were outside, and they would be glad to arrest us. (Note: I am sure somewhere there are tapes of everything said and pictures of everyone participating, but none of us citizens had a tape recorder or camera.) We sat still. We had no desire to initiate a confrontation with the New York City police. They were not denying us our civil rights. It was the Federal Government and the landlord who were denying us our civil rights.

When the statement "You will be physically ejected" was repeated and repeated in very hostile tones, I said "I certainly do not want to be thrown out on my head" and I looked at the heads of the two young mothers and the young man and thought of Chicago, the Pentagon, and the Vietnamese mothers and children. Time stood still.

Then another voice from somewhere said "You will be taken out in a gentlemanly fashion." The federal officer then took us by the arm, one at a time, led us through the door and deposited our bodies directly in front of the door "in a gentlemanly fashion." And, suddenly I was filled with revulsion against polite manners, "proper" dress and hair styles -- revolt against the veneer of "correctness" which often covers oppression and brutality.

The New York City police were outside the door. It is their duty to arrest people who block a door. It matters not how the people happen to be in front of the door. If a federal agent, or anyone else, puts garbage or a body in front of a door the garbage or body must be removed if it cannot, or will not, move. So, we were arrested and we were charged with disorderly conduct. The Federal Government, or its agent who put us there, was not even mentioned in the charge.

It was now about 9:30 in the morning. I would think later about when the day had really begun. For the present there was the paddy wagon and the trip to the police precinct for booking.

For the next five or six hours we were taken through labyrinthian tunnels and innumerable cells. Every corridor had a gate to be unlocked and then locked. Every cell locked. We were given no information on what would happen next, or when "next" would come. We were interviewed by the Vera staff to see if we needed legal aid. Individual pictures of each one of us were taken with the arresting patrolman. We were also photographed individually holding an identifying number. At this, I recalled, that the only other time I had had my picture taken with a number in evidence was on a camel by the pyramids. We were finger-printed. When I asked "why," the officer said in order to identify the picture. I wondered.

We were all searched when we first arrived at the police precinct. I was searched less thoroughly than the young women with whom I was arrested. I was not asked to pull down my panties. I only had to pull up my blouse and turn all pockets inside out. Pen, pencil, aspirin, nail file and tiny mirror were taken from my purse; hair pins and safety pins were not bothered. They were all returned when I went before the judge. As the day wore on I often wished for a pencil so that I could make a note of a name or an incident which might be helpful in "defense" if I am tried, or make a note that might be helpful in my on-going struggle against my nation's policy in Vietnam and in the struggle for new priorities for our country.

The women were separated from the men. Sometimes just the three of us who were arrested by the same patrolman would be together. More often there would be five or six of the "demonstrators" together. For the last couple of hours or so there were forty-four of us crowded into a cell in which there was not room on the floor for all of us to sit down at the same time. A toilet was in the corner of each cell. There was no privacy for anyone but that didn't matter as much as the lack of toilet paper, lack of a wash basin or fountain, and the general condition.

Once four or five of us were put in a cell with six women who had been picked up the night before. Two of the women -- white, young, vivacious -- talked freely with us. One -- fashionably, beautifully dressed -- sat withdrawn and with eyes closed. The others -- shabby, unattractive -- were not interested in us; they obviously had been used for a long, long time by men as mere sex objects. In the cell we did not talk about our personal lives. We talked about the women's liberation movement, about the demand that women, as well as men, have power in decision making whether it be concerning abortion or war or whatever. The two women we talked with were interested in us who were not their usual cell mates. I do not know whether the others heard us, or, for that matter, if they did, whether they could comprehend. But two of the women were interested, and obviously, hearing such issues discussed in terms of rights and obligations for the first time. They had been held for about twelve hours. They said the time they had to wait for Court depended, entirely, on when the arresting officer arrived. (We found this to be true ourselves, but "our" patrolman came on time.) Shortly before we were

transferred to another cell, I said to the two women that I wanted to ask them one question: "Where are the men, why weren't they arrested?" This was a strange idea. I said that whenever I heard a minister talk about the story in the Bible of Jesus and the woman taken in adultery I get angry. The preacher never stresses the main point of the story which is that Jesus condemned the men who filled the courtyard, not the woman. We all laughed -- at the absurdity, the tragedy, of where we women all found ourselves for whatever reasons.

