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Ford's *Amnesty*

Earned reentry

On August 19, 1974, after occupying the White House for less than two weeks, President Gerald Ford moved to narrow the parameters of the ongoing national discussion around amnesty. In announcing before a convention of the Veterans of Foreign Wars what would later be labeled an 'earned reentry program,' Ford characterized resisters as "a few citizens who... committed the supreme folly of shirking their duty at the expense of others." For that reason, Ford said, he "rejected amnesty." Then, evoking the well worn rhetorical trope about "binding the nation's wounds," Ford urged his hawkish audience not to seek or encourage "revenge." Instead, Ford said he would allow resisters to "come home," but only if "they want to work their way."[1]

It would soon be clear why Ford had chosen to act so swiftly around amnesty when, three weeks later, he bestowed a full pardon on the disgraced predecessor he so recently replaced. Surely the remaining brain trust of the administration must have anticipated how highly unpopular that pardon would be. And Ford was likely convinced that, in showing some measure of *mercy* - his word - toward the resisters, he would neutralize at least a portion of the public outrage stirred by his move to shield Richard Nixon from accountability for his Watergate crimes. If memory alone serves, Ford's ham-handed political calculations, whatever their actual authorship, ultimately fanned the public's indignation about how he had mishandled both issues, and simply enhanced Ford's reputation as an inept cat's-paws.

While Ford certainly towed the established line for vilifying both civilian and military resisters, dismissing their impact on public opinion and policy, he had also apparently been briefed that the relative dimensions of the population his program might have to deal with

counted, in his words, "some 50,000 of our countrymen... [for] offenses loosely described as desertion and draft dodging." These are the "few citizens" with which Ford had begun his announcement, indifferent or unaware of the obvious arithmetic contradiction. Amnesty activists, of course, claimed the numbers were much higher. Yet no one could say exactly how many draft aged Americans had fled to Canada or other exile destinations - nor how many wished to return home, assuming they weren't already here living in the shadows. And one could hardly trust the Pentagon at this stage to release the true figures of long term AWOLs, or deserters still on the loose.

That administration's recognized its tardiness in confronting the amnesty issue head-on, at least de facto as demonstrated given the high rank of the two cabinet officials, Attorney General William Saxbe and Secretary of Defense James Schlesinger, Gerald Ford now directed "to report personally to me before September 1... [and] communicate their unvarnished views and those of the full spectrum of American opinion on this controversial question, a consolidation of the known facts and legal precedences (sic)." One of the most significant *known facts* was preemptively denied by Ford when he made the absurd claim that "only a fraction of the cases [his program would consider] relate to Vietnam."

A week later Tod got off a letter to Lewis Simon in Stockholm, still hoping, I suppose, that Lew might be persuaded to remain active in the cause, and do so in cooperation with Safe Return. Tod understates his opening line. "Things have gotten quite lively with Ford's change of position," but there was little to report at this stage on the actual content or progress of Ford's gambit. Rather Tod's note gathered various loose ends of presumed interest to Lewis, lamenting, for example, that "Marcel Ophul's film has been held up. He's refusing to cut it further... 7 hours!" Dick Bucklin, the deserter sponsored by NCUUA, who was "due out [of Leavenworth]

in September or October," Tod noted in passing.

Tod's letter is a record of some use to this retrospective, since he sketches the itinerary that took me to Europe. "Michael is in Germany this week and France next. He's doing advanced work for an anti-NATO conference in Holland for late November. He will also make contact with Alexander Calder. As Michael said, 'Maybe he'll give us something from the third shelf." This was actually one of Tod's stock metaphors, not mine. It usually applied to how Tod thought rich folks treated their domestics, typically housekeepers who were African American. Tod would assume the privileged woman's squeaky matronly voice, and, while shaking his finger at the air, intone, "Now Betty, you can have anything in the refrigerator off the third shelf, but don't touch that ham. That's for Harry's lunch." I suspect he actually heard this once or something like it, and adopted it thereafter for his morality sketches about the perniciousness of class hierarchy.

For a more detailed account of what preoccupied me in Europe I rely on letters Tod and I exchanged while I was away. I should point out that I always carried notebooks when I traveled on my activist missions, but I was seldom disciplined enough to fill them. The notebook from this European round is particularly barren, a few details scratched in haste about a short visit to an American military base or a GI project still humming in the wreckage of what remained of the conscripted U.S. Army.

I traveled around Europe with a Eurail pass, and spent the long train rides reading literary novels or the International Herald Tribune, not entering notes about my encounters or activities at whatever destination I had recently departed. But I can rely on a better-than-average capacity for recall, a faculty confirmed in childhood testing, and often observed by those who know me, for some of the atmospheric details when the thin documentation abetted by inadequate note

taking, fails me.

