

20

Backtracking

During the last half of 1975, Tod and I were mostly in New York, mostly working the amnesty issue, at least when not satisfying our curiosity about Portugal and keeping an ear to that track, or when heeding the siren of a rapidly emerging movement toward unionization in the U.S. armed forces. It appears we were capable of considerable compartmentalization, but to us it was a seamless whole composed of different messages for different constituencies, all related to empire and American militarism. With amnesty, we still addressed the nation; with Portugal, the professional Left, and with G.I. unions, we were once more, if only by proxy, in a conversation with the Pentagon about the terms of rank and file service in the military.

The underlying assumption was that the GI movement resided in the military structure as a lit coal, ready to ignite if the U.S. resorted to armed intervention to dominate affairs in other nations, or mobilized outright for another war of aggression and uncertain duration should the citizenry repress entirely the memory of Vietnam. A GI union would give organizers like us a toe hold for fanning those latent flames of resistance. We did not oppose war, or at least defensive war, but we understood quite well that an empire did not play defense and that war most typically exploited the many to profit the few. We stood as honest tribunes for the many even if we vastly exaggerated our impact and importance.

The expiration of Ford's Clemency Program at the end of March marked another bend in amnesty's serpentine course, the passage from its latest phase, where pushback was fueled by outrage and ridicule toward the ineptitude of a hapless chief executive. In the aftermath of Ford's blunder appeals for total amnesty were briefly amplified, not least in the liberal media, most directly stated by an editorial in *The Boston Globe*. "There seems no prospect that

President Ford will declare an amnesty for draft evaders and deserters... [but] Congress can and should take this action.”ⁱ The arena of struggle had shifted back to the House Judiciary Committee, where liberal momentum was finally stalled by conservative members in early June. “House Unit Abandons Unconditional Amnesty,” gloated a headline in the *Army Times*, reporting that “the panel could find no middle ground between the advocates of unconditional amnesty and those who oppose amnesty of any kind.”ⁱⁱ

Representative Kastenmeier’s subcommittee was now tasked with drafting an outlandish compromise that would require resisters in both categories “to sign an oath that their action was motivated solely by their opposition to the Vietnam War,” after which no alternative service would be demanded of draft resisters, and deserters would receive a “certificate of resignation.”ⁱⁱⁱ Given the atmosphere in the full committee, and the failure of the movement to translate the public’s disgust with Vietnam into a tide of charitable sympathy for resistance that would force the hands of amnesty’s opponents, the chances that such a bill would be reported to the House floor to be voted on, much less approved, were virtually nil. In the absence of any other avenue to direct our advocacy, whatever pressure for amnesty might still be mobilized until after the presidential election would have to be directed only to Capitol Hill, and primarily to Kastenmeier and his colleagues.

As always, we sought every opportunity to keep up the drumbeat. And literally only weeks before Tod and I left for our second visit to Lisbon, another case of a draft resister who’d refused Clemency fell into our hands, referred by a FORA representative in Michigan. Some years before, Bryan Floyd had refused induction, ordered to perform alternative service and placed on probation. He then chose to defy that ruling, and went underground for a number of years. With the arrival of Ford’s program, Bryan looked for an opportunity to resolve his case.

He had surrendered in March, and was immediately brought to trial. His efforts to argue the validity of his resistance met a fierce response from a federal judge who lectured him about “defeating communism before they swallow us up,” ranting further that “a young American’s first duty was unquestioned loyalty and obedience to his country, after which he pronounced a maximum sentence of five years in a federal penitentiary.”^{iv}

After learning of the case Safe Return acted quickly. We flew Bryan’s parents and wife from Michigan to Washington where Tod held a press conference on the 21st of May demanding his client’s immediate release from prison, threatening to build a public campaign to achieve that end. A week later Bryan remained in jail. Several days after Tod and I arrived in Portugal we received a letter from Eddie Sowders with an update on the case. There had been a rumor that the sentencing judge lost a son in Vietnam, which turned out to be false, depriving us of one stratagem for seeking a retrial. Ed said it also appeared that Bryan, to his wife’s horror, would again “refuse alternative service if offered by either the judge or the Clemency Board.”