We saw other prisoners in the corridors and in the cells we passed, most of them were male, black. We heard two very young black men say to an interviewer that they had been standing on a sidewalk in Harlem eating ice cream cones when a paddy-wagon came along. I wondered and wondered what it would be like to be alone in these cells and corridors; i.e., not to be one of a group who were arrested together and who were supported by each other and by many outside the locked doors.

Once those of us arrested together were taken to the building entrance and after a short wait heard the officer in charge say "take them back to the cells, there is no wagon." He did not say "paddy-wagon," he said "wagon." And, how great is the power of a word for, all at once, my mind was filled with memories of "wagons," the wagons of my childhood on the sandhill homestead in western Nebraska where I was born in a sod house; and, the covered wagons that took my pioneering relatives from the east to the midwest and to the Pacific coast. Again, time and words were both full of meaning and meaningless.

I referred earlier to my decision to talk about "relevant" matters whenever there were federal agents or policemen within hearing. One such time was, I think, when we were on our way to the cells under the Criminal Court Building. Those of us arrested together, both men and women, and several policemen were in the back of a paddy-wagon. I started telling about the prisoners under the Saigon government. I mentioned, especially, the little boys 4 to 10 years whom I saw in Chi Hoa prison in Saigon; and, I spoke of the number of political prisoners. I said that if we, in the U.S.A. had a comparable number of political prisoners it would be from the hundreds of thousands to about three million. To the best of my recollection, I had just started to compare some of the persons we found in prison -- the runner-up in their last election, Truong Dinh ~~Deu~~; the editor/publisher, Nguyen Lau; and, the Buddhist leader, Thich Thien Minh -- with their counterparts here in the United States: Hubert Humphrey, the runner-up in our last election, and the editor/publisher of The New York Times, etc. when one of the policemen went up to the front of the van. Shortly thereafter he called the other policemen out. The door was shut and we prisoners were alone. A girl from another group who was in the front section of the paddy-wagon told me, when we met later in another cell, that the first patrolman came out and reported that he thought they were hearing things they shouldn't hear!

In South Vietnam last summer one of the old line political leaders who has no freedom to engage in any political activities said to us that if anyone wanted to hold a political convention in South Vietnam it would have to be in a prison. I sometime felt on March 19th that we could have quite an effective conference on citizens' rights and responsibilities in the cells under the Criminal Court, 100 Centre Street, New York City.

Finally, it was over in a crowded court room with the Judge saying "charged," "appear." My husband came down to meet me. In answer to a newsman's question he said, "My wife has my overwhelming support." And we came home.

The notes which I had prepared for a hoped-for dialogue with personnel in the Draft Board offices were still in the category of personal notes, unknown to the federal officials; the questions I wanted to ask were still silent, unanswered; the fact I hoped to secure were still the private knowledge of the draft board or perhaps of the computer.

My civil rights had been denied and so my civil obligations and responsibilities had not been fulfilled. The employees of the draft board had been denied their civil rights. The New York City police had been forced to arrest persons because of the denial of citizens' civil rights by the Federal Government. It had been another bad day for a democracy.

The mass media, in almost every report that I heard or read, mis-quoted me. I said, repeatedly, that my action in pursuit of my civil rights and obligations was the highest form of "civil obedience." For some reason media personnel substituted "disobedience" for "obedience." (Note: The New York Times carried a notice of "Correction" on March 31 for which I am very grateful).

So, the day moved on to 4:00 p.m. at home. But, when had the day begun? Ten hours earlier when I got up to ride the subway to Varick and Houston Streets?