But the record here also has its rich deposits. On my side of the correspondence I first wrote from Heidelberg roughly a week into the trip, and after I'd wrapped up consultations in Amsterdam with planners of the anti-NATO conference. While in Amsterdam, I was mostly in the company of two young Dutch organizers named Ben and Joop, members of the BVD (Bund Voor Dienstesplichtigen) - Conscripts Union - a militant faction that operated within the existing VVDM (Vereniging van Dienstsplightige Militairin) - the Association of Conscript Soldiers - an officially sanctioned voluntary association operating within the Dutch armed forces, and to which 80% of all draftees belonged.

I reported that "Joop gave me a pretty good historical overview of the VVDM, the soldiers' mass organization. There is a seven-man central committee elected democratically by the VVDM membership every six months. Usually one or two of these are members of BVD." I was impressed by the two Dutch activists, and praised them as "extremely well developed" politically. Their organization, BVD, had 600 members, thirty of whom were then in uniform, All eligible Dutch males served only one year on active duty, and thus frequent turn-over among the BVD members on active duty. "Most who ETS [military jargon for leaving the service on your date of discharge, or Estimated Time of Separation] no longer work day to day with BVD, but continue their affiliation, usually in some support capacity, giving money, attending demos, etc."

I can see now that the existence of BVD was a core inspiration for my, and especially Tod's on-going work with active duty GIs. But the more prosaic intention of my visit was simply to probe if there was any basis for mutual cooperation with the Dutch around the upcoming conference. "If initial impressions are worth anything," I quickly judged, "we'll have

no difficulty with BVD people. They are very similar to us both politically (independent socialists) and in personal style. They are not guilt-ridden, nor bourgeois-baiters. Very social and still serious."

There was, however, "one note of caution: they seem almost totally non-sectarian. All tendencies appear to exist peacefully within the BVD framework," rather than attempt to take it over. The Dutch, I wrote, requested emphatically that "the U.S. delegation leave its internecine squabbles at home, and attempt to arrive here united around some type of concrete initial program. I told them our group is willing to forget the past and seek unity where it is in fact possible."

Unity in our ranks was unlikely, if not impossible. The concept "totally non-sectarian" was obviously foreign to our common practice, a fact underscored by the news in Tod's return letter that Eddie Sowders had been denied credentials to attend a GI Conference being organized by VVAW for the fall, open only to "GI activists." Tod said he would attempt to identify others with ties to the GI movement who the Maoists at VVAW probably found even more toxic than Safe Return - SWP, ASU, and USSF. [2] "If we can marry our grievance about exclusion to other groups, so much the better," the objective being to create sufficient pressure on the conference organizers to reverse their decision which could not be politically justified on the grounds stated.

If Ed Sowders wasn't a GI activist, given his resume, then no one was. After all, Ed had organized behind the VVAW banner in Detroit for almost two years under the noses of the FBI and military police, albeit using an assumed name, while being sought for desertion from the Army. And then there was his recent turn as jail house agitator. The problem, of course, was not with Eddie, but with Tod and me, and our history of bad blood with VVAW dating from the war crimes organizing days, intensified now that VVAW was under the discipline of a Maoist

cadre group for whom issues with rivals around leadership and ideological purity would be magnified.

I went on to report from Heidelberg that "contacts… have been quite good. It was a milieu dominated by radical lawyers who belonged to the Lawyers Military Defense Committee (LMDC), which I characterized as "more [Lawyer's] Guild oriented than ACLU." This could be decoded simply as more radical, more activist-oriented politically, than the typical left wing civil libertarians. In fact, many members of the Lawyer's Guild I knew or would meet in subsequent years were 'red diaper babies' with deep family roots in the activist Old Left. The ACLU types, on the other hand, were noted anti-communists. But in practice, the political mission of LMCD, which had once staffed an office in Saigon, but had now moved its base to Germany, was largely of the due-process variety. The group provided civilian counsel for GI's who faced legal difficulties where a violation of some basic right, or for blacks, racial discrimination, might be raised in their defense. Typically, lawyers on both sides were angling for a palatable plea agreement, much as we had been forced to accept for Tommy Michaud.

Our old comrade Lou Font and his wife Gale Glazer were working with LMDC as Yale summer interns in a program funded by the Law Students Civil Rights Council - which Tod Ensign himself had been active in during law school when he volunteered legal services in Detroit's black community - and a grant from Carol Bernstein Ferry, the ubiquitous guardian angel of the entire Movement. I wrote Tod and Eddie that I had been particularly impressed by Gale's "extremely good rap" before the Women's Equality Group, "which stimulated some real dialog about women's problems in the military both as soldiers and dependants [that is servicemen's wives]... one of the most satisfying meetings I've ever been to." I suspect that was because what I was hearing had been so concretely and directly expressed, a gift I apparently

saw as bestowed unevenly between women and men.

The larger political context for LMDC and other GI-oriented organizers like us, as I have already suggested, was the persistence of the GI Resistance into the early years of the transition to an all volunteer force, under conditions where activists like ourselves were gradually re-conceptualizing GI's as workers-in-uniform with legitimate grievances that conflicted with unbending military authority, and which transcended the antiwar origins of the resistance movement. To site this as a reorientation would be an exaggeration; the turn was developing slowly.