His wife told Ed she feared he would do something “rash” in the courtroom, causing Ed to lament that, “the more I learn about this guy, the more I feel we’ve stumbled onto a born martyr who has little regard for his wife and family, or simply refuses to consult them. But then those are my values shining through; our family was always tightknit.” Since Bryan had a local attorney, we had only to stand by, as Ed put it, to “see if we still had a case to generate publicity/support.” As it turned out, we didn’t, for reasons Bryan Floyd explained in a One Family’s Story column for our next *Amnesty Report*. “Hurried phone calls between the Clemency Board and the federal judge in Michigan succeeded in muzzling him, and I was again placed on probation.” Clearly he put the best spin on the outcome, and I believe that was the last we heard from Bryan Floyd.

The six month program for Safe Return that we had laid out in April made no mention of a representative challenge - Floyd's case having arisen spontaneously and resolved quickly – and we concentrated instead on building toward “intensive lobbying in D.C. led by FORA” in September. Money was tight and we could no longer depend on direct mail to generate income for such an ambitious undertaking, having all but saturated the universe of potential sympathizers. We depended increasingly on our house lists for operating funds, and so it was all the more troubling when we belatedly discovered proof of we had long suspected that NCUUA was mailing to donors whose names our nefarious former comrade, George Carrano, had absconded with when he left Safe Return.

At the end of April Tod sought to bring this incident before Ping Ferry and Carol Bernstein through their gatekeeper, Vinnie McGee. “Just this week,” Tod wrote Vinnie, “I learned from my sister, who lives in the Middle West, that NCUUA has been regularly sending her materials and fund appeals.” Since his sister had never contributed to any group or belonged to any organization that might have given her name to NCUUA, the only way the coalition would have gotten her name was from the set of 5,500 3x5 donor cards Carrano had lifted, in which Tod's sister's name had been inserted as a decoy, a standard practice with mailing lists, Tod explained.

We had known of Carrano's embezzlement immediately after his departure, and had been reassured by his close friend, the resister Lew Simon, that we would get the list back.^v When we didn't, I suppose that we felt we had little recourse but to let it go. As I've already noted elsewhere, this kind of behavior was not uncommon in the Movement, and Carrano himself probably rationalized his action on political grounds. McGee's response to this “proof” of NCUUA's ethical deficit was hardly unexpected, returning Tod's letter and penning in the

margin, “I’m afraid my getting involved in the matter would muddy the waters further – You shouldn’t have let this rest for a year.” It’s likely that the only reason Tod chose to inform the Ferrys of his recent discovery was to potentially soften any skepticism they might feel toward our broad programmatic shift in which advocacy for amnesty played an ever diminishing role.

Following the actor lobby in April, I was now distracted by a new romance, which expanded my social reach well beyond the political circles of the New Left, and into the world of New York Theater and Hollywood film, an account of which I reserve for a subsequent chapter. By mid-June, on return from Portugal, as I poured over documents on Portugal in preparation for writing, Tod and Eddie attended the nitty-gritty of the tasks that kept us afloat, shifting our internal focus on amnesty toward efforts to influence HR 9596, the latest version of the legislation Robert Kastenmeier’s subcommittee was circulating in draft.

In what was by this time an office ritual, Tod responded in detail to a donor’s complaint about duplicate mailings which I cite again here because, on this occasion, not only does the letter offer details that illuminate the status of our mailing campaign, but Tod asserts with one simple phrase the philosophical basis for our opposition to any compromise being promoted by a bill authored “by liberals in the House, Drinan, Kastenmeier, Badillo. We are foursquare against this legislation and will devote our energies to exposing its fatal premise, *that resisters still owe something* (ital. added).”

Tod grounds Safe Return’s opposition to this proposition in the independence our relentless presence in the mails permitted us. We have mailed, “300,000 pieces of mail so far in 1975,” he informs the donor, “at a cost of \$110 per thousand. It is because we have a base of support among thousands of small donors that we can take an honest position.” By “small donors” we meant any contributions of less than \$25; donations above that amount were brisk

enough, however, to justify the reorder of several cases of Jim Reston's book, in both cloth and paper editions as premiums for higher level gifts; Tod even placed an order with Vintage for copies of the Dellums' paperback dating to the work on war crimes with CCI, a title that he likely thought would appeal to our more radical contributors.

