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“The Story of Camden 28 – What Makes for a Successful Political Trial?”

Michelle Nickerson, Loyola University Chicago

Anja Schüler: Hello and welcome to a new episode of the HCA podcast, coming to you from the University of Heidelberg, my name is Anja Schüler. Today, we will be talking about political trials in U.S. history, a topic that has garnered some attention recently, not the least because of the Netflix production about the trial of the Chicago 7 that came out last fall. Less known than the events that unfolded after the 1968 Democratic convention in Chicago but certainly no less interesting was the trial of 28 Anti-Vietnam War activists in Camden, New Jersey, five years later. We will take a look at the Camden 28 today, and my guest is Michelle Nickerson from Loyola University in Chicago. She is a historian of women and gender, U.S. politics, social movements, cities and suburbs, and American religion. And for the past semester, she has been a Fulbright professor here in Heidelberg. Welcome to the podcast.

Michelle Nickerson: Thank you. It's a pleasure to be here.

Anja Schüler: Some of our listeners probably know your first book, *Mothers of Conservatism*, which tells the story of red-hunting Californian housewives who shaped the grassroots right in the 1950s and 60s. It seems to me that it is a very interesting and also unusual path from there to your current research project, *The Catholic Left*. So how did you turn from studying right wingers of the West Coast to left wingers of the East Coast?

Michelle Nickerson: Thank you. That's a question that gets to the heart of what I'm most interested in as a scholar, which is social movements, the formation of political consciousness, and individual stories. I'm interested in political history across the board, from conservatism to radicalism, and in what motivates people to become active, socially engaged. This piqued my interest, in particular when as a relatively new professor in Chicago, my father told me the story about the Camden 28. So I grew up pretty close to the events in southern New Jersey. I grew up Catholic. My father was born and raised in Camden, and I, in fact, was born in Camden. I spent my whole life never knowing about the Camden 28, which, by the way, was a very well-known story in its time, and not just in the region. It was publicized nationally, the story of these activists. So I was kind of shocked that this is a history that happened in my own backyard and really could be considered part of my own religious inheritance as a Catholic outside of the Philadelphia area. So I got curious and I started doing research, and it became more and more interesting. It's really a fantastic story. So it has basically to do with my own background and my interest in social movements.

Anja Schüler: So a story that you knew very little about, although you basically grew up around it. As you said, it happened in your backyard. So now you need to enlighten us a little bit. Please tell us a little more about the Camden 28. Who were they, what was the trial about? What were they indicted for?

Michelle Nickerson: Sure. Before I do, let me just add one thing. I grew up with Vietnam in my family. My father's brother died in Vietnam in 1965. He was one of the first boots on the ground. He was not even 20. So this was always part of our story and talked about. So that was something else that brought me to the Camden 28. The Camden 28 were men and women who were arrested for raiding a draft board. That is the place where files are kept, conscription files on men who are ultimately going to serve or possibly not serve depending on their category. Usually when you have defendants, they're known by the location of the trial and the number of defendants. So as you mentioned, the Chicago 7, the Catonsville 9, the Camden 28 ... That's a big number for defendants in a trial! And it's because in addition to the eight who were actually caught in the act of raiding the draft board, the other 20 were people who were involved somehow in planning or staking out the site of the raid or helping out at the headquarters before the raid. And they were caught because the FBI had successfully placed a mole in their group. So you might say there was a Camden 29th. And that man, his name was Robert Hardy, had been friends with some of the other defendants, and after he learned about what was being planned, he himself went to talk to the FBI about what was happening, and they asked him to join the group and pretend that he was one of them. So that went on for weeks. He collected all kinds of intelligence for the FBI. And for that reason, FBI agents were actually in the building waiting for them before they committed the crime. And they also knew the other locations, the other apartment headquarters around Camden, where others were waiting. And for that reason, they were able to do a very quick sweep and arrest that many people.

Anja Schüler: That's interesting. So if I understand you correctly, only eight of the defendants actually broke into the draft board offices in Camden. The others were in apartments. Why did they have to stand trial?