On August 27th, now in Berlin, I wrote my mates long hand on a sheet of fine paper imprinted with the slogan, *An Bord des Lufthansa Flugzeuges* - the carrier I had flown on from New York - and here an early sighting of an evolving habit to collect letterhead stationary. I used these accumulated sheets over the years for composing letters - especially to Tod and he to me - the more exotic the source of the letterhead, the greater our mutual delight. This letter from Berlin elaborated on the Amsterdam activists' desire that the U.S. delegation arrive with a unified view on several concrete questions, not least, "What type of army is riper for organizing, volunteer or draft?"

The BVD militants also anticipated a critique from the U.S. delegation of the "counseling model," which Tod and I would have been happy to provide, since this was one thorn that often stuck in our on-going relations with other groups, usually the pacifists with their case by case approach, and emphasis on individual rather than collective resistance. Both forms of practice, my mature, less sectarian self would argue today, occupied valid spaces in the anti-Vietnam struggle, although this was a point of view hard for either side, certainly ours, to concede at the time. Under the conditions of 1974 with the antiwar urgency removed from the equation, the

BVD was insisting "that the whole question of how to build an organization oriented to the real demands of GIs hasn't been conceived, much less discussed or worked forward; whereas pushing high level abstractions which already presuppose a highly developed consciousness is still much in vogue."

Not only was I communicating this message back to Eddie and Tod, both of whom would have found the critique totally compatible with our own analytical tilt at Safe Return, I was also attempting to put the organizers at the GI projects in Berlin on the same wave length. "The guys here are serious," I commented, "and they listen with real interest to new ideas that make sense." Beyond that reference, I don't actually recall what I actually said, nor how I spent my time in the company of the GI organizers neither in Berlin, nor Nuremberg, where I had spent a very long overnight, in a city I found deeply depressing. I do remember entering an American Kasern just outside Nuremberg, and torching a bit of friction from the Company First Sergeant in the unit of an active duty GI organizer I'd come to see. Top, as they call the company sergeant, did a slow burn, but he couldn't prevent the meeting.

What lingers about my stay in Germany is some sour trace of how uncomfortable I felt merely being there. In those years, I had no curiosity about my own German roots for the apparent reason that any positive or active emotional attachment to the country of origin of most of my forebears was blocked by what Germany had come to represent in America, initially with the First World War, but most disgustingly and traumatically with the Second. There were many German Americans in my world growing up, but they did not make a fetish of their ethnicity like the other major immigrant communities in the Greater Metropolitan Area of New York. This one was Irish, and that one a Jew or Italian; but no one, unless pressed, ever volunteered they were German.

My struggles with ethnic identity notwithstanding, I did manage to carve out several unconflicted hours at the Pergamon Museum, which meant crossing the Berlin Wall at Check Point Charley, manned by American soldiers on "our" side, and Russian soldiers on "theirs." Everything about East Germany that I would observe of the villages and countryside passed by train after leaving Berlin was bleak and dreary. And the eastern sector of divided Berlin was no exception. It was never the repression of the individual in the Soviet-dominated world that I gave much thought to; I could never get beyond the turn-off of the dismal prison-like aesthetics of their physical realities, a reflection, no doubt, of my own modestly pampered background.

The Pergamon was magnificent, and although I am only moderately intrigued by voluminous collections of expropriated antiquities, I was duly impressed by the grandeur of the museum's major installations, notably the Altar of Pergamon, stolen and transported block by block from its native site in Turkey. En route to the museum I directed my path by way of the Berliner Ensemble, the theater associated with the one contemporary German I have always greatly admired, and whose work triggers in me an innate Teutonic vibration in harmony with the bitter class hatred once so cleverly expressed by Bertolt Brecht; if he and Kurt Weil had only staged a single work, *Die drei Pfennig Oper*, I would claim immortality for their names. But East Berlin, that was the Soviet system writ large in my eyes.

On the next leg of this junket I paid a visit to the home of Alexander Calder. I've already written in an earlier chapter of the fund raising letter signed by I. F. Stone that prompted a very generous donation from the artist. And, of all the episodes comprising my European adventure that summer, the meeting with Calder was memorable enough to serve me as a memoir piece for a doctoral seminar on 'art and politics' twenty years later, selections of which I am now excerpting here. I rode the train from Berlin to Paris, and then just south to the city of Tour.

The suburban station servicing Calder's village was shut down for the French midday siesta when my train arrived. Undaunted, indeed romantically inspired by an anecdote of how Friedrich Engels had once trekked across the Alps before assuming control of his father's Manchester mill, I too now shouldered my pack and schlepped the remaining nine kilometers on foot, my first exposure - innocently decontextualized - to the unparalleled beauty of the French Chateaux country.

