**Interview with Fred Ojile**

**We Won’t Go! (And We Don’t Want You To Go, Either)**

**Oral History Project**

**November 12, 2018**

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**Peter Simmons, Interviewer**

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Name of interviewee: FO

Names of interviewer: PS

Recording 1

00:00:00 PS: This is an interview with Fred Ojile. My name is Peter Simmons. I’m doing the

recording of this or I’m the interviewer here and this is happening on Monday, November 12, 2018, at Fred’s office in Minneapolis [Minneapolis, MN]. This is part of an oral history project, a set of interviews, that I’ve been doing. It’s currently titled, We Won’t Go! and We Don’t Want You To Go, Either. Fred is one of the primary people involved in this whole project, which is a collection of interviews of Minnesotans who took part in draft board raids in different parts of the country and Fred can talk about his part in all that in a moment. So, Fred, to start with, will you please say a little, not at great length; we’ll come back to this—about the event that you took part in in Milwaukee [Milwaukee, WI] in 1968?

FO: Sure. It was September 24, 1968, when fourteen of us raided the selective service in downtown Milwaukee and across the street from the selective service office was a little triangular park and that was where we brought all of the 1A draft records that we took from the building, approximately ten thousand 1A draft records and poured on them homemade napalm, which was a combination of Ivory flakes [Ivory Soap, Proctor & Gamble, 1879-present] and gasoline, and lit that on fire and burned all of these records. The fourteen of us all had different jobs to do in the building and in getting the gunny sacks of 1A draft records out onto the triangular park.

A fifties person, John Hagedorn, was responsible for, among other things, bringing the press there and having them waiting until he gave them the cue that the fire was about to begin, that the action was about to begin. So it was all recorded live by the news media.

PS: So, as I said, we’ll get back to a lot more detail about the interesting parts of all this but I’d like you to talk, too, or now, about your background before that particular event, your origins in general, family, upbringing, where you grew up, went to school, things like that.

FO: Sure. I grew up in Northeast Minneapolis on what was called The Hill. The Buchanan area was up above where the valley was where Central and lower than that down to the river. And it was a neighborhood of immigrants. Every nationality you can think of was melded in that area. There were churches on every block in the lower valleys and there was a bar on every block and every rite was represented. Of course, the bulk of them—churches in Minneapolis were always Lutheran because there were so many Scandinavians but there were the Greeks, the Lebanese, the Italian, the French, the Ukrainian, the Polish had a significant sector—but anyway, all these immigrants were together in this neighborhood.

I grew up Catholic. I have five brothers and sisters. My parents were originally from Omaha [Omaha, NE]. My father was full-blooded Lebanese. His parents were from the old country in Lebanon and my mother was a full-blooded Italian. And she was third generation; Dad was the first people born in this country in this generation. So I grew up in a Catholic environment

00:05:00 and our churches were St. Charles Borromeo [St. Charles Borromeo Catholic Church, 2739

NE Stinson Boulevard, Minneapolis, MN], where we went to school. That was a regular western rite Catholic and our main parish was St. Maron [St. Maron's Catholic Church, 600 University Avenue NE, Minneapolis, MN] which was the Lebanese Maronite Catholic Church.

So I grew up in a house that was focused on traditional Catholic values which are: you take care of your family well; you respect your parents; love is the key to everything, etcetera. And I went to Catholic education through college. I had been—I went into the seminary—I went to DeLaSalle High School [DeLaSalle High School, One De La Salle Drive, Minneapolis, MN] which was all boys in those days for the first two years of high school. Then I went to Nazareth Hall, [Nazareth Hall, 3003 Snelling Avenue North, Nazareth Hall, St Paul, MN] which was a preparatory seminary on Lake Johanna, eighty acres on the south side of Lake Johanna.

PS: What was the name of that school again?

FO: Nazareth Hall.

PS: Nazareth Hall.

FO: N-a-z-a-r-e-t-h H-a-l-l. It was a minor seminary for the Archdiocese of St. Paul and Minneapolis, for the whole state. Then after that, after I graduated from there, I went to Catholic University [The Catholic University of America, Washington, DC] in Washington, DC, continuing in the seminary at Our Lady of Lebanon, Maronite Seminary [Our Lady of Lebanon Maronite Seminary, Washington, DC]. Classes were at Catholic “U;” our seminary house was in the northwest corner of Washington, DC on Alaska Avenue.

I would say that the greatest influence on me in many ways was the—in our house it was very important to have independent thinking. My parents refused to let us just parrot other attitudes or beliefs. From a very young age we were—the swear word in our house was nigger. That wasn’t allowed. That was probably because of my father’s background. When he was eleven—he was born in 1911 and it was around 1920—he might have been a little bit younger—his—the Ku Klux Klan in Omaha burned a cross in their front yard.

PS: At his home.

FO: At his home. And he had one brother that was a couple years younger and his parents were both from the old country and his father, Grandpa Mike, grabbed his shotgun and went out and shot the leader of the group in the shoulder. The police chief was an Irish Catholic, of course, in Omaha, and he was in the same parish as Grandpa Mike and so he said, “I’m not going to charge you with a crime, but you have to give me your shotgun and move on in life and don’t every do anything like this again.” So the attitude was really—it was Grandpa Mike’s fault and he didn’t have a right to protect himself from these white hooded people that were burning a cross in his yard. It was a time when the anti-immigration level was very high. This was a time when East St. Louis [East St. Louis, IL] was burned down by regular St. Louis [St. Louis, MO] because it was all people of color and immigrants. That was a race riot—real race riot caused by white people going in and destroying black neighborhoods.

PS: And this was in approximately 1920.

FO: Yeah, right.

PS: This is not very different than the time when there were out and out race riots in Chicago [Chicago, IL], too, if I remember right.

FO: Yeah, I think you’re right. Yeah, they’re caused by white people, yeah. Today when we think of a race riot we think of the frustrated neighborhood where the blacks burn down buildings. That’s not what they used to be.

But, anyway, that’s part of the background for how we were raised and then, having progressive parents meant that we all got pretty much involved in the antiwar movement and the civil rights movement with the Mississippi Summer Project and supported that locally.

PS: You’re talking about Freedom Summer? Sixty-four?

FO: Yes, right. And that was when I was—the professors at Nazareth Hall were, almost every one of them, were involved in the Mississippi Summer Project by going down there and

00:10:00 marching in Selma [Selma, AL] and all the other places. So that was a big influence.

PS: So your local here professors, not when you went to DC.

FO: Yeah.

PS: I didn’t ask before. You were born in what year?

FO: Nineteen forty-five.

PS: Okay.

FO: Fourth of six kids. I lived in the same house my whole life. I mean, all my young—all my years at home were spent on Twenty-seventh and Buchanan. Let’s see here. Well, anyway, that’s my background.

PS: Well, you continued in seminary in Washington but you didn’t wind up taking vows.

FO: No.

PS: Were you a brother or in Orders at all?

FO: I was—I wore the collar and I—at the chapel connected with Our Lady of Lebanon there, my seminary was also the parish for the local people of Washington, DC, so we did—we had a schedule where we took turns preaching the sermon on Sunday and I was a chaplain for the soldiers coming back from Vietnam. We were across the street from Walter Reed Army Hospital [Walter Reed Army Medical Center, Washington, DC, disbanded 2011] so I did that while I was there which was a really important lesson in the whole process. Most of these kids were younger than me and I was only twenty, twenty-one, and these kids were eighteen and seventeen. At that time the worst kids were at Walter Reed, the most injured. Now, I think it’s the opposite. It’s the ones that have been going to Walter Reed are the ones with the least problems since then. That’s a long time ago.

But, anyway, that was an influential period to just be with those kids and they were kids. And what they wanted—what those young men wanted was to know what was going on in the city, in the country, around the war. So I’d bring— they wanted underground papers, you know, that was a time when there were a lot underground independent newspapers.

PS: Just to anchor this in calendar time, this was then like 1965, 1966?

FO: Yeah, this was—this would have been. I graduated from college, from the seminary in 1967 so this was 1965, 1966 and 1967.

PS: So that period is when you were being a chaplain part time and during that time.

FO: Yeah, and that’s when the Vietnam War was really coming to a head as far as protests around the country. And that’s when I met the fathers, the Fathers, the priests, Daniel Berrigan [Daniel Joseph Berrigan (1921-2016)] and Philip Berrigan [Philip Francis Berrigan (1923-2002)]. Philip Berrigan was a pastor in the inner city of Baltimore [Baltimore, MD] at that time. Dan—I’m not sure what his role is—but he spent a lot of time in DC and in Baltimore and both of them talking a lot about the war and what we could do about it.

PS: Okay. So understandable that you were much affected by your—this was probably the first contact that you had much with any returning Vietnam veterans? Were they injured?

FO: Yes. The only other ones that I really knew had died. My classmate—the neighborhood kids that were my age.

PS: From Minneapolis?

FO: Yeah, right in Northeast Minneapolis. My friends that I knew—some of whom had died. I knew no one that was injured and in the hospital personally until I went to DC.

PS: Do you have much recollection of your high school friends who were in the military? I suppose there was a mix of some who enlisted and some who were drafted or did that stand out much one way or another?

FO: No, not at that time. I didn’t really think much about the draft until I was out of the seminary. In 1967 I graduated and then the draft became relevant to me and I went to law school then.

PS: Because your deferment for your school situation—?

00:15:00 FO: Yeah, 4D changed but I really didn’t know much about the draft before that. It just

wasn’t relevant to me and my brothers—it didn’t affect them. They were in college and my sisters—there was no—there were no women being drafted. So, anyway, let’s see.

PS: Well, after you graduated from seminary, you went to law school.

FO: At the University of Minnesota [University of Minnesota, Minneapolis, MN].

PS: Okay, so you came directly back here from Washington without much interval?

FO: I came directly back. I got involved in the antiwar movement in Minneapolis as soon as I got back. I taught a couple courses in nonviolence at the Free University at the Newman Center [St. Lawrence Newman Center, University of Minnesota, Minneapolis, MN] and I—while I was in law school, I started working for—the ACLU [American Civil Liberties Union of Minnesota (ACLU-MN)] wanted legal research done on the whole draft system so I was working on that. And then I got involved with the Twin Cities Draft Information Center [Twin Cities Draft Information Center (TCDIC), 1905 Third Avenue South, Minneapolis, MN].

PS: So again, you returned here in 1967, sometime?

FO: In the summer.

PS: In the middle of that year?

FO: Right. And then in the fall I went—I was going to law school; I was teaching nonviolence and then I got involved in TCDIC, the Twin Cities Draft Information Center, became a draft counselor; did some research for ACLU, Minnesota American Civil Liberties Union at that time—

PS: So for the Minnesota office or the national?

FO: The Minnesota office.

PS: Okay.

FO: And that research was used with a lot of other research to eventually get some significant changes in the draft through the courts. But anyway, so I decided I wanted to work full-time for Twin Cities Draft Information Center and other similar movements and projects. So I left law school in the middle of the second semester, which was like February/March of ’68 and stopped going to school. And during that same period, right around that same time, that’s when my contacts with the Berrigan brothers from DC came back to me through a person named George Mische, who was one of the Catonsville 9 [Catonsville, MD] along with the Berrigan brothers and some others and who were organizing now the next draft board raids which was the Milwaukee 14.

PS: So at this point when you got re—resumed contact with George and with the Berrigan brothers and others presumably, this was after the Baltimore blood pouring [Baltimore 4, Phil Berrigan, Tom Lewis, James Mengel and David Eberhardt poured animal blood on draft files at the Customs House, Baltimore, MD, October 27, 1967] which had been in 1967, and after the Catonsville raid as well? Both of those things had happened?

FO: Right.

PS: So this was into—

FO: Well, I don’t know. I can’t remember exactly when the Catonsville 9 happened.

PS: That was in the middle of May 1968.

FO: I was—yes, that’s correct. That’s what was going on.

PS: So those things had happened?

FO: Right.

PS: You started to get actively connected with future planning? Is that about right?

FO: Right, yes. George Mische contacted me and—because Dan Berrigan had my contact information from DC and then Dan came to the Newman Center for a few days and my mother and I met with him there. She was—she knew instinctively that I was going to be doing something that she did not want me to do. (laughter).