By the time Tod accompanied a delegation of military resister family members to D.C. on September 30th he had crystalized Safe Return's critique of the HR 9596 in a "Summary of Arguments" to emphasize when meeting with representatives on the subcommittee. In this document Tod proposed a manner of engagement which departed radically from our absolutist rhetoric of the past. He urged our citizen lobbyists to "keep in mind that HR 9596... represents the furthest Congress has gone on this issue to date. When talking about the bill, praise them for having gone this far – then ask them to go further."

The adjustment to reality here is not terribly subtle, but neither did it signal a retreat from our uncompromising stance for total amnesty. Tod sketched three general points where we took issue with the bill as constituted. First, "it too narrowly defined eligible offenses. Only acts of AWOL and desertion are covered for military resisters." Overlooked were missing troop movements and disrespect toward officers. "Even many men for whom resistance to the war was paramount, committed these offenses." Number two, "the Judiciary Committee should confer by statute what military resisters need, honorable discharges. "HR 9596 implicitly recognizes the need to right past wrongs to war resisters; why go half way?" With number three we rejected the condition that a resister must sign an affidavit swearing "that his offense was motivated by opposition to the Vietnam War... Resisters shouldn't have to do anything further to prove their integrity or their commitment... Our young men have already suffered enough and Congress should not require anything further for them as the price for receiving amnesty." We weren't

pitching softballs here; what changed was our willingness to sweeten our criticism with a modicum of praise, not to open the essence of our program to negotiations.

These talking points offered no middle ground. Tod rightly calculated that the only shot to have any of these hardened, pragmatic office seekers move an inch in our direction was to have real folks, real constituents, speak the lines we gave them while charged with the moral logic of their own beliefs. Lost causes in service to principle were at the core of our identities as American leftists. We would push for as much as we could get, and reject it when we got it. We could not at this stage, however, fail to provide some wiggle room for our less ideologically-driven supporters. Thus it was understood that if some among the amnesty faithful chose to give the bill critical support, we would not oppose them.

Back in New York the following day Tod shot off a letter to one of Bella Abzug's senior staff who he had attempted unsuccessfully to contact while in Washington; the implied assumption was that the guy was ducking. Tod hoped to shore up our closest ally in Congress, amnesty's last line of defense. "We are aware of the arguments of being realistic or taking half a loaf, waiting for more later," Tod acknowledged. But Bella "has been the leading light on universal, unconditional amnesty over the past three and a half years; her support is needed even more right now." Tod wanted a written response of Bella's position on HR 9596, knowing in advance I'm sure that no such document would be forthcoming. Bella was completely isolated on this issue, and had no political capital to gain by grandstanding in the face of her liberal colleagues. Moreover, it was a presidential year, and the smart money had Ford vacating the White House. Like it or not, amnesty was in a holding pattern, and the outcome of the election would determine whether it was a total dead letter, or whether some life could still be breathed into the issue if a Democrat succeeded to the Executive.

What is striking in the Safe Return record by mid-1975 is that reference to and contact with NCUUA had virtually ceased. One can assume that the ACLU's Henry Schwarzschild had the ear of the House Judiciary subcommittee, and was attempting on the inside to chip away at bill's most glaring inadequacies to obtain the *best* solution possible. As to the other NCUUA players, a researcher might find some account of their activities in this period in the ACLU collection housed at Princeton University; I can offer nothing here.^{vi} Staffers at AMEX magazine, on the other hand, distributed a "Position Paper on Universal, Unconditional Amnesty" in July that documents exactly how far Dee Charles Knight and his co-thinkers had migrated from Safe Return's approach since the two groups had initially linked arms in early 1972.

Like many other activists of New Left vintage, the AMEX crew, the GI organizers of GIPA, and the Maoist core of VVAW, now sought refuge for long term struggle in the sectarian Left. AMEX virtually rejoices in its decision to abandon efforts to influence American public opinion around amnesty in favor of the "larger anti-imperialist struggle." Henceforward they would speak mainly to the Left. It was now their "principal political task to develop theory and practice on the amnesty question," and bring this to the attention of "the central committees of democratic centralist organizations," arguing that "amnesty is not intrinsically a liberal issue, but can and must be made part of the revolutionary U.S. movement."