One approached the Calder complex, several sprawling grey-sided structures spread over acres of grassy rolling fields, from a road that passed a diminutive village square crisscrossed by narrow cobble-paved lanes and alleys, and hemmed in tightly by stone dwellings and commercial houses dating from the Middle Ages. Gracing the epicenter of the tiny common was a scaled-down Calder stabile, amazingly harmonious with its ancient surroundings.

Calder's son-in-law, an American expat living in Paris, welcomed me into the home-studio and introduced me to the artist and his wife, Louisa, both well into their seventies. They were seated at a long trestle table of polished rough hewn timber adjacent to the kitchen. The interior of the building was entirely open, some three to four thousand square feet, with the work space where Calder painted and designed his sculptures at the opposite end from where I now stood. Approaching the table I passed a large box under glass displaying dozens of the playful circus figurines in twisted wire, another of Calder celebrated talents.

The three men, Calder, the son-in-law and I clustered toward one end of the table, while Louisa – a stern and formidable presence looking very much the

Pennsylvania Quaker lady she most probably was - sat knitting at the other. A recent stroke had deprived Calder of his speech; his few words were barely intelligible. So while I explained my mission and the work of the committee, Calder listened intently, while the son-in-law posed questions about our politics. Like many progressive liberals Calder had a hard time with the revolutionary rhetoric that peppered the idiom of New Leftists; Calder wanted to be assured that he wasn't dealing with the acolyte of some crazed Leninist sectoid.

When it came out that I myself was a veteran of the war, Calder's doubts evaporated and he led me over to the work space, showing off a collection of gouaches he'd recently completed, gesturing for me to select one. I could pick it up, the son-in-law suggested, in New York that fall when the artist and his family returned for their annual visit to the States. Back at the table, Calder turned festive and reached for a second bottle of Bordeaux, since we'd already killed the first one. Louisa looked up and spoke for the first time. Sandy, don't use this as an excuse to get drunk. With the only clear words he was to utter in my presence that afternoon, Sandy replied, "Don't need no excuse."

Calder's painting became the centerpiece of an Art Benefit Tod and would organize in early winter of the following year.[3]

From Calder's home in Sache' I made my way to Portugal. This side trip was purely exploratory, but also a return to the country where I had spent several weeks on a graduate fellowship in the summer of 1970. This prior connection added another dimension to my rapidly developing interest in events that the previous April appeared to have launched Portugal on a path of revolutionary transformation following the Captains' Insurrection that toppled the

longstanding and oldest fascist dictatorship in Europe.

The Portuguese Question was now the hottest topic on the Marxist Left, and it prolonged the internationalism of the Vietnam years among intellectuals and activists throughout the United States and Western Europe. You couldn't open a left wing or socialist newspaper or journal from either side of the Atlantic without finding an in-depth analysis or report offering to map the answer to: Whither Portugal? Those of us who had spouted revolutionary rhetoric for so many years in the Movement were now captivated by an evolving political contest where the Left's core preoccupation was being vividly dramatized: was this what a genuinely pre-revolutionary moment looked like or wasn't it?

I have little to fix the details of my stay other than a letter from Tod, dated September 3rd, and received almost three weeks into my travels. I remember I boarded for several days in a very comfortable pensao not far from the harbor, and to which I would return on subsequent visits over the next two years. By then Tod and I would have developed a political sideline reporting on the course of revolutionary developments in what was Western Europe's poorest and most backward country.

I certainly made contact in Lisbon with political groups as future events would show, notably those agitating with soldiers at the barracks level, which would become a centerpiece of our on-going involvement there. From visual memory I can freeze frame only a few sensual images that still linger, the clubby dining room of the pensao, the formal service on white linen, the juicy *Porco a Alentejana*, and the half-bottle of an excellent Portuguese Dao served at both lunch and dinner; a haunting echo of the *fado* singer in the Alfama, the old quarter where every facade was tiled with traditional painted scenes on blue and white *azuleijos*.

Tod had written of being anxious that I receive his letter before departing Lisbon; there

was some very good news. The "limited incursion" he had planned for Washington at the end of August was a smashing success. In fact, arriving in Lisbon, I had already seen the results of that success. A front page photo in the *International Herald Tribune* pictured Tod before a bank of microphones, with Ed Sowders and the seven FORA family members they had brought to D.C., arranged in a tight semi-circle behind him. The objective, Tod wrote, was "to seek personal interviews with Schlesinger and Saxbe, with a Ford meeting thrown in as a ploy." The same photo had appeared on the front page of *The New York Times*, under the heading, "Saxbe and Schlesinger Meet on Draft Evader Report."[4]

The article reported that "a small group of relatives of draft evaders and deserters met with Defense Department and Justice Department officials." Kay Israel of Atlantic City, with sons in both resister categories, had been particularly aggressive is demanding exoneration for her sons, including an honorable discharge for the son who deserted. The only thing the general counsel for the Defense Department, Martin Hoffman, would say to Mrs. Israel was that, "we are working on it," to which, she dead panned in response before the media, "I expected him to say something of substance."