PS: I know that feeling.

FO: And so, she had a private meeting with Dan, Father Dan, which kind of alleviated a little bit of her concerns because all she could see was that, in her eyes, becoming a felon and going to prison was going to destroy your life. Which was basically what happened to everyone that did go to prison and was a felon in reality at that time. People just didn’t pick up and go on with their lives afterward. They were ostracized and—

PS: Marked for life.

00:20:00 FO: Delegitimized. Yeah, they were marked for life. But that wasn’t true with us.

PS: Yeah, so that’s sort of a special post-prison—the way things developed. But as far as that—I guess it’s safe to say, being recruited or—

FO: Organized, yeah, recruited.

PS: pulled back in; you said it was a conspiracy—

FO: Yeah, it was.

PS: that sprung from your contacts of a year or more before with George and the Berrigans and others—

FO: Right.

PS: when you were in DC.

FO: Correct.

PS: So if you hadn’t been doing the chaplaincy and other things when you were in seminary in Washington, DC, this might have passed you by?

FO: It may have except that I was really active in the Newman Center—

PS: Back here, when you got here.

FO: at the University of Minnesota, you know, right off University Avenue there is the Newman Center. I don’t even know where it is—if it’s still there or not. And there was a strong draft resistance movement at the center and the Berrigan brothers were considered the heroes of the country at that time.

PS: Within that milieu?

FO: Yes. So you’re absolutely right. It probably would not have happened but who knows what would have happened? But, yes.

PS: But in any case, you were well aware of these couple of raids that had happened just before in ’67 and ’68 because of where you were spending your time and who you were with—

FO: Right.

PS: at the Newman Center and otherwise.

FO: Right, and the Twin Cities Draft Information Center, you know, knew about all the events that were going on that were anti-draft and antiwar. You didn’t encourage anyone to be involved in those; that wasn’t their job. But they kept you apprised of everything that was going on all around the country. It was rather amazing that people with no Internet; with long distance costs connected with phone use; with U.S. mail as being the only other form of basic communication, that the whole country was—almost every major city and every small college town there was draft counseling going on. I mean, it was just amazing how—and they were using the same materials. Someone would develop a piece of material and would send it to another draft counseling place and that draft counseling place would disperse it to local places around there. It was like—it was almost organic the way it developed. It was rather interesting actually.

PS: And there were all these informal or insurgent publications across the country, newspapers, broadsides, things like that. We had that here, but those spread these ideas and reports and information around the country, too, right?

FO: That’s right—and that’s what the soldiers that were in Walter Reed—that’s what they wanted their hands on. They wanted to know what the ordinary person who was against the war—what they were thinking because they were against the war because they saw no sense in it. I mean, that’s what they told me; said, We just don’t get it. We’re not whining but we want to know what our next steps are. Please get me this kind of information, you know.

PS: Was that pretty much across the board with anyone and everyone who you had contact with from Walter Reed? I mean, was it—?

FO: Well, it felt like that. I’m sure it wasn’t, but it was dominant, it was clearly dominant. I would say at least 80 percent of the soldiers that I dealt with, that I tried to assist in any way I could, were extremely curious about the antiwar movement. And they had no resentment toward the people that were antiwar. That wasn’t where they were coming from. They wanted—they were against it—they lived it.

PS: Sure.

FO: And they had no desire to kill Vietnamese citizens of any sort and that was their main job. It wasn’t to kill soldiers. I mean, they were caught up in a dilemma.

PS: Did it seem to make any difference in the minds of—well, as you understood these young men, these kids, whether they’d been draftees or enlisted? Or was it sort of across the board or could you tell?

FO: I couldn’t tell. It wasn’t something that was even a question in my mind at the time I don’t think.

00:25:00 PS: So you touched on this a little bit but tell a little more about what your thought process

was that went from taking you to being active in things like the draft counseling and teaching classes. I want you to talk a little bit about that at the Open U on the outskirts of the university. Those are all things that were minority pursuits then but they were entirely legal. Talk a little bit more about what got you to the point of being willing to add—even considering pressing the legality line and taking part in something as bold as a draft board raid.

FO: The legal—I wasn’t concerned about the legal—to me the war was illegal and I was more concerned about should I do this and have a record?

PS: You mean a criminal record?

FO: Criminal record and we had no idea how long we would be in prison.

PS: It was all pretty new activity then.

FO: Yeah, I mean, we knew it would at least be a year or two but it could have been—the charges were twenty, thirty, forty years, you know, it was possible. But we also—if anyone says that they thought they were facing forty years I think they’re misleading because none of us thought we’d do more than a couple of years really because people of our stature just didn’t do more than that. I mean, we were privileged kids and privileged adults, you know, and you try not to put priests in prison for very long and there were five priests in this group and a Christian brother and a Protestant minister and then the others were all clean-cut kids. (laughter)

PS: I’m interested in the ecumenism of your group which was not typical at that point if typicality is something that comes into play with events that have only happened a couple times before in the country but—so you’re getting to the point of being willing and I suppose eager in a way to take part in something like this. Is it something that you characterize as being a moral progression or was it political or was it some—each of those things? I mean, how did you see this on the landscape of what motivates other people or yourself that way?

FO: Yeah, you know, I think a lot of it was based on just my naïve approach to the world at twenty-one years old, thinking that if you stood up and fought back in a way that you could, in a pacifist manner, that it would have the impact that the same thing with the sit-ins, with the civil disobedience of the sit-ins and the marches.

PS: You mean the civil rights movement?

FO: The civil rights movement. It was clearly—I mean, my feelings grew right out of that and knowing the effectiveness of the civil rights movement, the immediate effectiveness—not the long term, you know, but that immediate effectiveness in actually getting laws changed just so quickly. It was inspirational and it may have been naïve and idealistic to think that this was—you could cross this over to a war and the government’s military branch responding the same way as schools did, or buses, and restaurants and swimming pools. But, anyway, that was my feeling that this will help. I have to do something. That was one of the greatest impulses in me was I just can’t sit back and watch this happen anymore. We have to do

00:30:00 something. What can we do that looks like it may have a tremendous impact? And so that was

the choice and part of it was naïve; part of it was, you know, definitely moralistic in approach; part of it was thinking that this would have a political result, that politically it would be somewhat effective. I mean, I wasn’t so naïve that I thought the war would end then as a result of it, but—and the thought of being able to destroy 1A draft records of kids that were younger than me and my age and knowing the system couldn’t put it back together overnight, you know, it felt pretty good. Maybe we saved a few kids from going.

PS: And just like those kids that you met from Walter Reed. I mean, you have wide examples of what happened.

FO: Yeah, that was a very emotional thing for me was Walter Reed and I was amazed at how much my rector backed me up there at the head of the seminary because the general in charge of Walter Reed started getting rumors that one of the chaplains was instigating antiwar behavior and feelings among the soldiers.

PS: Meaning you?

FO: Yeah, and—which was not true. I never even gave anyone my opinion about the war. I was there and I said, “What do you want and what do you need?” And whatever they wanted and needed, next time—well, as soon as I could, you know, I’d get it and bring it back to them. And well, what the general saw was these kids having all this underground material and this antiwar material and it came from me so therefore it wasn’t too much of a jump for the general to think that, you know, I was an instigator. But my rector backed me up and told him that, “All he’s doing is being a messenger. If you prohibit these soldiers, these patients, from having this information, then I will direct my student to not bring it. But you have to prohibit it as the general of the hospital.” And he wouldn’t prohibit it because it would have raised, you know—

PS: Yeah, that would be a whole different level of—

FO: Yeah, the country of the free press is not allowing its solders coming back from Vietnam to read the free press. It was too big of an issue; I think they—but anyway, I was proud of my rector for backing that up.

PS: Were you the only chaplain from—?

FO: From my house because we were right across the street. It was very convenient.

PS: So there were others from other seminaries?

FO: Well, there might have been. I didn’t know—I know there were a few Protestant ministers that were not students like I was that weren’t in the seminary. They were just—they would be at parishes in Washington DC and part of their duties was to be chaplains at the—at Walter Reed. So most of them were not students, they were actual.

PS: So they weren’t in the same age range as the young soldiers that you were all seeing together.

FO: Yeah, right.

PS: So you were the only one who got in trouble so to speak?

FO: Yeah.

PS: Back to the Milwaukee 14 raid, you talked a little bit about having been contacted by others, George and Dan and Phil [George Mische, Dan Berrigan, Phil Berrigan] when this conspiracy was being put together. Talk a little bit about that and how that worked, how that putting things together and recruiting the individuals happened and where.

FO: Sure. Well—

PS: So this was in the early part of—or middle part of ’68.

FO: Probably May, June, July, right in there. I didn’t know who else in Minneapolis was contacted. George told me that, “We have a handful of people” He said, “We have quite a few people from Minnesota who are interested in doing this. There’s no city picked yet. The inkling is Milwaukee.” So instead, early on, it wasn’t a choice yet but it was, you know, he

00:35:00 said, “Well, the activity going on in Milwaukee around civil rights, housing and a lot of other issues and Father Groppi [James Edward Groppi (1930-1985)], who was the leader of that

movement.”

PS: And that had been going on for some time in Milwaukee.

FO: Several years.

PS: That was percolating then. I remember the open housing demonstrations there connected with his church and elsewhere.

FO: Yeah, people came from all around to go to those. I didn’t. I wasn’t one of the people that marched with Father Groppi from Minneapolis and St. Paul, but I know that people had—carloads of people going there from all over.

PS: Yeah, I went there two or three times.

FO: Oh, did you?

PS: Yeah, sixties, late ’67 or early ’68. I forget exactly but during that period.

FO: So anyway, so George is in contact—he said, “I’ll be in contact once again. Think about your commitment, definitely we’re going to do something this year; can’t tell exactly when.” So there were several contacts like that and then there was a meeting at what at that time was called St. Mary’s Hospital [St. Mary’s Hospital, 2414 Seventh Street South, Minneapolis, now University of Minnesota Medical Center, Fairview West Bank Hospital, 2450 Riverside Avenue, Minneapolis, MN]—that’s where the Fairview Hospital on the West Bank is now.

PS: Fairview/University Hospital as it now is?

FO: Yeah, that’s the East Bank isn’t it?

PS: Yeah, that’s right.

FO: No, that’s the West Bank—what is now called Fairview University Hospital. That was a Catholic hospital called St. Mary’s.

PS: Yes.

FO: And there was a priest that was assigned as the person—there were a bunch of St. Joseph nuns [St. Joseph Sisters of Carondelet] that actually did—they were in charge. It was a St. Joseph hospital. And he was the minister for the nuns and for the patients there. I can’t remember his name. But anyway, there was a meeting there in his office, and I think it might have even been his living space was there also. But I remember—so we met there.

PS: So he was—whatever his name—he was a knowing host of what you guys were cooking up.

FO: Yeah, so here George Mische, Doug Marvy [Doug Marvy (1941-)], Al Janicke [Alfred Janicke (1935-1993)]. I don’t know if Jon Higgenbotham was at that meeting and I don’t know if Brother Basil [Basil O’Leary] was at that meeting.

PS: Basil O’Leary?

FO: Yeah, from St. Mary’s [Saint Mary's University of Minnesota, Winona, MN], he was a professor at St. Mary’s in Winona at that time. But I know that Father Al Janicke, Doug Marvy and I, for sure. I can’t recall if there were others.

PS: There must have been others who were maybe at that but didn’t wind up taking part in the Milwaukee raid?

FO: Yeah, I don’t know.

PS: Local—was Harry Bury ever involved in—?

FO: Well, Harry Bury was at Newman at the time.

PS: Right. So you knew him well, I’m sure.

FO: Yeah. He was a—(phone rings). That’s okay. You know, Harry may have been. There were people that didn’t end up doing the event, that didn’t participate. But it was a small group and it was—that was a precursor. I think the next time we got together, other than just me directly with George to talk things through, or indirectly with any of the other people was when we went to—and I can’t remember if it was a monastery for priests or a monastery for nuns—somewhere out east. I don’t know if it was—I don’t even know what state it was in anymore. Vermont, Maryland, Connecticut—I have no idea. Some other people would probably have better—Doug might even have a better memory of that. But that’s when we met everyone.