Knight had finally drunk the Kool Aid, and, from what I have learned about his activities well into the millennium, he savors it still. There are ironies in the shift this 'paper' announces. AMEX had completely retooled its support for Vietnam resistance, away from the "petit bourgeois" draft resisters, and elevated the proletarian military resisters to the vanguard of struggle. In all their formulations, they have embraced, not only the ideology of class struggle,

but the pure idiom of Marxist-Leninist polemic, rejecting the “safe, reformist movement” for amnesty being conducted by the “liberal and pacifist organizations.”

Ironies? Let me count them: It was Safe Return, arguing from a premise of class politics which, among the amnesty advocates, had first adopted deserters as the distinguishing category of Vietnam Era war resistance. Coming on the scene as the Committee in Support of Self-Retired Veterans [Deserters], we had spent months arguing the case to GI counselors, pacifists, institutional liberals, and the exile resister community itself, that the amnesty issue was an implicit rebuke of U.S. Vietnam policy, and, in our representative cases, had announced our intention – and at least attempted, albeit unsuccessfully – to offer a Nuremberg style defense against charges, and in justification, of desertion.

On the deeper level of identity, like Knight, Tod Ensign and I positioned ourselves squarely on the Left, but unlike Knight, not the Leninist Left which we saw as both authoritarian and ‘no sale’ for most contemporary progressives, not to mention as alien in the eyes of most Americans – heavily indoctrinated in the myth of our goodness – as the most vile villain created in the fantasy factory at Marvel Comics. Safe Return was created to prolong the public focus on the criminality of the Vietnam War. Its mission was, as I have expressed elsewhere, first and foremost a discussion with the American people, wherever we found them, that amnesty was the logical legacy of opposition to the war; AMEX now chose to have that discussion predominantly with the Leninist Left. But Leninists weren’t the only ones who subscribed to social revolution. Most of the hard core cadre of the New Left defined themselves as socialists committed to the overthrow of empire and capitalism. Ensign and I – and Ed as well I’m sure – had no scruples in identifying ourselves, all the more in the exuberant atmosphere around events in Portugal, as socialist revolutionaries.

On the level of “practice,” the AMEX screed concretizes its amnesty politics as “a democratic rights struggle... under working class leadership,” specifying that, in achieving amnesty’s demand to grant Vietnam era military resisters a single military discharge, “the peoples’ resistance to the next U.S. war of aggression will have been brought to a higher level.” That may very well have been true, and moreover in line with the general drift of thinking at Safe Return, but AMEX otherwise failed to grasp that on-going engagement with post-war GIs in the all-volunteer military was now the most productive terrain of struggle, not idle gestures to convince fellow Leninists of their revolutionary purity and democratic centralist credentials.

By the end of September, when we wrote the Ferrys asking for their help to bankroll our return to Portugal, we had also highlighted our own increasing involvement with the post-draft Army, which we characterized as vulnerable to unionization. We emphasized that our “comprehensive study on the question of military unionism” was centered on the drive under consideration by the American Federation of Government Employees to bring the uniformed services into their ranks, an announcement that had immediately stirred deep concern in the congressional armed services committees and throughout the mainstream of the labor movement, the AFL/CIO. We noted that the AFGE membership would vote on this proposal at its convention early in the coming fall; if approved, the union would “begin organizing GI’s in late 1976.”

Gaming the consequences of such a development, we expressed our view of the AFGE initiative “as an advance in the fight to democratize the American armed forces.” We recognized that the AFGE would never be a militant union, and would concern itself with “bread and butter” issues,” but we still believed that “the implications for the civil liberties battle within the armed

forces could be staggering.” We saw this campaign as an opportunity to undermine the force of the military justice system when soldiers had “the right to assemble and distribute literature.”

As a counter argument – in fact I was the author of this letter – we referred to a recent discussion I’d had with the radical journalist and progressive icon, I.F. Stone. I remember the moment well, but can’t even speculate on when it occurred other than to state the obvious, that I clearly had occasion to visit Washington D.C. prior to writing the Ferrys, and perhaps for the sole purpose of consulting Stone. I found him in the basement of the American University library, seated at a carrel like any vagabond graduate scholar, surrounded by texts in ancient Greek. This had been Stone’s ambition for his elder years, an undertaking that had given him a book about Socrates in which the image of the heroic philosopher was turned into the enemy of democracy.