Apparently Kay Israel's performance was matched by the other family members, "the best I've ever seen," Tod enthused. "Handled questions like real pros - concise, impassioned and articulate. Just like they should be." As for Mr. Hoffman, Tod caricatured him as an "Ivy League pipe smoker, reasonable, talked about his ten year old son, blah, blah, blah." Nor had favored placement in the *Times* been the only high point of media attention that day. Tod ticked off the roster of top news outlets that flocked to record the Safe Return action. "The Washington Post, all the networks covered it. We arrived in front of the Justice Building about ten minutes late, and the cameras and crews and press were all arranged in a line... It still gives me a lift, I

have to say."

It was *coup de theatre* in the tradition of Safe Return's greatest media triumphs. And I'm sure Tod had the article duplicated immediately, with copies to all our major supporters. But the deeper meaning behind this omnibus coverage stemmed from the confusion and anger that Ford's tepid initiative had created in both the body politic and among amnesty advocates, not to mention within the resister community itself. Ford, represented though two high level cabinet chiefs, continued to demand what Attorney General Saxbe called, "an act of contrition," and to which the same Saxbe quickly applied this cynical footnote: "I don't think we're going to see a great many of them coming back." Ford would never declare an unconditional amnesty, gloated Saxbe. "They are not going to be welcomed back as heroes, and this is very disappointing to them.'

This mean-spirited tone surrounding Ford's mock-pious appeal for reconciliation turned his proposal into an instantaneous public relations disaster. Not only did the media feed on an almost inexhaustible supply of high wattage outrage from the mouths of resisters, readily accessible in neighboring Canada and channeled in a chorus that heaped contempt on Ford and his program, but the topicality of the amnesty issue had been revitalized by this clumsy opening the president had provided to mobilize against him.

The pro-amnesty activist core gathered itself. Whether groups with national pretensions, like ours, or start-ups at the grassroots operating independently, all voices responded in synch noisily reiterating our uncompromising demands. As the pressure rose from the base and public opinion shifted even slightly in favor of some form of greater national forgetfulness, those tending more benign institutional agendas, like Henry Schwarzschild and his ACLU Amnesty Project, also turned up the heat.

Henry's public response was unambiguous, terming Ford's proposal: "inadequate and unacceptable." Henry argued that "draft resisters and deserters did not make a mistake for which they need to make penance..." Americans could not insulate themselves from the 'human and physical destruction" of the Vietnam War "by punishing those who refused to participate." A blanket amnesty was not only just, Henry declared, it was "essential to the healing process" of the nation.

Whether the firmness of the ACLU's official stance resulted from its vulnerability to criticism from the Left, or represented the organization's principled beliefs, Henry would revert to tactical pragmatism when communicating to his "affiliates." He called for an immediate letter writing campaign in the "hope that the President can be persuaded to interpret his own commitment to 'leniency' broadly rather than narrowly." From his insider vantage point, Henry recognized that the administration and its establishment supporters needed a face saving solution to the amnesty question, and that many war resisters might yet slip in beneath the radar's harsh public line with nothing on their records to limit social reintegration or mobility. Local officials in a given city or region might simply not seek their prosecution.

For radicals, the process that might deliver an acceptable solution to any given resister operated, not just beyond our control, but also outside the scope of our political interests. Movement hardened activists like us had no stake in a "healing process." The New Left's collective agenda continued to be one of disruption of comfortable institutional arrangements. And for Safe Return, programmatically focused on the military, our defense of deserters as a class and of vets disadvantaged with bad discharges was pivotal to our relentless demonization of the Pentagon and the government in opposition to American militarism.

The pacifist and church wings of the amnesty movement, along with the civil libertarians,

necessarily involved themselves more closely in Ford's earned re-entry program over the months of its brief existence. Guided by their mandates to counsel resisters, or to manage individual cases by following the mandated procedures, groups like CCCO and religious denominations like the liberal United Church of Christ, were inexorably drawn into helping their clients navigate the steps laid our under Ford's unwieldy and labyrinthine scheme.

Whatever small hope for genuine 'leniency' Ford had raised with his initial announcement before the VFW convention, was dashed completely when the details of the president's plan were finally rolled out by the White House in mid-September. Both departments, Justice and Defense, had their roles narrowly prescribed, and were additionally handicapped by an imprecise count of the numbers they were dealing with. Official figures now counted less than 16,000 draft resisters, an estimated 12,500 deserters still at large (minus those ineligible if they committed any offense other than absence without leave), and roughly 200,000 former servicemen whose less than honorable discharges resulted exclusively from unauthorized absence, desertion, or the missing of troop movements.

On the civilian side, Attorney General Saxbe had responsibility for those already convicted of Selective Service violations, with many still in federal prisons, as well as those under, or who might still face, indictments for evading the draft. Whatever an individual's particular status or circumstances, all alike could appear before the President's one-size fits all Clemency Board and accept two years of alternative service as the price of freedom from incarceration, or from prosecution. Those with felony convictions who'd served their time would have their civil rights restored, but with their records unexpunged.