PS: That’s when everything was really gelling.

FO: Yeah, and it was not too much later, after that meeting, that we ended up doing it. We ended up gathering in a week ahead of time I think—three or four, two or three days ahead of time in Milwaukee, the twentieth or twenty-second, I can’t recall. I remember Doug Marvy and I flew in on a plane from Minneapolis and by the time we landed we had six or seven drinks and we (laughter) were ready to do anything. It took us a half a day to sober up for the next meeting.

00:40:00 But, anyway, the meeting at the monastery—that’s when everything came together and that’s

when, for the first time, I met Father Bob and—

PS: This is the monastery—?

FO: Out East.

PS: Okay, wherever it exactly was. We’re not talking about just before the September raid, but when everyone was really assembling.

FO: Yeah, when we all—for the first time we all got together.

PS: You hadn’t met each other necessarily before that, some, but not all.

FO: Yeah, I had met Doug and I had met Al Janicke for sure. I don’t know about Brother Basil, but all of us were there for that, including the Milwaukee locals, Mike Cullen [Michael Cullen] and Bob Graf and Jerry Gardner [Gerald Gardner], and, at that time, Larry Rosebaugh, Father Larry [Lawrence "Larry" Rosebaugh (1935-2009)]. They were all there and then the people from the East Coast, Harney [James W. Harney], Father Harney and Cunnane [Robert Cunnane] and Tony Mullaney [Anthony Mullaney (1929-)]. And then Jim Forest [James Forest (1941-)]; I never met any of these people before. I’d heard of a few of them—Jim Forest I had heard of because he was so connected with the Berrigan brothers. And he was really close with the Trappist monk, Thomas Merton [Thomas Merton (1915-1968). I don’t know if you’ve ever heard of Thomas Merton.

PS: Oh, sure, yeah, M-e-r-t-o-n? Right?

FO: Right. Who was actually quite a leader in the antiwar movement, you know. But anyway, we got together there and I assume, but I don’t recall, that’s when we decided that Milwaukee would be the place. Maybe it had been decided before that but not all of us knew yet what place had been chosen. And I know that there was a fifteenth guy who was not at this meeting. That was John Hagedorn, who was doing a lot of the behind the scenes stuff.

PS: Organizing the press and so on right before the event.

FO: And casing out the selective service office. It was fortunate that this one office had so many of the area’s files. Some selective service offices only covered a limited area and then there’d be another one or there’d be satellite offices, but this covered a big area, so it was Greater Milwaukee, not just Milwaukee.

PS: I see, so—

FO: All of the surrounding areas.

PS: So almost a regional office.

FO: Yeah, it was like that, yeah. And they figured out where the inner city records were and so broken down by location.

PS: In the office itself.

FO: Yeah, so Waukesha [Waukesha, WI] was over here. The actual City of Minneapolis—I mean, Milwaukee, was right here and they figured that out somehow. They figured out how to get into the files.

PS: And get the right files so as to become part of the special targeted files.

FO: Right. I would have no personal knowledge of any of that. It’s only what I’ve heard. So it was at—in the monastery—I don’t know how many weeks before we did this that happened. Maybe a month, two months. It could have been two weeks; I don’t remember. That’s when Jim Forest was given the task of doing the first draft of the Milwaukee 14 statement and then we all worked on that again in those few days before the actual action when we gathered in Milwaukee together and worked on that statement, polished it and all signed off on it.

PS: I’d like you to talk some more about the variety of people involved in the fourteen of you, fifteen strictly speaking, I guess with John Hagedorn, too, but before the Milwaukee raid that you were a part of, all of—both of the previous raids with which you were all fairly directly connected after the fact because of the—who got things rolling, keeping this going. But everyone else who’d taken part in one of these had been—had a background—a faith background that was uniformly Roman Catholic. Correct?

FO: Yes.

PS: And for you all, this was the first time that there had been a little bit of a mix in the

00:45:00 number and the variety so to speak of people who were taking part in this raid. It was still

heavily Catholic—brothers, priests, seminarians—like yourself, but more than that, I mean, there was Doug and—

FO: Doug Marvy was the first Jew.

PS: Right. And I forget the name of the fellow who was—

FO: Higgenbotham, Rev. John Higgenbotham. He was a Presbyterian by ordination, but he had become a scientologist. In those days that was really bizarre.

PS: Pretty out there.

FO: Yeah.

PS: And were there others besides the two of them?

FO: Everyone else was Catholic.

PS: Okay, so just Doug and Higgenbotham.

FO: And everyone else had been either in the seminary or the Christian Brotherhood at one time or was a priest. So it was only those two. In fact, no, no, yeah, Jim Forest was Catholic—he was a convert to Catholicism. I think he grew up Protestant but he was a convert. I think Thomas Merton—he wrote books about Thomas Merton. I think Thomas, Father Merton, had a big influence on him.

PS: So non-Catholics were still a distinct minority in this gang of yours.

FO: But they had some influence. Doug Marvy was very influential. You know, he tried to keep things secular and I was not actively involved in the church at that time. It didn’t make a lot of sense to me because of its dance around war and poverty and racism just didn’t make sense to me so I was pushing for a more secular statement and approach, you know. And so was Doug and so was Higgenbotham. And Jim Forest actually, even though he was still very church connected, pushed for a more mutual perspective.

PS: In the event—do you think that the statement—if I’ve ever seen it, it’s been a long time. Did you think that your group statement reflected that or how did that sort of balance out do you think?

FO: A little bit. There was a lot of spirituality in it and a lot of—how would you say it? Not scientific but yeah, spirituality, I guess, religiosity. A lot of it was Catholic. There was no question. But it wasn’t pushed by—it was really pushed by Mike Cullen from Catholic Worker who was very religious. In fact, he was apparently a deacon in the church at this time and he had twelve kids, you know, I mean, Mike and his wife. And I love his wife but he’s a very strict, conservative Catholic. He really wants everyone to—his view on abortion is very, very doctrinal in Catholicism.

PS: You’re talking about now or—?

FO: He’s always been that way.

PS: But, well, yeah.

FO: So a lot of the people there were what abortion means to activists in the church now, about going to clinics and trying to talk people out of it or blocking the way—that absolute approach where this is murder. There’s no other way to look at this. This is murder. Life begins at the joining of sperm and the egg. That absolute perspective? That’s what a lot of people felt around the war. So it was an absolutist kind of approach. I was more into a just war theory kind of, you know. I wasn’t an absolute pacifist. I mean, I grew up in a neighborhood where you had to fight or you felt like you had to fight. You punched everybody that punched you. That kind of a, you know, my dad taught us how to box so we could manage for ourselves. I mean, it wasn’t like I grew up in a house where, you know, the only person you never swing at is your mother. (laughter) If you swing at her, you’re not living there.

PS: But in any event, the array of people in the Milwaukee 14 group—it was quite an

00:50:00 array of belief and orientation then from very strict doctrinal believers in the Roman Catholic

tradition to secular non-Christian.

FO: Right. Brother Basil was a good example of that. Even though he was a Christian Brother his whole adult career and was a professor, what he taught was economics and world history and he developed a program that he brought to Notre Dame after he left St. Mary’s on peace and justice. It was all—there was no religion involved whatsoever in his approach. It was pure scientific, economic and what’s needed to make this world a place where people can enjoy life. I mean, it was entirely non-Christian. I mean, it was all Christian; but he didn’t focus on the religious.It didn’t have a label or explicit flavor like that.

PS: Were there lots of Catholic Worker influences? You mentioned one.

FO: Well, Jim Forest was part of the Catholic Worker tradition, very close and Dorothy Day [Dorothy Day (1897-1980)] in New York. I actually met with Dorothy Day many times when I was in seminary in Washington, DC. I met with her in New York in the Bowery and then up at the Tivoli Farm [Catholic Worker Farm, Tivoli, NY], been a very big influence on my life, but it was more of the community approach, the way they treated everyone the same. It was their approach to poverty and poor people that every—Jesus was in everyone, you know, that kind of approach. And their antiwar stance but they’re absolute pacifists and, you know, I just couldn’t get there.

PS: But anyway, still was an influence in itself as well, not just—

FO: No question; it was a tremendous influence, one of great influence.

PS: Right up there with your time in seminary and—

FO: The way I grew up, everything else.

PS: the official teaching so to speak, huh?

FO: Yep, very much so.

PS: So onto the raid itself. This is pretty interesting. The details of these things always are. What was your particular role? Everyone had sort of an assignment, right?

FO: My assignment was filling up gunny sacks with draft records and, after them being filled up, there were several of us in this category. I was not a general; I was a probably a private, you know. And I was the youngest and so they used my muscles more than anything else, which was fine. I didn’t want to be planning it; I just wanted to do it. I was pretty eager. So I filled up all these draft records and these gunny sacks were big, I mean, you couldn’t carry them. You had to drag them once they were filled up they were so heavy. So the job was to, after filling them, then you were given a signal by Jerry Gardner outside, who had the truck and brought up the red gallon—those red containers, metal containers for gas, like five or ten gallon containers.

PS: The big gas cans.

FO: Yeah, the big gas cans that were common in the sixties. And once he brought those out of the truck, you know, he would signal and then they said start taking them out and we started dragging these out, down the stairs and through the doors and went back up and got more and then the signal was given to get around the fire and then Doug was the one that threw the match on it. So I knew what the jobs of everyone else was. I mean, Larry Rosebaugh was the mildest of all of us and he was to calm down if there were any workers in the building and there were two or three workers in the building actually. We knew there would be two cleaners.

PS: So this was not during regular weekday business hours?

FO: No, it was—I think it was a Thursday, if I remember correctly, Thursday or Tuesday, I can’t remember. I’d have to look; I can look at a break because I’ve got a perpetual calendar. But, anyway, Larry and who else? Father Larry Rosebaugh and was it Mike Cullen and Tony

00:55:00 Mullaney maybe, Father Tony, were to deal with the cleaners and make sure that they didn’t

get to a phone and call and calm them down and get the keys from them.

PS: So there was a plan for restraint as necessary at getting actual entry access by way of keys so this must have been like in the early evening when this was going on?

FO: It was actually more like—it was late afternoon.

PS: But after the offices had closed.

FO: Right, it was probably a half hour after the office closed, or an hour, so it was like five or five-thirty.

PS: Okay, so regular selective service staff people were not there.

FO: No one was there except the cleaning ladies came after they were done. I don’t know how they got into the—I don’t know how we got into the building. I don’t know if we had a key made or if someone had blocked a door from closing. But there were no burglar systems or anything like this. This is, you know, I don’t know how that happened. But we all got in and then immediately people knew exactly what they were told to do and some people were responsible for going and opening the files of the 1A files.

PS: Were they locked?

FO: They were locked and I think a crowbar or something was used to open them. There was an attempt to get keys made but that was too long of a process I think. So—and then the filling of the bags and then the dealing with the two cleaning ladies and then I guess a superintendent came by. She also was addressed and maybe she had been restrained. I don’t know. But I know that all of them the next day received—we got their addresses somehow—and sent them big bouquets of flowers. (laughter) When they testified at trial we asked them about the flowers and they said they were very happy to receive them.

But anyway, I don’t know what everyone’s—I knew at the time what everyone’s role was but it’s faded over the years and everyone—it was very well organized.

PS: So everyone had an assignment for your commando raid?

FO: Right.

PS: And then upon going outside, once the signal is given—time to drag all these records out—what happened then?

FO: So the records are all being brought into this, the middle of this little triangle park, traffic on all sides right in front of the selective service office and we emptied the gunny sacks and tried to burn the gunny sacks, too, right? I don’t recall. I don’t know how many bags there were for ten thousand records but it was—it seemed like a lot. It felt like maybe twenty bags, or thirty bags. It was quite a few. And then when the—we’re all around now and the records are being soaked with this homemade napalm and then the cans are taken back and put in the truck that Jerry Gardner had driven to that spot and removed.

PS: So that was—?