Stone was a genuine American man of ideas and letters, a Menken of his time, and much like his contemporary, Edmund Wilson, who in his last years had also taken on the study of texts in their original languages, Russian, Czech and Hebrew. These were extraordinary public scholars unbounded by academic specialization, whose curiosity recognized no single discipline.^{vii} On the occasion of our meeting, Stone did not lapse into a relaxed exchange of idea. He was an old man conscious of approaching his limits and time was precious. He swiftly delivered an opinion I wasn’t particularly keen to hear, warning that “the corruption of the American trade union movement would not help create a more informed, thinking soldier, but perhaps one even more politically apathetic and ruthlessly efficient than today’s GI,” and then he returned to his study of Pericles.

Stone’s attitude smacked of Old Left pessimism, out of synch with our own generational optimism born of post-WWII American prosperity, an optimism not disturbed by disillusionment

with Vietnam, and reinforced by feelings of empowerment in the check to American power by a movement of popular resistance. And just because the American trade union movement was in the hands of business agents and labor fakers, the AFGE hardly an exception, our belief that a GI union was possible resided in the presence of such unions in the militaries of U.S. NATO allies, and in the GIs themselves, whose resistance during Vietnam was as much about the war as it was a rejection of outmoded forms of authoritarianism that pervaded the armed forces. We were fully living our political moment, not seeking perspective on its transience. But we were right for that moment that the U.S. military was ripe for reform, and unionization was being pushed – not from the Left but from the labor mainstream - as the vehicle of that reform.

To underscore that sense of reality, we had learned from notes Dave Cortright shared with Ed Sowers on his meeting with AFGE officials in Washington that the organization's choice of the German over the Dutch model for a soldiers' union may have been the fruit of discussions AFGE conducted with members of the NATO command structure and with the office of the American Joint Chiefs of Staff. Not clearly reflected on at the time, though an astounding element of this story, was that some ranking career military were actually entertaining the idea of a union for American soldiers, and possibly even favoring it.

We were too alienated from the professional military leadership to have devoted much attention to their internal divisions, although it seems clear we had some information about that. What we did take from that Cortright memo was that it was important for us to make direct contact with AFGE as well. And, as Ed wrote Cortright, we were aware from an article in the *Army Times* of the testimony the military sociologist Maurice Janovitz gave before the Pentagon's own vehicle for internal reform, the Defense Manpower Commission. While Janovitz did not sympathize with the union cause, as the dean of military sociology, a field he

had himself pioneered, his scholarly treatment of social relations in the military was an important source we would consult as our own thinking and action went forward. Our considerable involvement with this campaign requires a thematic storyline, undertaken in Chapter 23.

In the meantime, Safe Return was soon to experience another serious personnel drama of its own. Eddie Sowders was about to leave us, and I am faced with a paradox on how to portray his departure. On the one hand, I have a substantial sheaf of letters over many months of 1975 that reveal Eddie to have contributed a good deal to the work of Safe Return during that period. But to buttress fading memories of a less rosy picture I can reference a note in the files that Ed had written to Linda Alband in early June, in which he confesses that he “can’t seem to meet personal commitments at all, family, relatives, friends.”

There’s a resonance in this comment that supports how I remember this passage as well. And still the Ed Sowders I rediscover in his work-related correspondence is far evolved from the underground deserter I had first encountered a few years back. Not to say that Ed’s level of political development and activism hadn’t been notable from the start, but he had now become more seasoned and confident in self-expression. Eddie had found his voice, typically when engaging those who found our mailings politically unwelcome, and who wrote to tell us why.

One woman had cited the honorable military service of her father and other male kin as the source of her opposition, to which Eddie responded sharply. “I’m also a veteran,” he bristled. “For you to call upon the war experience of your relatives as proof of patriotism, I’ll match you relative for relative, veteran for veteran, medal for medal, wound for wound. If, however, you’d rather discuss the true nature of the war in Indochina, then we can discuss the real reason why one million young Americans refused to participate. The Vietnam War is not World War II.”