To permit these resisters to pursue the clemency option, which also required a sworn statement of allegiance to the United States, individuals still in prison would be furloughed, all

prosecutions of draft violations would be suspended by U.S. Attorneys nationwide, and those who remained underground or in exile would have until the end of January 1975 to turn themselves in and accept the unpalatable terms demanded of them. Saxbe had been correct. Few proved inclined to do so. By October 20th, about half way into the program's eligibility window, "only 66 draft resisters (1% of the grossly under-rated figure put forth by the Justice Department) had voluntarily returned to perform alternative service."[5]

The mechanism created by the Secretary of Defense followed existing military law and procedure, except that a single base in Indiana, Ft. Atterbury, an old facility used only for summer training but capable of housing 5000 soldiers, would be designated as the central processing center for all returning absentees. A toll free hot line was set up for information on how and where to turn yourself in. The terms of clemency for deserters were equally draconian as those for draft resisters. If a military resister agreed to perform up to two years of alternative service, he would automatically receive an undesirable discharge. On completion of his service, he would be upgraded to a clemency discharge, another hybrid in the military's repressive arsenal to brand dissenters for life, and, of more immediate material concern, deny them veterans' benefits of considerable worth.

By the time Ford's program was due to expire on January 31, 1975, only 964 long term military absentees had surrendered voluntarily, and, according to one record gleaned from the Internet, "lawyers and counselors familiar with procedures at Atterbury... report that alternative service sentences are lightest for those least opposed to the war or the military, stiffest for those who take strong anti-war views." The same obstacles confronted those seeking discharge upgrades from "actions other than desertion (refusal of orders, disrespect, disloyalty, etc.)," a process that only favored those who had received battlefield wounds or commendations for

bravery.6

Only days after Ford had given details on his initiative, Ed Sowders traveled to Annapolis, Maryland to hold a press conference on behalf of Safe Return that featured our old friend, Charley West, a retired Army lawyer who had defended Louis Font when, as a West Point graduate, he was under threat of court martial for refusing service in Vietnam. We had maintained occasional contact with Charley, most recently around the tragic death of his wife, Doris, murdered by a young mentally disturbed foster son the West's had taken into their home.

Charley's civilian law practice during the Vietnam period had included defense of some fifty draft resisters, and, among his active cases, three or four clients now sought his advice about Ford's offer. "I am advising my clients not to accept this hypocritical offer," was West's adamant reply before assembled members of the local and regional media. "It was designed to humiliate them and exact revenge," he said. Ed Sowders had organized the press conference to announce that Safe Return was also adopting "a policy of non-cooperation with the program." Then, speaking as someone who knew the territory of the military fugitive, he foresaw correctly that, like their draft resisting counterparts, "very few deserters will turn themselves in."[7]

Charley West offered his own savvy prediction that "the government will never be able to implement the program," because of a fundamental economic fallacy underlying the demand for alternative service. It hadn't worked during the war, West observed, "because it meant taking jobs away from low income people to give them to the affluent suburban-type kids who are war resisters. There are just not that many crappy jobs around," West added. "And often the guys that get them want to keep them." The Pentagon faced a similar stumbling block around this same issue, a reporter observed. "Deserters... cannot be required to actually perform alternative service by the civilian authorities once they have been discharged from the military." And how

many could be induced to perform such service in exchange for the empty reward of a clemency discharge? In that sense a deserter might readily reconcile himself to receive bad paper if it meant he could avoid both civilian service and time in the stockade.

Several months into the program, Safe Return's 5th issue of *Amnesty Report* appeared with a scathing editorial, partially excepted here, to sum up and underscore our rejection of *Ford's Non-Amnesty*:

> When Ford... on September 15... dramatically signed his "earned re-entry" proclamation before a mid-day TV audience, it turned out to be one of the neatest acts of political sleight of hand since the Gulf of Tonkin resolution. To give the illusion of change, without the substance, is a time-honored hallmark of American politics. Footballer Ford pulled a quarterback sneak on a charitable public exhausted by a decade of war, Watergate and a stagnating economy, yet wanting to believe in his good and just intentions.
>
> It now seems clear that Ford never seriously considered granting an amnesty that would have been acceptable to resisters and their millions of supporters. Rather his new "liberalism" unveiled at the VFW convention, and so masterfully counterpoised with the hawk veterans' demoralized reaction, was a cynical ruse to pave the way for America's acceptance of the Nixon pardon.
>
> Ford's advisors probably reasoned that the public, anticipating the President's forthcoming generosity toward resisters, would be reconciled to forgiving our most notorious criminal for the good of the nation. Ford and his backers were wrong on both counts. The pardon did irreparable damage to Ford's ability to govern and his chances for re-election. And neither the public nor the resisters

> appear to have been fooled into believing that an amnesty worthy of that name had been declared.
>
> We predict... the deadline for accepting participation in earned re-entry will pass, leaving in its wake a thorough understanding that the Ford program was a sham and that the support for universal, unconditional amnesty will be greater than ever.