FO: It was moved away and I don’t know where—probably John Hagedorn is the one that probably dealt with it afterward because Jerry would have been arrested. And then we’re all standing around, safe, no open cans anywhere, and then that’s when the fire started. And as—two minutes before the fire starts, here are the newspaper people start coming around with their cameras and they’re filming and they’re photographing both.

PS: So immediately prior to the flame?

FO: Right, immediately—once—I don’t know if they were any news media there while we were soaking the records. I can’t recall, but definitely they were there once we gathered around and the fire was ready to start and hadn’t started yet.

PS: So just before the fire?

FO: Yeah.

01:00.00 PS: Okay, so the press was well aware that something was about to happen because they

had been recruited for this and there’s a well-known photograph of everyone standing with the flame in front or behind the flames. How long did it take for the next stage of this event to play out? I mean, the press was there; you were there; everything was in flame. Eventually, someone must have come with badges and arrested you all.

FO: Well, the next thing was we sang several songs, probably we sang, “We Shall Overcome,” [“We Shall Overcome, by Charles Albert Tindley, 1900] We sang one more song—so I’d say four to five minutes while this was in flames and then fire truck. So the first responders—the first responders were the firefighters who pulled out hoses and put out—and then within a minute or two of them being there, the police came and it was just like one or two police officers from what I can tell. And then within five minutes there was a—what we used to call—I don’t know if it’s called that anymore, a paddy wagon—because we weren’t put into individual police cars; it was just a big—we were all put in the same place. And the police were very polite—well, they were being recorded. I mean, everything—they would have been anyways I think. I mean, they see someone with a collar on and they—

PS: I suppose pretty much everyone who could be was in vestments of one sort of another at that point, right? I mean Doug was not because he was—he had khakis so he was—

FO: He looked like a worker; he looked like a janitor.

PS: Right, and that was part of his role was to be in that kind of disguise sort of so he could do whatever his part was.

FO: Right.

PS: But everyone else looked religious pretty much.

FO: Well, everyone that was a priest or a

End of Recording 1

01:02:08

Start of Recording 2

00:00:00

definitely a minister. Jon Higgenbotham—he had an outfit on that made you think he was a minister and the others were all in collars, black suits and collars, except for Larry Rosebaugh—he was dressed in—well, maybe he was. The people that were not priests—the rest were seminarians; we were all like seminarians. Don Cotton was an ex-seminarian; Bob Graf; Jerry Gardner; me—we were in civvies, you know, and then Jim Forest was in civvies and then Doug was and then—yeah, so—but it was real clear. And Mike Cullen was as a civilian, not a priest. It looked like everyone was—when you see more than two or three together, you know, it kind of blends in and you think everyone is.

PS: So that was the—what seemed to be evident was that this was a bunch of religious people doing something big and fiery.

FO: Right—and wrong.

PS: So they haul you in. So this was the initial arrest and then—and the press was there, recording all of this that went on—then they took you to the jail downtown I assume.

FO: Yeah, it was the Milwaukee County Jail [Milwaukee County Jail, 949 North Ninth Street, Milwaukee, WI].

PS: And you must have been confined for a while after that but how long and when were you charged, things like that?

FO: The first night we were separated.

PS: From each other?

FO: Yeah, I don’t know if there were a few of us in one—we were in typical holding tanks that were used when someone is first arrested, you know, it wasn’t until the next day that we were—bail was set. And the bail was set at some unbelievable number—four or five hundred thousand dollars or something. It was just an impossible task to get that much money together. And so then—that was at the state level.

PS: So you’re initial situation was state district court of some sort?

FO: Right. And then I don’t know how long it took before we were actually charged. I mean, I don’t know how—the arraignment and three or four days. I can’t recall but eventually—once we were arraigned—bail was set before that I think—but once we were arraigned then there was this one big room—big cell with seven bunk beds in it and one toilet, you know, just like typical and so the fourteen of us slept in—lived and slept in that. It was for about a month.

PS: So you were all together then?

FO: Right, they put us all in the same room and the reason they did that, from what I—it’s just all hearsay—is that we were so well-behaved they had, you know, they didn’t—why not just put them all together? They’re not going to do anything.

PS: And no one else will mess with them either.

FO: No, they’re not going to do anything. The worst they’re going to do is fast, which many did—as long as they could. That was in protest of the high bail. And, I mean, you know, we said mass every day. I mean, it was just like being in the seminary. It was really. So eventually, the bail was reduced. Christ Seraphim [Seraphim, Christ T. (1918-1998)] was the first judge that we dealt with.

PS: Say the name again.

FO: Christ.

PS: Uh-huh.

FO: Seraphim, S-e-r-a-p-h-i-m.

PS: That’s the judge’s name.

FO: Yeah, and he was known to be—

PS: Now again, this is eighth district court.

FO: Yes, this is before we had assigned to us the judge that tried the case and he was known for his racism and—

PS: Seraphim?

FO: Seraphim. And for his high bail for anyone that he didn’t like. That’s how we got our bail set. It was eventually reduced and I don’t remember to how much but it was significantly—I think it was reduced to the point where maybe it was just a couple thousand

00:05:00 for each person. And then there was the ability to raise that money.

But I don’t want to get ahead of myself. Then the feds—then the federal government charged us. On the state level we were charged with arson, burglary and theft. On the federal level we were charged with destruction of government property, interference with the selective service system and conspiracy to do both. And there was some going back and forth about who was going to try us first. The feds really wanted to try us first. They wanted to make sure that they could pick a jury. Which became prophetic. But the state ended up trying us first. And the action was in September, almost the end of September, September 24, and our trial was in May the following spring of ’69. When we were released from jail, pre-trial—

PS: When you made bail.

FO: When we made bail, we were restricted about where we could travel without notifying the court. We could all stay—we could all be in our home state; we could also be in Wisconsin but couldn’t travel elsewhere unless you notified—and there was no problem with—I mean, there were no restrictions. I mean, I ended up going to colleges and other places all around the country talking about the war and about the Milwaukee 14 and there were no restrictions.

PS: So practically speaking, you had pretty free rein. You just had to keep the officials informed.

FO: You had to inform or else you wouldn’t have your—you’d be revoked and put back in. So they just wanted to know where you were. And there were people following some of us to various events.

PS: So did most of you, all of you do public event kinds of things while you were awaiting trial?

FO: I’m not sure. I don’t—that was my job. We each had jobs to do when we got done and I think Doug was involved in recruiting I think, you know, the next action. And I don’t know what other people’s jobs were but I was recruited to go to campuses. And our committee, I mean, I got the Milwaukee 14 defense group or whatever—they were very active in setting up speaking tours and I was available full time to do this and so I mean, you know, they, for example, Iowa. Get me on every college in Iowa.

PS: There’s lots of them, too.

FO: Yeah, all of those little ones, Coe [Coe College, Cedar Rapids, IA] and—but I mean, Ames [Iowa State University, Ames, IA], Iowa State, Drake [Drake University, Des Moines, IA], Coe, all of the other little ones, Iowa City [Iowa City University, Iowa City, IA].

PS: Grinnell [Grinnell College, Grinnell, IA]?

FO: Grinnell—all of them. And it would take like—I’d do two or three at a time and then go back home for a week and then go and do two or three more and then move west. And I don’t—North Dakota—I went to Moorhead College [Minnesota State University Moorhead, Moorhead, MN]. The next one was Colorado and there were a bunch of colleges, you know, that was really—there was probably a dozen places in Colorado and then after that, then it was St. Louis, Missouri. Don Cotton was getting his master’s at—I can’t remember the name of the university? Is there a university called St. Louis University [St. Louis University, St. Louis, MO]? There might be.

PS: I’m not sure.

FO: And he set up a bunch of places for me to talk and then the next one was California, San Francisco.

PS: So you were steadily ranging out to one campus or another all across the western part of the country.

FO: Yeah, and then in Minnesota like Carleton [Carleton College, Northfield, MN] and St. Olaf [St. Olaf College, Northfield, MN] and University of St. Thomas [University of St. Thomas, St. Paul and Minneapolis, MN], you know, anyone that would have me. It was fun. I mean, I enjoyed it. (laughter)

PS: So this was in the winter of ’68, to 69 right, when this was going on? Because the trial didn’t happen until spring of 1969.

00:10:00 FO: Right, this was the interim between getting out of jail sometime at the end of

September I think we got out—no end of October. We got out of jail towards the middle or end of October. It was almost a month; it may have been a full month before we got out. So this was like November, December, January—probably February. Maybe a few things in the spring. But I continued to work at TCDIC [Twin Cities Draft Information Center] at the same time.

PS: So during this interim period you were living in Minneapolis even though you were traveling a lot.

FO: Right, and I lived at the Colfax [Twenty-sixth Street and Colfax Avenue, Minneapolis, MN] house. Did you—do you remember the Colfax house? [[1]](#endnote-1)[viz. endnote, p.50]

PS: I’m interested in that. I do and I wanted to ask you about that. Was this the time that you lived in a sort of a community of resistance there? I’m interested in that and what Colfax house was and what it was like for you being there during period.

FO: Yeah, I moved in there—in fact, people invited me to move in after I got out of jail. And I’m not sure if I moved in right away. I was actually living with my parents before that while I was in law school and I continued to stay there until right before the action took place. So I was very connected with my parents and they were very supportive. So when I moved into Colfax, I don’t know if both Dave [David Gutknecht (1947-)] and Doug [Douglas Gutknecht] —

PS: You’ve got to identify that a little bit more there. Dave?

FO: How could I forget their names?

PS: Dave Gutknecht?

FO: Dave and Doug Gutknecht.

PS: The brothers. Not Doug Marvy?

FO: No. Doug Marvy was married and was living in Prospect Park.

PS: Yes. But Dave Gutknecht and his brother Doug.

FO: And several other TCDIC people were living here and not all TCDIC people; several others were. I don’t know who owned the place—

PS: But in Colfax?

FO: Colfax. I don’t know who owned it but it was someone who was sympathetic to the movement, you know, and the rent was probably really cheap—just mortgage and utilities, you know. Or it might have been paid for. I have no idea and I don’t know what the house is used for now or if it’s pulled down. But there were a lot of people living there. And it was relatively a smooth thing, you know, but every community kind of living like that, people had to do their share and if they don’t it becomes a problem. And I don’t remember a lot of—

PS: Difficulties?

FO: difficulties around that. But, you know, we were living pretty simple. Most of us were like living on twenty dollars a month and it was just what they call subsistence living, enough to pay for your cigarettes and whatever.

PS: Yeah, so about how many were living there?

FO: I think about eight or nine; I can’t recall.

PS: Okay, and people came and went somewhat, too.

FO: People did come and go. I think Dan Holland might have lived there for a while.

PS: Could be.

FO: I can’t remember.

PS: So that was your home base for much of the time between arrest and trial even though you were on the road a lot?

FO: Right, that was the main place and I married Jean—Father Janicke was—we went to his parish and found a couple people working there and, you know, got married in two minutes and she was pregnant. She became pregnant or was pregnant, see the baby was born in September so she wasn’t—well, she got pregnant that spring. So we lived there. Then we got our own place. We got our own place probably in—we moved in there after we got released in October and we lived there October, part of October, November, December; maybe January. Then we got our own place for February, March, until the—and the reason we

00:15:00 did was we just needed a little more personal time because I was traveling anyway and then,

you know, I’d come back and [unclear] people and so we just needed some personal time.

PS: Sure. So, getting up close to trial time, you said that there was a certain amount of competition between the state and the federal prosecutors on who’s going to charge you and try you and all that. So in the event, it was state charges of arson and burglary and theft and so on. Did the feds ever charge you ultimately?

FO: They charged us, but the state preempted the feds by picking a date in May to try us and the feds knew they couldn’t get anything together before May so they picked a date in June, two weeks after the—two weeks or ten days after the trial and it was to be ended in the district court, state court. The trial went on for about two weeks so it was about another two weeks or ten days before the federal trial started. We had already been convicted in state court and we actually had been sentenced.

PS: Already—that didn’t take long, did it?

FO: No, it took a week or something before sentencing and then, just a few days after sentencing, once we were sentenced, we weren’t released again.

PS: So you were in custody from sentencing on?