Michelle Nickerson: Because they were collaborators. This was basically executed, the arrests and trials, as a conspiracy. These were all people who participated some way or another in a felony crime, the breaking and entering into a draft board and destroying government documents. So whether or not they were actually on site, they helped the crime to happen. Other interesting aspects of this story are that it happened late at night in August of 1971. The United States is still very much involved in the war, but already the interest of the public is turning against the war. Nevertheless, they were really strongly indicted by the press and the public. They, of course, had their supporters in the anti-war movement, but they were really talked about as criminals, by the local newspapers especially, and all of this would actually change significantly between the time of their crime and then their ultimate trial.

Anja Schüler: Now, you mentioned earlier some other so-called political trials in U.S. history. Why do we call them political trials?

Michelle Nickerson: I think the best way to explain what a political trial is, in terms of how historians talk about them, is a trial that is deliberately political. So if you can imagine, we have all kinds of trials in U.S. history that are politicized. Think about *Roe v. Wade*, for example, or *Plessy v. Ferguson*, or *Brown v. Board of Education*. These are trials that are incredibly important, especially for the precedents they set and the ways that they changed American history. They are deeply political. But a political trial is one where the participants involved, mainly the defendants, are using the trial itself as an opportunity to make a political point and ultimately change politics if they can. Now, they became more common in the Vietnam War era, as you had many different activists, but especially young men and women who were willing to basically stake their own freedom on the desire to end the war or to end U.S. involvement in the war. So they would risk going to prison if they could use the trial to get the attention of the public. And some of the most well-known trials are political trials, for example the trial of Angela Davis, which wasn't about the Vietnam War but about civil rights and the activities of the Black Panthers. The Catonsville 9 was one of the first, you might say, draft board raids that that was planned and ultimately led to a politicized trial. In many of these instances, the activists will behave during the trial in a way meant to attract attention to the activities of the U.S. government. They'll use their time on the stand to make arguments against the work of law enforcement agents. And ultimately, they may or may not serve some time in prison. So by 1973, the time of the Camden 28 trial, there had actually already been several political trials in the United States. The public was familiar with them. Also, we are kind of winding down in the Vietnam War era. In 1973, we're getting to the end of U.S. involvement in Vietnam. And the American public is tired. And they're also now very critical of the U.S. government because the Pentagon Papers have been released, the Nixon administration is in trouble because now Watergate is being investigated. And so, really, I would describe the Camden 28 trial as the end of an era of these trials.

Anja Schüler: Would you argue that it's different from the other political trials of the Vietnam era?

Michelle Nickerson: Yes. So even though it, right now, is one of the least known to the public, it is the most successful political trial of this period for a few reasons. The most important being that they won. They were fully acquitted of their crime. Unlike the Chicago 7, Angela Davis, and others, they were not released because of technicalities or appeals. They were actually acquitted by the jurors in 1973 who said essentially, we are not going to convict them of this crime. It was a result of tradition in United States jurisprudence called jury nullification. That means that the jury actually nullified the charges and the verdict. In the United States, as in many other democratic nations, a judge presiding over a trial will give instructions to a jury as to

what they are ultimately deciding on. And a jury, many people don't know this in the United States, a jury can completely ignore those instructions of a judge, and they can, on their own, declare a kind of independence and make their own ruling, and that's what they did in this case. They essentially said: We know they are guilty of this crime, they have essentially confessed their guilt of the crime, but we are not going to send them to prison for this crime. We are not going to hold them responsible for it. And in that respect, it was really historic. Also the defendants themselves served mainly as their own attorneys, and let me explain what I mean by that. They had three incredibly talented lawyers, all of them young civil rights lawyers who advised them and in some cases asked questions. But really, the defendants themselves did a lot of the work in mounting their own case. They did much of the direct and cross-examination. One example would be two sisters, defendants Rosemary Reilly and Joan Reilly, who actually interviewed each other, they questioned each other. Kathleen Ridolfi, another woman who, like Rosemary, was one of the people who broke into the draft board, she did some of the direct and cross-examination. And in fact, she questioned the FBI agent who pointed a gun at her and forced her to the ground, which was really important in her case. It was also interesting to many people in the room who knew from many reports that the FBI had pulled weapons, guns, on the defendants. However, they never acknowledged this. They refused to admit that they ever pulled guns.