The first premise of the preceding paragraph was undoubtedly true, and, of the embarrassing enormity of resister non-participation, I have already written above. As to whether or not public sympathy increased for the maximalist demands of the amnesty movement, that can only be measured by subsequent events. In the short run, Ford's blunder had certainly breathed new life into an issue that, by the fall of 1974, Tod and I had clearly begun to grow weary of. Like other amnesty activists, we now recommitted ourselves to the new openings that these external political developments put before us: for Safe Return that could only mean another test case.

On the last day of September, in direct defiance of Ford's bogus amnesty, Safe Return would announce the public surrender of a draft resister, an event I cover in the next chapter. Otherwise we closely followed the unfolding political farce through the work of other groups, and through the media who showered attention on the few resisters coming forward and needing to see their cases resolved, even under the onerous conditions that awaited them. Simultaneously, exiles from Canada, Sweden, France and Britain gathered in Toronto to "whole heartedly reject the concept of punitive repatriation." The ACLU would attempt a court challenge to Ford's program, and a major tribal gathering for amnesty activists in the NCUUA camp was now planned for mid-November, for some inexplicable reasons, in Louisville,

Kentucky.[8]

While amnesty continued to pay the bills, and would for some time to come, and the issue was now completely embraced on both the Left and among the more enlightened liberals, Tod and I as always aimed to operate ahead of the political curve. And so our restless energies and imaginations inevitably turned toward new horizons that offered, not just visibility and recognition, but novelty, even a touch of glamour.

Not all those enchanted horizons were conquered. One challenge in particular now strikes me as a case of pathetic overreach and adolescent wish-fulfillment; the fantasy of a collaborating on a film with the high powered documentarians, David and Albert Mayseles, lingered interminably. In its latest emanation the project revolved around the story of an Appalachian family, the Tillers, who had accompanied Tod and Eddie's "limited excursion" to Washington, and who had two sons in Canadian exile.

A draft of a film treatment on the Tillers' lives had been rendered, and phone conversations held, as well as meetings. We'd even gotten a commitment from Dalton Trumbo, the legendary Hollywood cameraman who'd been black listed during the McCarthy era, to sign a fund raising letter for the project. But our appetites for producing a feature documentary under the Mayseles authorship was finally soured when the filmmakers, approving our proposal, slipped in a bill for almost $100,000 to cover "half" the anticipated productions costs for a thirty minute short. By late 1974, at least where the Mayseles were concerned, we were at the end of it, even as we would be thrilled to hear from Peter Davis that a segment on Eddie Sowders' surrender on Capitol Hill would be featured in his own soon to be released documentary, *Hearts and Minds*, which went on to win an Academy Award that season.

I suppose it was me who researched most of the material on the lives of the Tillers and

their son's, and who assumed responsibility for drafting our proposal. The details of those stories are duly archived, but I don't recall them, nor have I bothered to dig them up again to retail here. Of this failed enterprise, I am left only with a linguistic anecdote that I never seem to tire of repeating. In the days when information operators were the search engines for telephone number inquiries, I dialed 411 and, on being relayed to an operator in Virginia, asked for the home number of John and Catherine Tiller in the town of Dante, which I pronounced as I had heard the poet's name spoken since my high school world literature course, not terribly distant from the actual Italian. The operator had never heard of the place. How did I spell it? D-A-N-T-E, I slowly enunciated. Oh, she exclaimed, you mean DAINT.

I was back from Portugal by the first week of September, writing and thanking Calder for the meeting, and arranging a time to redeem the painting he would donate. It was a beautiful time of year in the city, and I am trying to remember how I might have spent those generic urban summer days when not at work. I had a nice French manufactured racing bike purchased during my time with Ann, but I seldom found time to ride it now. Normally Sundays, during the pauses between our major actions or when not out of town, were my time for idle wandering around New York. I might have ridden my bike to Central Park, most of which was closed to traffic on the weekends. There's no doubt that I went there in part for the eye candy as much as the exercise, though I never failed to engulf myself within the pageant of my fellow metropolitans taking their leisure in the city's major patch of green: sprawled or sporting on the Sheep Meadow, jogging around the reservoir, sailing little crafts in the boat pond, riding the carrousel, taking in the zoo - which I myself almost seldom failed to do - crossing the bridal path where well heeled equestrians trotted their ponies, or, after twilight on occasion, attending a performance of Shakespeare in the Park.

It's easy to reconstruct from the organizational record how absorbed I was in the work of Safe Return, but, following a pattern well established in this memoir, the source material for documenting the specifics of my personal life is far more scarce. I was unattached, but not unwillingly. I vaguely recall romantic life for this stretch as a string of less than satisfying one-night stands. There was one girl I fancied, Bridget, who I'd met in a bar on the Upper East Side while roaming one evening that summer in the company of an old high school chum. So there are two stories here: Bridget and Alexis (both noms de guerre).