FO: Right. But we were released on our own recognizance after the conviction, after the jury trial conviction. There was about a week or ten days in between.

PS: For a short time, huh?

FO: Yeah, then once we returned for sentencing, then we weren’t allowed to be released again. The sentence started right then. And the following week, something like a week, that’s when the fed trial started. So we had—the federal trial was with—I’m trying to remember his name. Gordon [Myron L. Gordon (1918-2009]? Pretty progressive judge, very well respected. And so during the jury—trying to pick a jury? They went through I don’t know how many people and it was clear that they couldn’t find anyone that didn’t know about the case and didn’t have an opinion.

PS: Because it had been so prominent because your trial had just happened, right?

FO: Right, it was front page news every day of the trial and after the trial, all the way through to the federal court trial. As I said, it was front page news. Milwaukee was very proud of us. We sold a lot of papers.

PS: I suppose.

FO: But anyway, here’s the judge trying to pick this jury and, even if someone said to him, I haven’t heard of this, well, after the judge would ask them some questions, they finally admitted that they knew about it. And he said, “Well, are you neutral? Do you have an opinion about—?” Oh, we don’t have an opinion and he’d ask more questions and everything would come out so his decision was to dismiss. He dismissed the federal trial with prejudice. It meant that it couldn’t be brought again. So it would just be as if it were double jeopardy if they tried, you know.

PS: Yeah.

FO: And he did it because there was no possibility of picking a neutral jury. He said everyone was either—everyone knew about it, first of all, which was not fatal. But the fact that none of them were neutral; they were either for or against us, you know, so he—the people went ape shit. No one has ever dismissed a jury, a trial with prejudice because they couldn’t pick a jury. What they do is move it somewhere else where they could.

PS: Yeah, just do a change of venue, right?

FO: He wouldn’t do it and so it was appealed all the way up to the Supreme Court and the Supreme Court let it stand and wouldn’t take the case. Only one justice wanted to take the case and that was William Douglas [William Orville Douglas (1898-1980)], who had already come—he wanted another opinion where he could talk about the illegality of the Vietnam War and how bad the draft is in a country that’s free. That’s—he just wanted another place to opine.

00:20:00 PS: Another forum?

FO: Yeah, exactly. The other nine—the other eight—didn’t want to touch it so they just let it be. So it’s no precedental value but that was an interesting period.

PS: So if things had played out differently, you could have been tried and convicted more than once.

FO: Exactly.

PS: But it played out so that that was a dead end as far as federal charges were concerned. It’s not like they didn’t want to try you; it just didn’t work out that way for them.

FO: Right, they really did want to try us and they wanted to be the showcase and they wanted to show how firm they could be and so on and so on. Likely if there had been two trials, the sentences would have—at least to the extent that the sentences were similar, they would have run at the same time. The state time would have counted towards the federal time and if there were additional time, then we would have left the state prison and gone to the federal prison.

PS: Talk a little bit about the state trial as it actually happened since that’s the one that did happen, really. What were—were you all tried together in one big trial or was it chopped up a little bit?

FO: Well, it was chopped up somewhat because Mike Cullen was not an American citizen. He was a citizen of Ireland and so he had some separate issues dealing with deportation that had to be addressed so his trial was entirely separate. And Jerry Gardner, the one that drove the truck and dropped the—

PS: Hauled the gasoline?

FO: the napalm, yeah. He decided that—he got—well, for whatever reason; I don’t know what the reasons exactly were. He separated himself from the other group and said he would either plead or go to trial on his own and he pled.

PS: Pled guilty.

FO: Yeah, eventually, he said, “I don’t want to go through the circus. I don’t want to go through this. I can’t do this. It’s too hard on me.” Perfectly understandable response. You know, none of us had anything against him for doing it.

PS: So this was a personal decision on his part. It wasn’t anything to do with the prosecuting attorney or anything like that?

FO: No, it was just—and he may have done a little bit less time or he may have gotten probation; I’m not sure; I can’t recall because I know I didn’t have any contact with him in prison. So I think he may have avoided much time at all by pleading guilty. And then what happened with the rest of us, the twelve, the twelve of us, less Michael Cullen and less Jerry Gardner, we retained Bill Kunstler [William Moses Kunstler (1919-1995)] to be our attorney, who ran the Constitutional Law Center out east and was very active in the Mississippi Summer Project [Freedom Summer, 1964], very active. Thurgood Marshall [Thurgood Marshall (1908-1993)] and he were the top civil rights attorneys at the time.

PS: This was before Marshall was appointed to the Supreme Court?

FO: Right. So he—we would meet periodically in Milwaukee with Bill, our attorney, to discuss strategy and tactics and we were already starting to talk among ourselves about, What if we didn’t have attorneys? What would happen? And some people were, Oh my god. We don’t know anything about this. And, you know, and eventually someone talked to Bill [Kunstler] about it and Bill said, “That’s a great idea. I’m glad to represent you but I’ll do it on a discounted amount but it costs money, you know, lawyers aren’t free, but we’ll give you a great price. But if you do it yourself, this becomes more of a stage for your ideas and for—you can now give reasons why you have done this and there’s twelve of you; that’s twelve opening statements; twelve closing statements and you can each question each of you.” (laughter)

PS: Meaning you can question each other?

FO: Yeah.

PS: So you can each be your—

FO: your own attorney.

PS: You appoint yourself and everyone is an official witness and so on.

00:25:00 FO: But we did have twelve openings and we did have twelve closings, but we would

assign, just for our own piece, just because we didn’t want to listen to each other that much, we’d assign one person for each witness.

PS: So it was partitioned a little bit during the midst of everything.

FO: Right, and it worked. I mean, it actually worked to the extent—I mean, the courtroom was packed every day and there were classes that came from Canada and southern United States—they sent their kids as a class and they were required to be in the courtroom every day or if they couldn’t get in the courtroom to be connected.

PS: You mean like college students?

FO: Yeah, one was a high school and one was a college. It was really interesting that they had and, of course, family members were there; they were given priority to be in the courtroom.

PS: And there was a local support committee during all the trial. That’s right.

FO: And there were news releases every day, of course.

PS: Talk a little bit. Who was your judge?

FO: His name was Gary Larson [Charles L. Larson [sic] (1908-2009)] and he was either coming out of retirement or was close to retirement and he was chosen because he had gone to a seminar—I think it was in Washington, DC, for judges that addressed how you deal with civil disobedience in the courtroom. How do you deal with civil—how do you deal with people that you’re trying for charges for crimes of civil disobedience.

PS: Okay, not in the courtroom strictly speaking, but charges—

FO: How do you manage these volatile people? How do you keep as little information from getting into the headlines that shows the justice system is broke?

PS: So the idea of the seminar was to keep things under wraps or bottled up under the—just managing the courtroom?

FO: Here are the procedures that you use in order to keep these people from having full blossom control. How do you control these people in the courtrooms? Perfectly—it’s the job, you know.

PS: So these were tactical devices that were being promoted but he was a district court judge.

FO: He was a district court judge, yeah.

PS: So the seminar was for people of his kind of judicial standing, rather than federal or maybe—was it for everyone?

FO: Oh, it was federal, yeah. I think it was put on by the feds, probably. Judges from around the country went.

PS: Okay.

FO: So he went through this training and here he’s a very traditional Catholic. He was enamored and wanted to give Tony Mullaney and Father Cunnane one day, you know, it was his feeling. He cried during the sentencing for these people. He couldn’t hold it in. But anyway, Judge Larson was the judge. The two prosecutors were both antiwar individuals, one was black; one was white. They made it real clear to the jury that they didn’t believe in the Vietnam War; they thought it was wrong but that wasn’t the issue here. The issue here is, Did these people do the crime?

So we made the decision to represent ourselves—I don’t know how long—within a month of the trial, maybe two months, I can’t recall.

PS: So each of you did in fact represent yourself? You didn’t have someone who was sort of token—?

FO: No, we all represented ourselves.

PS: So was Bill Kunstler of counsel, or did he—? He was not in the picture.

FO: No, we dismissed him; we dismissed our other attorneys that were local attorneys that worked with Bill, civil rights attorneys that were—one from Madison [Madison, WI] and one from Milwaukee, who gave us advice, by the way.

PS: It wasn’t like you were high and dry all of a sudden?

FO: No, we got advice from them and then we developed our defense and I did some legal research. I looked into—we all did what we could do. We organized really well. I mean, everything was laid out ahead of time; what we were planning to do; who was going to present what theory; who was going to—in what order were the opening statements going to be; who was going to be the questioner for this witness. We brought in expert witnesses from

00:30:00 around the country. One was allowed to actually say anything. The others were not allowed to

talk because of irrelevance, you know.

PS: Who was it who was allowed to talk?

FO: I think it was Howard Zinn [Howard Zinn (1922-2010)].

PS: Oh, yeah, okay.

FO: And maybe one other one that was an expert on international law, on the Hague Convention, and you know, and the international law part.

PS: And the reason this would come into play is because your theory of your defense was roughly what? I mean, this was a necessity defense or—?

FO: It was a necessity defense. What it was was, if you go by a home and you see that there’s a fire in it, and the front door is locked, you have, under the law—you can break down that door, which is usually considered burglary; you can break down that door and check to see if there’s anybody inside. So that was the defense basically. And there’s a statute that deals with that in Wisconsin.

PS: So you certainly must have employed that?

FO: Yes, we did, especially since it was a state charge. And then the second defense we had was that we were charged with felonies and so the property destroyed had to be worth more than—I don’t know if it was a hundred dollars at that time. It wouldn’t be today but at that time I think it was a hundred dollars and our position was those records weren’t worth a hundred dollars, you know. And we went on about that for quite some time.

PS: Trying to get it down to a misdemeanor.

FO: Right, it didn’t work, (laughter) If you want a copy of the transcript, I’ve got a copy if you wanted to look at it.

PS: Well, you bet. That’s something we can see to—

FO: Jim Forest—it’s modified. Jim Forest did it while we were in prison. He got the whole transcript and then he took out all the riff raff, you know, all the fluff and so it got down to the meat but it’s still five hundred pages.[[2]](#footnote-1)

PS: Well, that’s something that maybe should go into the archive at some point so it’s not just—

FO: A couple of my kids have it now. I’ll get one from one of them.

PS: That would be great. So your necessity defense clearly failed ultimately even though it sounds like everyone who was—the judge and the prosecutors in a certain way had a fair amount of sympathy for you guys as individuals but they pressed ahead and you were convicted of what?

FO: Arson, burglary and theft.

PS: All of you equally?

FO: Right. And then some of us were given extra time, not a lot, like thirty days or forty-five days, for being disrespectful in the courtroom.

PS: So for acting up, huh?

FO: Acting up, that was me; Father Jim Harney; Higgenbotham; maybe one other. I can’t remember.

PS: So some differential but based on your courtroom demeanor.

FO: Right, and Judge Gordon, I think it was Gordon—the federal judge also sentenced whoever he—from contempt of court to Doug and I wouldn’t stand when he came into the courtroom so we ended up getting another thirty or forty days each for that.

PS: So even though that federal trial was thwarted in the end, he still cited you for contempt in the precursor to the trial so they got their ounce of flesh on some of you?

FO: Well, I think he was trying to send a message that even though he wasn’t going to try this case, he was still going to follow the law and not let these people disrespect the system.

PS: He wasn’t going to cut you loose.

FO: It was all right. I mean, I think he was courageous for what he did.

PS: Yeah, that dismissal with prejudice—that—you said, that that had never happened to anyone’s knowledge at that point?

FO: No, it probably hasn’t happened since.

PS: A case of any kind. So, you said that you were sentenced fairly soon after you were convicted and that that all happened shortly before the ultimately—before the federal trial. Talk about where you were imprisoned yourself and with any of the other guys and how long and what that was like—this is state prison.

00:35:00 FO: Initially we were all sent to Waupun [Waupun Correctional Institution, Waupun, WI],

which is a maximum security prison for the older population. The other maximum security prison was in Green Bay [Green Bay Correctional Institution, Green Bay, WI] and that was, at that time, they even called it a reformatory liked they did St. Cloud Reformatory [St. Cloud State Reformatory, St. Cloud, MN], now Minnesota Department of Corrections, St. Cloud, MN] but it was a maximum security prison for younger people. But they had more educational facilities at Green Bay. Waupun was a lot of lifers.