Anja Schüler: That's really interesting. Now you told me that the title of your new book is "Spiritual Criminals: How the Camden 28 Put the Vietnam War on Trial." So I'm interested in their relationship to the Catholic Church. They came out of the Catholic Church. How did the church position itself to that?

Michelle Nickerson: Well, so the title, "Spiritual Criminals," actually has different layers to it. First of all, obviously, they were charged as criminals. They spent some time in jail and ultimately faced this trial. Second, I call them "Spiritual Criminals" because they were radicals within the Catholic Church of America. They were acting on more recent developments in the Catholic social justice tradition that many of the bishops, members of the church hierarchy, did not approve of. The Catholic Church was not necessarily consistent or completely united on the issue of the Vietnam War. Many leaders, like Cardinal Spellman, probably the most important Catholic bishop, were very supportive of the war, as were other Catholics who wanted to support the southern Vietnamese regime, which was first led by a Catholic. And Catholics in the United States tended to be anti-communist, which was another reason that they supported U.S. involvement in the war. And so the church in America was really reluctant to criticize the war. That said, the Vatican itself had become more active in peace politics. The Pope had issued an encyclical, a very famous declaration, *Pacem in Terris*, Peace on Earth, and that really brought global Catholicism into the work of peace in a way that it hadn't been consistently up to that point. Nevertheless, there had been activism in what I would call para-church organizations, groups that are not officially affiliated with the Catholic Church but nevertheless active in Catholicism,

the most important being the Catholic Workers, established by Dorothy Day and Peter Maurin in the 1930s, mostly doing the work of anti-poverty activism in the United States. But they ultimately became involved early on in peace activism, even during World War II, which made them very unpopular. Dorothy Day carried that tradition into anti-nuclear activism in the 1950s, one of the earliest people to really do this. She very early on criticized the war in Vietnam before most people. And it was mostly young priests, nuns and lay Catholics who started to follow the work of Dorothy Day. They became involved in Catholic worker houses and developed a peace movement out of that, you might say, religious political culture of the 1960s. This, of course, coincided with the emergence of the Anti-Vietnam War movement, which, of course, is mostly understood to be a fairly secular movement, happening mainly at university campuses. But what you see here is a very religious contingent that became known at the time as the Catholic Left or Catholic Resistance. And this group ultimately developed what I just discussed, the draft board raid as a form of activism. And they did this by targeting mainly draft boards that were located in decaying Rust Belt cities and other places, where young men tended to be conscripted in larger numbers, where the population tended to be less aware of the various strategies that one could take to avoid service in Vietnam. So it was mostly poor working class Americans who tended to send their sons off to the Indochina Peninsula to do this work, so that this Catholic movement tended to approach this as a way to support less advantaged and marginalized communities in the United States. They also did this in what they described as a completely nonviolent approach. They never used weapons. They did everything to avoid confronting people in person or handling anybody. And they maintained their non-violent stance throughout the process. And so this is how they managed to get a great deal of attention. The people who became most well known for these activities were two brothers, priests, Philip Berrigan and Daniel Berrigan. Daniel Berrigan was a Jesuit, and his brother Philip was a Josephite priest. And they led some of the earliest raids and then became quasi spokespeople for the movement. But what I find especially interesting is that by the time you get to 1971, and that's about three years after the Catholic Left got started, most of the people are not priests and nuns, and many of them are not especially religious. Most of them come from the Catholic world. They went to Catholic schools. They were raised in Catholic families, but many, if not most of the people in the Camden 28 trial, were not practicing Catholics by the time of the raid or the trial. Nevertheless, they were attracted to the spiritual elements of the movement and the fellowship of their fellow activists. So the way I historicize this is that I talk about it very much as a religious political movement, even though many of the actors themselves were not particularly active in the Catholic Church at that point.

Anja Schüler: That brings us to the question about the legacy of the Camden 28. Do you think they had a lasting impact on the Catholic Church, but maybe also on a larger political level?