I can only conclude that what Eddie had gained intellectually he squandered psychologically, and as I already described, his demon was alcohol. Ed was a beer drunk, and the image of Ed hugging his barstool in the Grassroots Tavern on St. Mark's Place, in his place before I dropped in for a nightcap, and there after – likely long after – I departed is as vivid in my mind as the memory it recalls. The practical consequences of this addiction included a split from the woman he lived with, and a decline in Ed's reliability to cover the office during Tod's and my many absences over the entire year.

Maybe it had been during the summer months when Ed began to let us down. I had gone off briefly to California to help Kathryn Grody drive her car back from Sherman Oaks. Tod and Pam had vacationed in London. There were the two trips to Portugal, and periodic commutes to D.C. Of course Eddie too had hardly been stationary during these months. He'd toured the GI projects and was undoubtedly involved with whatever we had going in Washington. When the Arizona legislature “overwhelmingly adopted a resolution declaring it to be state policy that resisters to the Vietnam War be denied public employment,” Eddie was dispatched to Phoenix at the end of August to organize a press conference featuring a local father of a Canada-based deserter and a retired judge from the Arizona Supreme Court condemning the resolution and questioning its constitutionality.^{viii}

What I remember was that Tod confronted Eddie one morning when he drifted in late, hungover and a bit unkempt, and essentially fired him. I was happy to have Tod play patriarch in executing a decision we had come to reluctantly, but which I had little stomach to act on myself. I had a soft spot for Ed Sowders and was just as likely to have tolerated his decline, while finding a way to eventually ease him out. Tod also felt deep sympathy for Eddie, but he convinced me, quite rightly, it was better to get through the unpleasantness quickly. This must have taken place

during the first week of October, only days before we left for Portugal. We were pushing back our Portuguese speaker's tour, Tod wrote Linda Alband on the 9th of the month, and he delayed till the letter's last paragraph to give her a more face saving version of the news that "Ed left the committee by mutual consent... the time has come for Ed to work with others. It was sad to part after two and a half years."

It's easy to see now as I look back that Ed wasn't the only intoxicated player in this round. Both Tod and I were addicted to our personal ambitions, and we knew that we could easily move on without Ed – as was the case with other clients who had briefly been our in-house collaborators – but not without each other. It would be too pat to admit that we had once again failed one of the war victims we had helped to empower, dropping them when they no longer fit our plans. It's fair to argue that we had a right to demand certain standards of performance and reliability from those we sustained with a paycheck. What is more painful to acknowledge is that I - Tod cannot speak from the grave – from wounds inflicted to my capacity for intimacy by childhood and war - was a poor bet in most cases for the messiness of friendship.

Back home from Europe, in the throes of writing projects and a speaking tour, news came in late November of a more personal nature than the setbacks in Portugal, and which for an instant must have frozen us in our tracks. The shocking account I can quote here was certainly preceded by a phone call from Jim Reston, after which we retrieved the newspaper from Times Square to which Reston had delivered the tragic news. The headline read, "War is Over for John Herndon, Hero and Deserter," and the story, as I have already recorded here in an earlier chapter, was about how John "had been found dead on an Arizona roadside, in June, 1975," but his identity had only been established the week before Jim's call when "the Army matched

fingerprints and notified his parents.” “I was dubious about John’s future,” Reston told the reporter, “but I never expected this.”^{ix}

ⁱ . “The case for amnesty,” *The Boston Globe*, April 3, 1975.

ⁱⁱ . *Army Times*, June 4, 1975.

ⁱⁱⁱ . Ibid.

^{iv} . *Amnesty Report*, Fall/Winter 1975.

^v . Lew Simon had a brief return to our attention in May 1975 in a copy of the letter his Queen’s New York Congressman, Benjamin Rosenthal, received from an office of the Army Judiciary, denying Simon’s appeal to vacate his court martial sentence, an action we had taken on his behalf..

^{vi} . Box 1965, Folder 24 Mudd Manuscript Library, Princeton University.

^{vii} . I am indebted to Russell Jacoby, *The Last Intellectuals* (Basic Books, 2000) for the general formulation; the specific synthesis in this context is mine.

^{viii} . *Amnesty Report #7*, Fall/Winter 1975.

^{ix} . “War is Over for John Herndon, Hero and Deserter,” Jim Pate. *Durham Morning Herald*, November 22, 1975