PS: So it was a hard rock.

FO: It was a lot of lifers and very well organized prison, very clean and so we all were sent there immediately and Doug and I were the only ones that were kept there. The others were all shipped out within a week or so to—it was a staging area actually. They were shipped out to some camps, forest camps, minimum security prisons and so on. The other ten were sent—I suppose as a result of the sentencing, what was said about us, the sentencing reports and the comments from the judge and the prosecutors about our behavior.

PS: It was a presentencing investigation.

FO: Yeah, and Doug and I were the probably the most vocal.

PS: You were the baddest, huh?

FO: Yeah. So Doug and I stayed there and all the others sent around, and, as you may remember, Jim Forest asked later if he could go back to Waupun because he got more done on his writing there because he was in the cell and he, you know, he was in a cell and he was able just to work all the time on his writing.

PS: Instead of a work assignment for the prison.

FO: Yeah, so I don’t know how many months he ended up going back for.

PS: So he did succeed in getting transferred back?

FO: They transferred him back. Doug spent his entire time there. I, after five months or six months, I can’t remember how long, right around that time, I was transferred to Green Bay because under their rules—again, I was only—let me see, this was 1969, so it was probably the beginning of ’70 or at the end of ’69, I was twenty-five; I was only twenty-five years old, twenty-four.

PS: So you still—

FO: I was too young to be at Waupun, you know.

PS: According to their rules, there was still hope for you.

FO: Yeah, so they sent me to Green Bay and at first I was there and I had my own cell and then after two or three months I went to a dorm and the dorm, the only thing that was private—you get a little footlocker with a key or a combination—I can’t remember. Otherwise everything was out there in the open.

PS: Wide open, yeah. Like a barracks.

FO: Yeah, exactly, which was okay. I didn’t care. I could have done my time standing on my head, but, you know, it’s not like I was there forever. But anyway, I took every class I could; everything they offered.

PS: So there was educational program there like Waupun?

FO: Yeah, I took masonry; I took auto mechanics; I took computer languages; I took—what else did I take? Whatever they had. Those were the main ones. I took some welding; to me it was auto mechanics—I took as many hours of that as I could and then when, through one of the chaplains there, I taught a class on war and peace [the subject, not the Tolstoy novel] which was allowed and that was fun. Most of the students that came were quite young. Most of the prisoners—they were like eighteen, nineteen, seventeen, sixteen, you know. They just wanted to get out of work which was perfectly understandable. It was kind of fun.

With the auto mechanics there, I ended up developing that as my trade when I left prison and I ended up teaching it and I bought an auto shop and I had, you know, there were six other mechanics working that I hired and they each had an apprentice and I mean, it turned out that my training there was exceptional.

PS: Now, back up just a little bit. You had said it was just you and Doug were at Waupun but you got transferred out and finished your time in Green Bay? Okay.

00:40:00 FO: I finished my regular time at Green Bay and then, when I was released

from that, the feds picked me up and took me to—I think it was the jail in Waukesha [Waukesha, WI] where short term federal people—short term federal time was done in that county prison. So that’s jail.

PS: That’s where your contempt time of thirty days or whatever it was—

FO: Right, and then Doug and I and a couple others, Higgenbotham, Father Harney—we ended up doing a little bit more time in state prison because of the contempt that we got from Judge Larson for acting up in the courtroom.

PS: So you bounced back and forth a little bit.

FO: Well, that was just added on to our state time. So we probably spent thirty days more in state prison than like Tony Mullaney did or somebody like that.

PS: Then you went to—?

FO: Then we went to the feds.

PS: Okay for that—

FO: Well, that last thirty days or twenty days or whatever it was.

PS: So ultimately you were in custody between state and federal for a total of like how many months or up until when?

FO: I’d say probably a total of fourteen months total because our sentence was one year and the time we did before—we had—no, we were sentenced for two years concurrently for each of our crimes, okay? And at that time, if you did one year with good behavior, then you were released, okay? So it was—even though it was a sentence of two years, it resulted in a sentence of one year in real time and if one year we spent in jail before we could reach bail counted towards that one year prison term.

So most of the fourteen only spent eleven months in prison because they had already spent a month in jail before we could get bail. The rest of—a few of us spent a year in state prison and thirty days in federal jail—that was the difference. So no one really did much more than fourteen months.

PS: So a year plus a little bit or a year, hopefully, a year.

FO: Yeah, it was basically a year.

PS: Okay, so when you were released, you were still on some kind of supervision, right? I mean, it’s not like that other year goes away completely while you’re on parole.

FO: We were on parole, not for just a year, actually it was—once we had—part of the sentence was that we would be on parole for six years total.

PS: Six years after release?

FO: I think six years total which meant five years after on parole. So we were on paper for some time but most of the parole officers—I know mine did. After a year on parole, or about a year, he had the discretion to eliminate the rest of the parole period. I was no longer on paper after, I think, it was a year. I moved to the country, down in Houston County.

PS: Minnesota.

FO: Minnesota, Houston County, not far from Caledonia [Caledonia, MN], Black Hammer Township so my parole or probation officer—both of them, parole and probation officer—was moved to Caledonia.

PS: Ah, they transferred your supervision to Minnesota from Wisconsin.

FO: Well, they transferred it immediately to Minneapolis and then when I moved, it was transferred down to Caledonia. The guy saw me once and he said, you know, “What are you going to do?”

PS: He thought you’d be good, huh?

FO: He said, “ You got a couple kids; you’re a farm mechanic; you’re working in LaCrosse [LaCrosse, WI] as a mechanic—I don’t want to take up any of your time,” He said, “In a couple months I’ll put in a recommendation that the parole be dismissed entirely.” So that’s what he did so that took me off paper so I could even vote after that. Once you’re off paper you can vote in Minnesota.

PS: Yes.

FO: So meanwhile, the first place we lived in southeastern Minnesota was closer to right above Mabel [Mabel, MN].

PS: Yeah, I know where Mabel is.

FO: Right on the edge of Fillmore County but we were still in Houston County, right on

00:45:00 the border and it was a farmhouse that one of the peace activists that we knew in Minneapolis

it was her father’s farm but no one lived in the house. So we moved there and fixed up the house and did some work for her dad around things and it was a farmer that had pigs and cows and stuff like that around there but they were separate.

So here I am. It’s at a time when there’s—the Weather Underground [Weather Underground Organization (WUO)] is real active, you know.

PS: Can you put a calendar date roughly around this so this is when?

FO: This is 1971.

PS: Okay, and you’d—

FO: I had been teaching mechanics. Shirley and I moved down to this area in the spring of ‘70—in the summer of ’71 or ’72—or was it ‘72? Summer of ‘72.

PS: But you’d been released sometime before that.

FO: I was released in ’70, in June or July or August of ’70.

PS: And then upon your release you—

FO: I taught mechanics.

PS: Where?

FO: At Freedom House High School [Freedom High School, North East Neighborhood House, now East Side Neighbor Services, 1700 NE Second Street, Minneapolis, MN] for a year.

PS: In Minneapolis?

FO: In Minneapolis, on Broadway in North Minneapolis and the main school was at Freedom House—I mean, was at North East Neighborhood House in Northeast Minneapolis.

PS: Right across the river.

FO: Yeah.

PS: Yeah, I remember that garage.

FO: That was called Freedom House Garage. We didn’t know what we were doing, we were just learning by error, trial and error.

PS: But you were—

FO: I hired a couple of good mechanics.

PS: But you were employing your training from Green Bay doing that. So that was the first thing that happened for you out of jail.

FO: Yeah, right. And I taught these kids. I mean, not just mechanics but in order to use, you know, they couldn’t do any mechanics unless they could read the manual and they couldn’t do any work on a car unless they can use a micrometer. I mean, so—

PS: Very basic, huh?

FO: So they had to learn how to—they had to learn better how to read and how to do math. So they begged for time to learn how to do reading and math because they had a goal that was real concrete for them and it was to work on cars. So it really worked out pretty well. It was actually a great theory. It worked in practice. And I hired two really good mechanics that were—helped train me and them because I had so much to learn. But, anyway, that was an interesting experience.

PS: And that [Freedom House] went on for about how long?

FO: Well, I was only there one year. It closed then for financial reasons. It only got so much money from the public school system—it was an alternative school. It didn’t get full amounts of money. And I think it was the third or fourth year for Freedom House School—it was—the year I worked there was the last year.

PS: The last year of its run?

FO: And so we moved—Shirley and I moved in the summer of ’72 to that part of Houston County right above Mabel and here’s what happened. You would have—we decided we were going to grow something, some weed for personal use and it was harvest time in the fall. And we had it all hanging in our kitchen.

PS: Not in the barn, huh?

FO: In the kitchen above the wood stove, you know, above the cooking stove and all of a sudden, this cop and FBI guy show up at our front door of our house. And I’m thinking, Oh, my god, if they see this they’ll take our kid away, you know. Chris and Julie—she was four years old.

PS: Were you already off paper at that point or could have been violated then?

FO: No, I was not off paper, not yet.

PS: You could have been—

FO: That’s why they came there. They knew where I was because they followed the paper trail and they thought we were hiding two Weather Underground people who I never knew. I never knew them.

PS: So they were on a manhunt but not for you?

FO: Yeah, and they knew they were in Minnesota so they—and no one in Houston County—no one knew what my background was. I never told anybody so we didn’t go into the house. We kept them on the porch and we talked to them. We were civil and just we don’t

00:50:00 have any connection. I have no idea who these people are. What did they do? They wouldn’t

tell us what they, you know, I don’t even know what they did. But they were refugees, like Hearst [Patricia Campbell Hearst (1954-)] or something, you know.

So they left and I thought, Man, we have to—you know, this could be more serious than I had any idea of. These people can show up any time so we moved. We moved to above Caledonia to Beaver Creek Valley [Beaver Creek, MN] just to get away from the buzz around there, you know, because, of course, the sheriff told everybody what was going on. It’s a small town. But it didn’t get that far, at least not right away and by the time it did, we’d already established our reputation and we made our own friends and so on. But it was a pretty scary event.

PS: And you were using your kitchen differently I suppose.

FO: Well, yeah. I mean, what the hell, we’re growing carrots and onions—well let’s grow a little of this for our own use, you know. And we had a perfect setup because we put it right next to the fence posts where the cows were and the cows didn’t like it and so if a plane flew over they couldn’t see it, you know, so how much do you need? So we moved over to Beaver Creek Valley and that’s my—after that—that’s where I got off paper and was a free person again.

PS: I didn’t ask as much as I wanted to about—backtrack a little bit—but I want to go into the future as well. When you were at law school, well, when you were at law school here and when you were at seminary, was—or well, later on you went back to law school.

FO: Yes.

PS: And we’ll get there. Were there things going on on any of these campuses that were exposing you to, I guess, resistance ideas or peace activities that were above and beyond the contact that you had with Twin Cities Draft Information Center? I mean, there were teach-ins and things like that during some of these periods. Were any things like that ever part of the picture for you or was what happened? I assume there were in Washington—

FO: Well, the Vietnam War was really going—

PS: Hot.

FO: when I was in Washington. Before that, it was certainly going on in the early sixties up to the mid-sixties. But it was—it had not become the full-blown tragedy that it became and not everyone had someone there that they knew or was related to them who was subject to being hurt. Nor did we have the TV coverage that showed what was happening to all of the Vietnamese and the Cambodians and the Laotians and the, you know, whatever, to any of them. But that started really heavy when we were in the seminary and became even more so once we got out, once I got out and back to Minneapolis in ’67. Sixty-seven and sixty-eight were really high times.

When I—it’s one of the reasons I left the seminary. I found that it was being ignored by the church and by the educational facilities. I mean, you know, by the—it wasn’t dismissed offhand but it was given like one second or ten seconds of time, saying war is bad and then moved on. Kind of like how poverty was dealt with. You know, if you weren’t actively involved in the War on Poverty, you really didn’t know what was going on at all with that whole issue.