Michelle Nickerson: Yes, I think the Camden 28's legacy and impact can mostly be measured in terms of their relationship to the anti-war movement. You know, it doesn't surprise you, I'm sure, to hear that we don't draft people into war anymore in the United States. The anti-war movement focused its attention on the draft, on conscription. And there's a reason, therefore, that they often called their movement "resistance." It was resistance to the draft. It was about either refusing to serve, burning your draft card, or in the case of the Catholic Left, actually raiding the draft board offices. And so I think just the reluctance of the U.S. government to activate conscription is one legacy of this time period. Now, we can talk about the consequences of that which are not all positive. But I do think that's an important legacy. The other legacy is within the church. The Catholic Left doesn't exist anymore. We don't have this radical tradition; we do have, I would say, some remnants of the Vietnam War era in anti-nuclear activism on the part of Catholics in what we call the "plowshares movement" that doesn't get as much attention as the anti-war activism did, but it's sustained itself nevertheless. But really, a larger impact would be in the tradition of progressive Catholicism, which is very much alive today. And you see it within the church at the level of bishops and priests in Chicago. I would describe Bishop Blase Cupich, also Bishop Tobin of New Jersey. Their ideas and their ways of pastoring to communities is, I wouldn't say, radical at all, but it is progressive. It does tend to privilege the needs of the most marginalized in their communities. It does tend to emphasize peace. The other example would be periodicals like the *National Catholic Reporter*, which has been around since the 1960s, and is really the most important voice of progressive Catholicism. You also see it in *America* magazine. You see this more social justice-oriented Catholicism all over the United States, and I do think that the Catholic Left of the 1960s and 1970s was an important stage in the development of that political and religious tradition.

Anja Schüler: Thank you so much, Michelle, for those insights into your new book project. We're certainly looking forward to seeing this book and then maybe to a book talk either here at the HCA or in the HCA podcast. One last question before we let you go. Unfortunately, we have to say goodbye to you. I mentioned in the introduction that you have been a Fulbright professor at the HCA for this past semester. And before you go, I think you have to tell us a little bit about your Heidelberg experience. What are you taking back to Chicago with you?

Michelle Nickerson: What am I taking back to Chicago with me? Many things! I and my husband and my son are leaving with a heavy heart. We had a fantastic time here in Heidelberg. And I should note, as your listeners probably know, when we got here, we got here before I started teaching in April, Heidelberg was in lockdown and like most of the rest of the world, struggling with the challenges of COVID-19. And that was serious impediment to, you might say, enjoying all the benefits of a Fulbright. But nevertheless, it turned out to be a really precious time for all of us. We're going to take away friendships. I think that is probably the most important aspect of our time, we're going to take are our knowledge and love of this place that we hope to return to.

We were fortunate, we're going to take our vaccinated bodies back with us because, of course, the HCA helped my husband and I to get our vaccines, which enables us to travel. We are taking with us new professional networks and collaborations that we intend to maintain in the years moving forward. I'm taking students, I'm not necessarily teaching them next semester, but I intend to stay in contact with any of my students who are interested. And yes, we had a fantastic time. The way I would describe it to your listeners is, I really saw every joyful moment from the re-openings to my walks around town and up in the hills of the Odenwald as one successful strike against the virus. It always felt like a little victory. Even just getting into the country felt like a victory, and eating German food, and going on trips. It all felt like a huge success, even if it wasn't what I would be doing if there hadn't been a virus. And then, of course, once the summer came and the city opened up, it was just tremendous and dreamy. Heidelberg is an incredible city and community, and we really do hope to return here.

Anja Schüler: We were certainly glad to have you. And it's probably our turn now to thank you for being such a great colleague, a great officemate, if I may say that. And we will miss you. But fortunately, it's easy to stay in touch these days, and I'm looking forward to that. Thank you so much, Michelle Nickerson, for talking to us about your new research and about your time at the HCA. And this wraps up the 50th episode of the podcast. My name is Anja Schüler. Our podcast is produced at the University of Heidelberg with support from the Jacob Gould Schurman Foundation. I would like to thank Julian Kramer for technical support and Thomas Steinbrunner for our audio logo. And I would like to thank you for listening. The podcast will be back in two weeks, so stay tuned, and please stay healthy.