Alexis is probably the most unsavory character I've known well enough to think of once as a very good friend. We spent a lot of time together our junior and senior years in high school, and shared a few ragged teenage adventures, like the breakdown of his jalopy in some godforsaken corner of Connecticut looking for the dacha of his ancient White Russian great aunt. Or the time a bunch of us boarded his dad's old wooden scow without permission, and ended up stalled all night and drifting around the middle of the Great South Bay under one faint running light until someone gave us a tow back to Babylon the following morning. Well before my service in Vietnam, I stood as co-godfather for Alexis' first child, a son, in the Babylon Village Lutheran Church, surprised by how closely the high church Protestant liturgy still cleaved to its Catholic origins. These were the kinds of youthful memories, unselfconsciously common and banal, that can bind people for life however their future paths diverge.

Anyway, Alexis had rolled into Manhattan from Georgia where he had resettled under what were the usual shady circumstances, operating a lucrative finance hustle, junk bonds if I recall. He had two avocations: making easy money and screwing as many young and beautiful women as he could get his hands on. This visit was organized around both of those agendas. To satisfy the first, he arrived carrying three pounds of pot. Foolishly - because I lacked the sang-

froid required of the petit scofflaw - I had told Alexis I could probably find buyers for a third of it, the first and last time I ever dabbled in the marijuana trade on the dealer side. My very countenance betrays me. And to satisfy his second impulse, Alexis dragged me to a nightspot on the Upper East Side where a pick-up was a sure-thing, he insisted.

The cute Colleen at the bar immediately saw through Alexis, and turned him off like a light switch; it was not my scene, but I got her telephone number. This was Bridget, a working class woman from Brooklyn in her early twenties, and a student at the Borough's Community College at Bay Ridge. Her dad had emigrated from Northern Ireland where he'd served on the Belfast constabulary. He now worked as a night watchman. Bridget declined all my advances to get more closely involved, a seduction ritual that went on for several years during which we would meet every several months, usually at her place, and have sex. Even in later years, when I was in more serious relationships, and felt inclined to cheat, Bridget remained a pliant back street companion. Decades later, after I had moved to Maine, Tod told me of running into Bridget in New York, adding the news that she had come out, and now lived with her female partner.

We could not know it at the time, but 1974 would be looked upon as a historically pivotal year when the balance of world power shifted the United States ever so slightly from the uncontested position of economic hegemony we had occupied since the end of World War Two. The fixed currency market pegged to the dollar was suddenly dismantled. And the embargo imposed by the major oil producing countries of the Middle East and North Africa, begun in the previous year, was only lifted in March 1974, by which time the price of oil had spiked from $3 to $12 a barrel. As a result inflation in the U.S. would soar to a very uncomfortable 11%, which was still less severe that what much of the Western world was then suffering. For Americans, though, the most startling consequence of the oil crisis was the lowering of the national speed

limit to 55 mph. For drivers of the gas guzzling "muscle cars" still pouring off the assembly lines in Detroit this was the functional equivalent of idling your engines on our speedway-grade American highways.

None of this much affected us. Even the bad economy hadn't really diminished our funding base. Our average donors could still write checks for five or ten bucks and our upper tier sustainers were, if anything, backing us more consistently than ever. Ford's unanticipated announcement in late August would lead to Safe Return's strong re-engagement in the amnesty campaign throughout the coming fall. And at the end of October we found ourselves operating from a larger office and a better address. Eddied and I supervised the move across Fifth Avenue and up three blocks to the Flat Iron Building, while Tod vacationed somewhere in the tropics. This was a cool building even then, but it was years before the real estate-driven revival that would transform this long threadbare stretch of lower Fifth Avenue into the historic Flat Iron District.

Tod had written a letter to the old landlord's agent in the old Movement building we'd inhabited since 1970 at 156 Fifth Avenue, complaining about the shabby condition of the lobby and the filthy windows in our office suite. The security stunk, he said, and our office was broken in to, which may have been the case, but it doesn't ring a bell. In any case, there was nothing of value to steal, unless some junkie was interested in a quick turnaround from a couple of Smith Corona portable typewriters, which, in any case, made the move with us. This was Tod's turn-the-tables response to someone trying to collect. Meet a hammer with a sledge hammer was the default position he and I shared and reinforced in each other wherever conflict reared its head. We were already three months in arrears, and I seriously doubt if we ever paid that rent.

1. Ford Text on Amnesty," Associated Press. August 20, 1974

3. RU. Cite Hunt.

4. "Saxbe and Schlesinger Meet on Draft-Evader Report," *The New York Times*, August 30, 1974.

5. Safe Return *Amnesty Report*, issue #5.

7. "Don't take amnesty, advises lawyer," by Karen Hosler. *Evening Capital*, Annapolis, Maryland. September 19, 1974.

8. Marian Davis Scholarship TK.