PS: Nothing was brought to you about any of that. You had to find it on your own.

FO: Yeah, and instead of the church, you know, my kind of looking at the church the way I thought of the church was that it should be on the cutting edge around certain moral issues. It

00:55:00 should be out there. It should be alternative culture rather than just mainstream. It should be

an alternative to the mainstream culture in terms of its ethics and its foresight and all that and it wasn’t. It was actually way in the back.

PS: So your involvement with all the other religious people and others who took part in the raid, did that feel to you then like it was in a different way a special or a different kind of community of belief than what the dominant church you’d grown up in was feeling like then?

FO: Yeah, that’s probably a good way to put it. The main value I learned growing up a Catholic and in my home and in that institution in school was the idea of love of your neighbor and kindness and mercy. That’s what the focus was until I got older and then they were more concerned about dogma and church organization. Once I got into the nitty gritty of the church, I wouldn’t say that it was tertiary, all the goals, but they certainly were secondary and it was—I no longer felt like I needed that organization to support my values or to promote my values. In fact, it looked to me like it was an interference in what I thought was important in life.

PS: So it was like—?

FO: It was irrelevant. It became irrelevant.

PS: So you were moving sideways or moving ahead or somewhere to a more fully faith-based faith community than what the church had become for you?

FO: Or un-faith based but just—you hang out with people that did what they said, you know. More of a—less hypocrisy. More direct talkers. You know, like Twin Cities Draft Information Center—it became a place where you could actually trust the other people because you’re all working for the same thing, you know. It seemed that way. It was actually a form of—I hate the—community—it’s an overused word; it’s used incorrectly—but it had its own purpose and there were a certain amount of postures or ways that you did things that were compatible with that. So people really did listen to other people. There was an effort to actually—it was almost like a Friends meeting. I mean, there were—people actually were given time to say what was on their mind, you know. And people—well, everyone did a little bit. I mean, obviously we were still human beings, but the politics in the organization didn’t discourage me or work against me. I mean, it didn’t feel like power was an issue, you know. It may have felt that way for some people but it didn’t feel that way for me.

And that came from what we were doing, you know. What were we doing? We were trying to help people avoid a miserable war and almost everyone there, I think, pretty much anti—well, they were certainly anti-Vietnam War. And some of them were out and out pacifists for sure and some were anarchists. It was part of the anarchist movement, you know, the—fine with me.

PS: You didn’t feel conflicted about doing that compared to having sort of a mixed feeling about being in the church proper?

DO: Right.

PS: And, interestingly, TCDIC is probably about as secular and ephemeral an institution as you could find.

DO: Absolutely. That was one of its beauties—that was that kind or anarchistic vein that was running through the leadership. In fact, David Gutknecht—he had a meeting. I don’t know if you—were you involved in right—were you involved with TCDIC in ’69?

PS: Yeah, somewhat. I mean, I was being counseled there in ’68 before I registered, counseled a little bit and then later on, after I did go ahead and register. So I was in and around there but I wasn’t like a principal person. I was more of a recipient than an operator.

01:00:00 DO: Well, there was a meeting after I got out of jail on bail with the leadership of Twin

Cities Draft Information Center and they wanted to discuss the statement of the Milwaukee 14, because they had some criticism about it and they wanted to make sure where I was at and what my opinion was and I agreed with everything that they criticized. It was the spiritual aspect of it. It wasn’t grounded in what? Experience basically. And so, it was an interesting conversation. It was just a challenge, you know, they were challenging what was in writing. You know, I thought it was a great meeting.

PS: I’m sure I was not at that.

DO: But anyway, that was—that became for me an organization, a program that reflected more of who I was and what I wanted in life and what my ideals were than the church.

PS: Well, back to your after prison time. So you were running the shop for a while at Freedom House and then started doing the same sort of thing in Houston County. I mean, you were still doing a garage or auto mechanics there for a while at least?

DO: Well, when I first moved there I did—I worked on farms fixing machinery for farmers.

PS: Tractors and whatnot?

DO: Yeah, and meanwhile, I applied for and got a job in Spring Grove [Spring Grove, MN] working with a mechanic who had a shop there -

End of Recording 2

01:02:08

Beginning of Recording 3

00:00:00

FO: in Spring Grove. Elmer was his name, great old guy. He grew up there; lived there his whole life and he absolutely believed that we needed a revolution. (laughter) “Cut out all war,” he said. “Let’s start taking care of our people. There’s no reason that anyone in the United States is impoverished,” you know, went on like that. So we worked together for about a year, you know, and I brought in some of my own clients but I was working under him and doing work for him so he was kind of like my boss for a year and then—maybe it was a little less than a year.

Then I went to Eich’s Chevrolet, which is a dealership in Spring Grove and worked there. Elmer introduced me to Eich, old time Republican guy; he didn’t smoke anymore. He chewed his cigars and he swallowed them. Great old guy and he loved politics and he knew Elmer had told him. He said, “You’ve met your match with Freddie.” So that’s probably why he hired me. He just wanted to talk politics all the time and have someone that was good enough to be an opponent to him that he couldn’t slice and dice. So we had a great time. I worked for him probably for Eich’s Dealership about eight months. The pay was really bad. I mean, I just—I was having another kid so I applied in LaCrosse, which was about a thirty mile drive and worked at Eversole Motors Dodge Dealership [Eversole Motors, now Pischke Motors of La Crosse, 434 Fourth Street South, La Crosse, WI] there and became a front end mechanic there until we moved back to Minneapolis and that was about a year later. We moved back—

PS: And in calendar time this is about when?

FO: We moved back to Minneapolis right around the time our son was born. That was—he was born in August of 1975 so we moved back just two months before he was born.

PS: So you were just thirty years old around then?

FO: Yeah, I was thirty when he was born. And so I mean, I was offered fifteen dollars more an hour in Minneapolis than I was in—that was the difference in wages. Fifteen dollars an hour difference being a trained mechanic in a dealership in southern Minnesota or southwestern Wisconsin and Minneapolis. That’s a lot of money. So I worked for a shop for a while on Lake Street and then got involved with what was called at the time The Car Shop and it was almost a co-op, but it was actually had private ownership and I bought into it. And—but we served the co-op community at that time and then eventually the other two people that owned it stopped working. They went and got different jobs. They didn’t want to be mechanics any more. They were starting to feel arthritic so I bought them out. So now I was the only owner of Car Shop and then I eventually turned it over to the co-op movement.

PS: Now for people reading or listening later, the co-op community and the co-op movement that you’re referring to pretty much meant the Twin Cities Food Co-op Network.

FO: Yeah, for a while there was a hardware store that was part of the co-op and there was—but it was mostly grocery stores.

PS: Yeah, okay.

FO: And so—and when I took it over—the co-op—I mean, The Car Shop, there were room for six stalls that we rented. We didn’t own the property so I hired a bunch of mechanics and then brought in a bunch of kids that needed training.

PS: Sort of like what you’d been doing at Freedom House.

FO: Yeah, except bigger scale and more professional, you know, I’d learned a lot. And I wrote a training—I wrote a manual, you know, on each—the electrical system; the hydraulic system and all—each system and trained them.

00:05:00 PS: So a curriculum.

FO: Yeah, and they loved it. It was great and they made money. Well, when they worked on a car they got paid. They didn’t get paid the same as the mechanic that was in charge of the car, but they got paid and it worked out really well. But that was fun and then I did that until I decided I needed more time with my kids before they were grown up and the only way to do that was to not be a mechanic, not run a shop. So I decided to go back to law school and that’s when I started applying and ended up at Madison [Madison, WI].

PS: Ah, so I mean, you had been briefly at law school here at the university but ultimately you went back to law school at UW-Madison [University of Wisconsin, Madison, Madison, WI].

FO: Right, and my first semester counted towards—it still was good almost every class, which was interesting.

PS: This was in what year?

FO: Sixty-seven I went back—no not sixty-seven. Seventy-seven I went back to law school. I was ten years older than most kids that were there and they were all twenty-two and I’m thirty-two, which had an advantage by the way because you had more experience; you knew the scientific method; and didn’t get freaked out by a test. But the other thing—what was good for me was this was where my—I think the second time—this is the second time that my experience with the Milwaukee 14 and the consequences of that were of great advantage to me.

The first one—well, there’s several—but learning mechanics was one of them. The whole experience was rather incredible. This time around, you know, I had to tell them what my background was in my application.

PS: So you had a background check.

FO: Yeah, and the professor said, Look, we have to get this kid in here. We need this kid in our law school because look around, what do we have in our law school? We’ve got three black kids, you know, women were starting law school then, you know. He’s been in prison; he stood up for his rights, yada, yada—he’s got kids that he’s raising; he owned his own business. We need him. And we’re not going to get him unless we pay for everything. So it was an absolutely full scholarship including housing and then, along with that, obviously they couldn’t pay for everything, but I was a priority for work/study so I had two work/study jobs. One was preparing vegetables in the morning for the student union cafeteria and the other one was working in the library, which was the one that was—where you could do your homework while you were getting paid. And then eventually I worked for a professor and so I did the professor’s work while I worked in the library so I was getting paid twice which was permitted. It was okay to do that; it was permitted under the –

PS: There was no subterfuge in that.

FO: No, I did it openly—I asked. I mean, I didn’t want to, you know. So that was a great—and that was a good experience. Being older really made a difference but and I hooked up with some people that were pretty principled and trusty and it was kind of a fun three years. I commuted most of the time. Part of the time the kids lived with me at Madison; most of the time back home. And so in Wisconsin, you don’t have to take a bar exam when you’re done. If you went to school in Wisconsin—and there’s two law schools in Wisconsin. One was University of Wisconsin and the other one’s at Marquette [Marquette University, Milwaukee, WI].

PS: In Milwaukee?

FO: Yeah, University of Marquette in Milwaukee, and the deans of those two law schools—it was up to them. If you met minimum standards—you had to meet minimum standards from your exams and so on—it was up to the dean whether or not you were going to be admitted into the bar. And most of it was rather routine but in my case, being a three-time felon, I, you know, there was a couple more steps to go through and I had to interview with them and so on and he didn’t know what to do. So my professors—they were all in, you.

00:10:00 know What’s going on here? You know, the ones I’d worked for. So they went to the dean

and they made it clear to the dean that he had no choice here. So I was admitted into the bar in Wisconsin and then the federal bar in Wisconsin. And when I came back to Minnesota—

PS: So this would have been in 1980 roughly?

FO: Nineteen eighty, summer of 1980, come back to Minneapolis and I have to sit for the bar exam here to become a licensed Minnesota attorney so to sit for the bar in Minnesota I had to disclose my history and, of course, that all comes up, all the charges, the case numbers, federal and state and the whole package. And they wanted to see me. I had to go before the bar examiner—before the bar examiners, the board of bar examiners. And there were several lawyers on it but there were a bunch of lay people and most of them were farmers so it went back years. I mean, the good old days when farmers were actively involved in administration of the country, you know. So they asked me right out, If there was going to be another war like Vietnam, would you break the law again? And my answer was, “I’ve already sworn before I entered the bar in Minnesota, I mean in Wisconsin, before the Chief Justice of the state and before the Chief Judge of the federal district—I swore before both of them that I would honor the laws of that state and the constitution.” So I didn’t really answer the question but I answered it enough to satisfy them.

And one of the lawyers on the board. I don’t know—this is pretty—and one of the farmers said, If there were a hundred like him, I’d have them all become lawyers. We need people like him. And that was such a great response from this guy it really encouraged me.

PS: What a great thing to hear.

FO: Yeah, it was a great to hear.

PS: When you wouldn’t have planned for anything like that.

FO: No, so that—and Bill Tilton [William Tilton (1947-)], who was part of your group, the Minnesota 8—was it eight?

PS: Yeah.

FO: I thought it was a nine but there wasn’t really—he was the first to enter—be licensed in the State of Minnesota after being convicted of a—

PS: Of a felony.

FO: crime of this nature. Yeah, antiwar crime; anti-draft crime. So he led the way.

PS: But that was before—?

FO: He did that before me, yeah, he must have done it a couple of years before then. So that’s that story.

PS: So at that point—so this was in—?

FO: Nineteen eighty.

