

I graduated from Columbia College in 1968. What follows is a lightly edited version of my contribution to a panel discussion at my class reunion 20 years later on May 28, 1988. Most of the other talks concerned the student strike and occupation of buildings that took place on campus in the Spring of 1968.

Columbia Reunion Talk

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When Nigel Paneth first asked me to participate in this panel, I was reluctant to do so because I didn't think that I had anything of particular interest to say about the strike itself. At his suggestion, I am going to talk instead about my experience as a draft resister.

The issue that loomed largest for me in the Spring of 1968 was not the gymnasium, or Columbia's affiliation with the Institute for Defense Analysis, or the right of students to hold indoor demonstrations. It was the war itself and the prospect of military service. I didn't participate in the occupation of buildings that began on April 23rd, but did play a small role in organizing the Moratorium Day a few weeks earlier during which students were invited to consider alternatives to the draft.

That Spring I had not yet made a decision to return my draft card. Indeed, not much earlier I had requested and received a new deferment (a 2A classification) that would allow me to spend the year after graduation in Berlin on a Fulbright Fellowship. But I was increasingly attracted to the idea of open draft resistance. The fact that I was unable to go along with friends in SDS that Spring probably played a role. It always made me uncomfortable that one particular program for radical political action claimed the entire field at Columbia in our senior year. It became important to me to find an alternative.

The final decision (to return my card) came during my 12 months in Germany. Somehow the experience of living abroad, particularly in a country with its own special history, provided the final impetus. The realization that I was tied to America, that I could not live elsewhere without a genuine sense of loss, made it seem all the more important that I take a strong public stand in opposition to the war. I was not going to carry a draft card. I was not going to request an extension of my deferment. And I certainly was not going to accept induction into the Armed Forces.

At the time of my decision, I was not under any illusion about the impact of individual acts of draft resistance. My stance was primarily a personal one. (I had to do it.) But I did have some hope that, collectively, these acts might make some difference. Perhaps that was naive, but I still don't think the idea was completely crazy. During the period of the war, millions of men were inducted into the Armed Forces. If only a relatively small critical number had refused – a few thousand, perhaps – it would have been difficult for the Justice Department to prosecute all of them. And if that critical number had been reached, many more men might have refused subsequently, even if they personally had little concern for the morality of the war. The hope was that eventually so many men would be illegally avoiding military service – without penalty – that it would be politically difficult to maintain draft calls.

In any case, when I returned from Germany in the Fall of 1969, I wrote to my draft board and informed it of my decision to refuse military service. (I also enclosed my draft card, cut into two pieces, in the envelope.) I was then just beginning graduate school. After that, nothing happened, nothing at all, for a very long time. It was rather disconcerting! I was all prepared for the FBI to arrive at my doorstep. But it never did. It is my impression, in fact, that the Justice Department rarely prosecuted men merely for returning or destroying draft cards. Instead, it waited until they refused induction.

Eventually, over a year later, things did come to a head. I hadn't been overlooked. A notice arrived ordering me to report for induction at Whitehall St. in lower Manhattan at 7 am on a certain day in November of 1970. I have vivid memories of that morning. It was my big moment. I had been waiting in anticipation for a very long time. But once again, I found myself feeling somewhat deflated. After just a few minutes, a sergeant stood up in front of the room where we were assembled and said: "All you men who are going to refuse induction, line up over here." I followed orders and did just what he said. At least I did not salute.

Later that day, things became more serious. I refused to step across the symbolic line and was immediately arrested. My trial came three months later. At this stage things moved quickly.

The trial (i.e., my first trial) was of some significance because it did not end in my conviction. The judge had summarily rejected all of our pre-trial

motions concerning the constitutionality of the Selective Service Act and the war. He instructed the jury that the only issue for it to consider was whether I had, in fact, knowingly refused induction – something that I never denied. My motivation was declared irrelevant, as was the morality of the war in Vietnam. Given that charge, there was no reason why the jury should have been out for more than five minutes. But, in fact, it remained out for several hours and a growing sense of excitement entered the courtroom. Word apparently spread and reporters began to appear. In the end, the jury was hopelessly deadlocked and the judge had to declare a mistrial. He was livid. Mine may well have been one of the clearest cases of jury nullification during the period of the war.

My second trial came just three weeks later and this time there were no surprises. I was convicted and, eventually, sentenced to a short prison term – six months.

I did most of the time at the federal prison in Danbury, Connecticut. There were a few grim things that happened in the prison while I was there, but I personally never had any difficulty. In some ways, it was a good experience, quite apart from the reasons that brought me there. I came to be close to some wonderful people, including Dan and Phil Berrigan. I think I also grew a certain layer of self-confidence that survived after I left.

All this happened a long time ago of course. I left Danbury in December of 1971. There has been no other episode in my life quite so dramatic. But I don't have the sense that my political views and inclinations have changed much since then. Two years ago, for example, I was caught up in a divestment campaign on my own campus (the University of Chicago).

In closing, let me say that I would hate to have it thought that I have used this platform after so many years to rehearse old political disagreements about the war. I don't have to be told that there are men of principle who fought in Vietnam – some of them in this room.