Or, did the day begin:

on March 18, 24 hours earlier, when I was in the Senate Office Building in Washington along with several hundred "Women Strike for Peace" petitioning the Congress for "No more men, no more money for war" when I heard my name called. I looked around to see an old friend. He wanted to tell me that his son had just been classified "1-Y." He was so happy. He said his son would not fight in this immoral war and wanted to go to Canada. He, himself, wanted his son to refuse induction and go to prison. All was solved by the "1-Y" classification. And, my friend said, he thought draft boards were now classifying young men who were opposed to the war but not conscientious objectors "1-Y" (psychiatrically unfit) in order to cut down on trouble in the military service by G.I.'s opposed to the war. He said he had heard of many such. I made a mental note to ask the draft board about "1-Y" classifications and family status.

or, a few hours later on March 18, when back from Washington and opening our apartment door I heard a strange voice and found we had a guest. It was another old and dear friend who had just come to New York City. His son was in trouble. The boy had dropped out of college last fall. "Vietnam War" said the father. The boy had had several jobs, now he was sick. The father was concerned about his health and the draft if the boy was not working. He wanted to get him in a certain draft board because he had never known that board to turn down a C.O. application from sons of; he knew of no such sons who were drafted or imprisoned. I made another mental note to ask about C.O. applications, number granted, number refused, the addresses if possible of those refused.

on March 17? I was reading In the Service of Their Country: War Resisters in Prison by W. M. Gaylin. The author has two daughters. He says that as a result of his investigations, if his daughters were sons, he would move with his family to Canada. Having read his documentation, I, too, would try to move to Canada if we had sons of draft age. (Note: One out of every 35 men in federal prisons are men who have refused to go to Vietnam. See The New York Times, 3/8/70, article by F. P. Graham.)

on March 16? Did the day begin when Dr. John Talbott and I were interviewed on Channel 31 by Caspar Citron about the Vietnam Memorial Reading at the Riverside Church where the reading of the names of American servicemen "Dead in Vietnam" has been continuous since November 16, 1969? Both of us had been in South Vietnam. He as an army doctor for a year; I for a brief investigation.

Did the day begin on March 12? A friend called me about a woman whom I had arranged to be invited to a meeting (not a peace meeting). My friend said it meant so much for her to get out. She has a husband, a beautiful suburban home and three sons. The oldest son dropped out of everything a year ago. He is sickened by the war. He is under therapy but they fear suicide. The second son, a sophomore in college, didn't go back to college after Christmas. He says it is all so irrelevant. He is opposed to the war. The youngest son is in a prep school in New England. He is unable to study. He is behind in everything. It is the war, the mother says. She says that she and her husband wonder what they might have done differently so that their sons could cope. They have decided, she says, that if they had their life to live over they would have no children.

Or, on March 11? On this day, as a member of the Committee of Liaison with Families of Men Detained in North Vietnam, I participated in a press conference. We were able to announce the names of a number of servicemen, reported as "missing" by the U. S. government, alive and sending letters to their families. How good to be the bearer of some good news.

Later on this same day, March 11, there was other news. A student telephoned asking where he could turn for help for the family of a young serviceman. They had just had word that their son was A.W.O.L. in Thailand. He had sent word that he could no longer be a part of the murder in Vietnam. The question was: who can help a young white man A.W.O.L. in Thailand?

Or, did this day begin late on February 19? I was getting ready to go to Montreal, Canada to speak before the Canadian Immigration authorities on behalf of Luong Chau Phuoc. He is one of several hundred Vietnamese students now in Canada whose passports have expired. If they are sent back to Saigon they probably will be imprisoned and tortured because they have spoken out against the Thieu-Ky government as unrepresentative and repressive. In putting materials together for the trip, I noted, again, the action of the Moratorium and New Mobilization scheduled for "March 16-22, Anti-Draft Week." Vietnamese young men and American young men both opposed to the war in Vietnam.

* * * * *

There is no use trying to find out when this day started; or where I was when it began -- at a draft board in New York City, in a prison or in a children's hospital in South Vietnam, with a stricken American family, with a bereft Vietnamese mother, or with a Manhattan community planning board faced with urban decay and misery while three billion dollars of New York City taxes each year goes into the war in Vietnam. Nor, is there any use asking where any of the other 181 citizens arrested at the same time, in the same place were, or had come from, when this day started.

This is a day long since begun by thousands, millions, of people living and dead. It is a day that the powers of the past, who still control the present, are determined to end, if not by false promises and deception, then by harrassment, threats, arrests, imprisonment.

The question is not when this day of "Civil Obedience" based on Civil Rights and Civil Obligations began. The issue is how can this long day of "Civil Obedience" in pursuit of peace and social justice for all prevail.