PS: Nineteen eighty and so you’ve been back here since then?

FO: Right. In 1980, the kids and I—there were three children at that time. Julie—that was 1980 so Julie was eleven; and Sonya was five or seven, and Jesse was five. They moved in with me and my father in the home I grew up in. My mother had died.

PS: Back in Northeast?

FO: At Northeast in the house I grew up in on Buchanan and so my father—my mother had died a few years before that—and all of us kids were around and he was actively involved with their families. But he was a little bit depressed and a little bit lonely and so I said, “Dad, you know, we’ll take care of everything, you know, you don’t have to pay for a thing. It would be really nice if you were home when the kids got off the bus but other than that, and if you want to learn how to cook, I’ll help you learn how to cook—he never cooked. And so that was 1980. He became his old self again, having those kids be around, and it just made him enlivened and younger and he wanted—he was eager to learn how to cook and he became a heck of a cook and it was really a fun experience. And so I bought the house from him so he’d have some extra cash and, you know, so during the winter he’d usually do some things out of town and so it was a great relationship and it was great for the kids to have two adults rather than one that was going to raise them.

00:15:00 And then I remarried in ’85 and Fay moved into the house and she had a little four-year-old,

a girl, and her friends told her, You’re going to move in with two men and three kids and you’re going to bring your little girl into this and you think it’s going to be smooth? You know, Fay and I were doing some step-family counseling but it—the merger—there were always some struggles but my father was a great—I mean he was welcoming and he had nothing that he was going to claim as his own as far as territory so we had three adults now with four kids instead of two with three and, you know, it worked out very well. And so then my—so that’s—that was years ago—that was back in ’85.

PS: Wow, so you’ve covered a lot here. At this point I’d like you to talk about your—you’ve done this a little bit already; your reflections back in 1968 and before and after and at this age we’ve all had lots of events in our lives but that had to be a pivotal big event for you and something that you’ve reflected on more than once I’m sure. But how does all that seem to you now? Do you think that it, you know, do you have regrets? Was it worth it? Do you think you influenced other people? Had an effect on the public in a way that you have feelings about? Public opinion, stuff like that? Just, you know, that sort of—from a bit of a distance, how does that all seem or feel to you these days?

FO: That’s a really good question. I kind of—well, there’s no question it was a pivotal time in my life, absolutely no questions. It’s just pivotal as decisions around marriage and divorce and jobs, you know, significant jobs in your life. But it’s not my whole life. You know, once I started raising a family and going back into the community and becoming part of a community again, just an ordinary community, it starts to fade. It’s always there; it’s something—it’s like military service for someone that went to Vietnam. It’s always going to be part of their life but hopefully it won’t control them twenty years after the fact. You know, you want that to be something that becomes something that’s honored, personally honored for your efforts and in terms of—it’s always been an honorable action for me. I’ve never felt like it was dishonorable. I consider it my time—my war time, you know, just like going to—I know it’s different than war; I don’t mean that I, you know, I was a soldier in that way but it was my way of dealing with the Vietnam War in an honorable way that had an impact on others.

And it did have an impact on others. I think it was one of the things, along with many, many others—draft resisters throughout the country; those kinds of activities where there were raids on draft boards at a heightened level that started making—started happening more frequently. Parents protesting the war; Vietnam vets coming back and protesting the war—all of that was part of a thing that actually had a tremendous impact on the nation and actually was responsible for ending the Vietnam War along with the fact that we’re not very good guerilla warfare people.

On the other hand, it would be illusionary to think that you had an impact on the long term because now, I mean, how many wars have we been in since and what is our conduct toward other nations? What is our conduct towards indigenous people in any place? But, it still had its

00:20:00 impact; it was still an honorable thing to do and, you know, as I grew up with my children, as

the children grew up, I mean, I told them about it at the right time, just like you tell somebody about military service or Peace Corps or Vista [AmeriCorps VISTA (Volunteers in Service to America)] or any of those things that are all good things to do. It’s part of your experience. But I never made it the center of my life. It was only the center of my life when I was doing it. That’s when it was the center of my life when it was actually part of my everyday life.

So it’s historical. Everyone knows about it that I’m close to and we move on and, you know, I enjoyed the fiftieth anniversary but in some ways, it was like going back in a way that I, you know, Bob Graf is, you know, this wonderful person who organized all of this but he still lives that stuff day to day. I mean, he’s deep into the Catholic Worker and into the not recruiting at Marquette—I mean, he’s still an activist.

PS: Talking about the fiftieth anniversary. This is about six weeks ago. The fiftieth anniversary commemoration of the Milwaukee draft board raid that you were at in Milwaukee, that I was at, too, and that’s the anniversary that you’re talking about.

FO: Right, right. And, you know, Bob still—he hasn’t changed except he’s, you know, the way he’s changed is he’s gotten a little older but he’s still out there doing things that he did back then and it’s the center of his life and god bless him, you know, it’s selfless. It’s—he’s like a Catholic Worker kind of a guy even though he doesn’t run a Catholic Worker house he’s actively involved. And Jim Forest is still active, you know, at a more the cerebral level but, you know, very much in the peace movement and I don’t know who else is. Mike Cullen—

PS: Kind of a more rare birds these days.

FO: Right, and, you know, I—at one time I thought, Well, you know, should I be more active around? And I felt, you know, I’m just going to do what feels right to do as I move forward in my life. I’m going to stay honest to myself. But it doesn’t mean I have to be involved in every political activity that happens from then on. I’m pretty choosey about what I get into.

PS: Well, in your legal career, I don’t know about early and middle, but lately you’ve been working a lot with—well, you’ve done a lot of pro bono work and—

FO: Since 1980 when I became a lawyer, yeah.

PS: right along, a lot of pro bono work, right?

FO: Right. More in the last twenty years.

PS: And your focus—a lot of it has been having to do with family law?

FO: Domestic violence—yeah, a lot of my pro bono clients have been involved in domestic violence as a victim and then others—a lot of—90 percent of my VLN, Volunteer Lawyer Network, pro bono stuff has been around family law. The other group that I have donated a lot of my time to is A Chance to Grow [A Chance to Grow, 1800 NE Second Street, Minneapolis, MN]. Do you know anything about Chance to Grow?

PS: I’m not sure if I recognize that term or not.

FO: Yeah. It’s an organization that started—I was part of starting it back in the early eighties that works with kids that are having a hard time with learning. It could be because they’ve had some brain injury or it could be because of their environment.

PS: Like lead exposure?

FO: Yeah, the lead—or bad parenting or no parenting or the results of severe poverty. So the program works to get the kids to their maximum learning potential and for some there’s a plateau because of a brain injury or lead poisoning but others—there is no plateau because what you’re doing is neurologically doing what should have been done like when they were two or three or four or five years old. That opens up a whole new world to them and they become college kids and doctors and lawyers and professors and whatever. So there’s two groups of people. Some that—the brain injury is permanent and some, it’s just a deficit.

00:25:00 PS: That can be overcome.

FO: And Bob DeBoer, who just resigned as director and his wife Kathy—they’re co-directors, they were involved in the co-op movement back in—do you remember the name DeBoer?

PS: Sure.

FO: Yeah, and he was a polio victim so he was on crutches. You ever see him he was on crutches. Now he’s not strong enough to be on crutches. He has an electric wheelchair. But that goes way back to my involvement with The Car Shop and he’d come over and want to change his own oil and do all that and we bonded and became friends and so I’ve been involved with A Chance to Grow since ’80 but those are things that—those two things that I do as part of my profession that makes sense to do—that there’s not—you don’t get a lot of recognition for it but you see a lot of value in it because people—you actually see something happen that helps people.

I mean, when I help someone for free that can’t afford to pay, they get Class A work—it’s not like the brand new public defender representing a murder victim. Here they’ve got a lawyer that can charge a six—five hundred to six hundred dollars an hour in family law and they get him for nothing and the reputation’s there and things just unfold for them. And it’s, you know, kind of fun.

PS: Well, yeah. It’s like a personal code playing out—

FO: Yeah, right. It’s kind of fun. And this thing with A Chance to Grow—I’m their legal counsel for—since 1980—and I’m chair of their board and it’s not until A Chance to Grow got up to the point where it could pay other professionals, you know, ten years in or whatever it was when it started having enough income where it could actually hire a CPA, you know, they had to have the right tax returns for nonprofit organization. And they started hiring fundraisers and, you know, that kind of stuff and occupational therapists and PTs and I said, “Well, other professionals are being hired. You’re going to have to start paying me but I’ll charge you half of what I usually charge.” And that’s worked out well, too.

PS: Just to back up a little bit. You mentioned Bob DeBoer—that’s D-e-capital B-o-e-r, right?

FO: Yeah—Capital D, then an e, then a capital B, then o-e-r. DeBoer.

PS: Okay.

FO: Yeah, it’s like Dan Holland. It’s that Dutch thing coming out.

PS: Yes, yeah. I feel like from the things that—I started out being interested and you’ve read the—I’ve covered the ground about things that I think are interesting here. Are there things that you’d like to add or highlight or say, Hey, you missed that or—?

FO: Well, the time between release from jail on bail to the time of the trial—it was amazing. The feel of that period where—and all these young kids that were so invested in stopping this war. I mean, every college—they couldn’t have—I’ll bet 80 percent of the people on campus whether they were adults—I mean whether they were staff or whether they were janitors or whether they were students—were against the war. It certainly felt like it. They were begging for information. They were begging for things to do. I mean, everyone wanted to stop this war. How are we going to do it? Well, obviously, I didn’t tell all of them

00:30:00 they should go be burning draft records because that’s a very personal decision. But at least

talk about it. Talk to people about this. Let’s see if we can figure out something else to do. What are you going to do when it comes to being drafted? How are you going to deal with that? I’m not saying you should not be drafted; you should resist the draft but if anything deserves thought that whole process deserves thought. And it was a time when young people were reacting, you know. A lot of them were going through—they were not using the approach of a Twin Cities Draft Information Center. They were running scared.

PS: Sure.

FO: And they were, you know, rather than making informed decisions, so—but I can’t blame them. I mean, so the job at the time was doing—help people make good decisions basically and it was an important time. I really enjoyed that period of time. Yeah, that’s all I have to say.

PS: So you were sort of an on the road counselor.

FO: Yeah, or referred them to people. I’d find out who was doing the stuff in their town and I’d hand out their literature or have them come and speak with me. I mean, you know, it’s called organizing.

PS: Sure.

FO: You know what that’s like. That’s all—that’s all I have to say.

PS: All right. Well, we may want to pick this up again sometime later if there are other things that pop into the thoughts and talk about documents and things like that but thanks a lot.

FO: Well, thank you. I’m glad you’re doing this. It’s a nice project.

PS: Well, I’m glad to do it and more than happy that you’re taking part in it.

FO: So are you going to interview yourself?

PS: No, no, that’s—I’m going to turn this thing off just so we finish the recording here.

FO: Okay.

End of Recording 3

00:32:05

1. About Colfax House: This information per Dave Gutknecht (of Twin Cities Draft Information Center [TCDIC], and a prominent draft resistance leader).

   Colfax House, at 2600 Colfax Avenue South, Minneapolis, MN, was owned by local draft resistance supporters Jim and Mary Ann (sic?) Gage. From Fall 1968 until late 1971 or early 1972, fourteen to nineteen people lived there. They paid for the monthly mortgage installments, and for the utilities. The individuals living there varied over time, and included Dave and Doug Gutknecht, Judy Heimel, Ed and Sue Plaster (Ed was a draft counselor at TCDIC), Fred Ojile (Milwaukee 14), Dan Holland (draft induction refuser), Scott Alarik (refused to register for the draft at age 18), and many others. Most were involved with draft resistance or women’s liberation, either part-time or full-time.

   There were three full floors, mainly bedrooms, but also with common areas on the first and second floors. It was a collective household, with regular meetings and shared duties. Some of the kitchen shopping was done at People’s Pantry (the area’s first new-generation buying club) in the West Bank area. [↑](#endnote-ref-1)
2. A copy of this document, of about 220 pages, is one of the items included in the archival materials attached to this oral history project. [↑](#footnote-ref-1)