

Spring 5-15-2017

Chicago 7

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Recommended Citation

Patterson, Morgan, "Chicago 7" (2017). *Student Scholarship*. 4.
<https://scholars.indianastate.edu/scholarship/4>

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English 105

Mr. Maynard

11 May 2017

Final Research Paper- Chicago Seven

During the late 1960s, Americans were experiencing many struggles not only within our borders, but outside of them as well. Whether or not that be with citizens themselves and making their individuality more apparent, or the way the American people were thinking and dealing with situations. With the ever changing society, the government must also change. However, with new rules being put into play and new laws being enforced, the people began to rebel on the government. During this time in our history, two major events were taking place and this sparked a lot of involvement from the people of our country. The Vietnam War and the 1968 Democratic Convention were both held during this time, and both caused an abundance of controversy. Some of the American people thought we should get involved in other country affairs and other people were strongly against it. Because of the how strongly both sides felt, this created a divi within the United States. These two events were extremely significant, but there were multiple smaller events that aided the tension within the country.

The Vietnam War started before the wrath of the 1960's was in full swing. This war initially included North Vietnam along with USSR and China against South Vietnam and France. The war had no exact start date, and there was not an identified action that started the war itself. However, the french withdrawing from Indochina drew the eye of American and in fear of North Vietnam taking over South Vietnam, thus spreading communism to the region, the US government aligned itself with the weaker South Vietnam by providing a larger number of

advisors followed by a large scale introduction of troops throughout the mid to late 60's.

“During the Vietnam War era, between 1964 and 1973, the U.S. military drafted 2.2 million American men out of an eligible pool of 27 million.” (University of Michigan 1) By the end of the 60's there were around 500,000 US troops stationed in Vietnam. In other words, the United States believed they had a duty to defend other countries in the instance they were to be exposed to potential communist influence.

Meanwhile, back in the US, tensions were growing as Americans were basically divided into two groups. Those who believed the US was forced into the war due to the aggression of North Vietnam. This group was “all in” and believed that the US should win at all cost. The other group was not for the war and believed that the US should not be there. They believed that the conflict was a civil issue and the US had nothing to do with it. They also believed that the money that was being sent overseas to the conflict could be better spent in the US. College campuses all over the country served as backdrops for many student's antiwar protests. Many students engaged in sit ins and marches and many burned their draft cards in protest. These individuals, who were mostly students, believed that lives were being lost and money was being spent on a war that was wrong, and their disorderly and unmanageable behavior was feeding into a widespread movement of defiance.

Although there were many individuals in the country who were opposed to America's involvement in the war, their actions were limited to relatively small scale protests. There were others, however, who wanted to show their displeasure in a bigger way and on a larger stage. There were many groups formed to express their displeasure with the Vietnam War. Two of those groups were the National Mobilization to End the War in Vietnam (MOBE), a more politically focussed group, and the Youth International Party (YIPPIES), a group that advocated

for an uninhibited lifestyle. At the time of the 1968 Democratic Convention, Rennie Davis was the national coordinator for MOBE. In late 1967 at a meeting of a group called “The Resistance,” Davis said he wanted the world to know that there are thousands of young people in this country who do not want to see a rigged convention rubber-stamp another four years of Lyndon Johnson’s war. A few months after the “The Resistance” meeting Davis organized another meeting where is discussed four ideas for the Democratic National Convention. The four ideas consisted of a mass disruption, uniting behind Senator Eugene McCarthy, a “stay home” idea, and an idea of bringing as many anti-war people to the convention for demonstrations and teach-ins. One of the people who was in attendance at this meeting was Tom Hayden who, along with Davis, was one of the Chicago Seven. Months before, the 1968 DNC MOBE organized another meeting to discuss ideas at Lake Villa in Chicago. A considerable larger number of people attended this meeting and along with Davis and Hayden were David Dillinger and Jerry Rubin, two more members of the Chicago Seven. Abbie Hoffman, the leader of the YIPPIE party who described himself as “an orphan of America” and Jerry Rubin, over a period of the next few months, went on to come up with increasingly outlandish ideas for the DNC. While Hoffman wanted to have demonstrations of public fornication and call it a “fuck-in,” Rubin wanted to nominate a pig for president. At trial Hoffman said that he didn’t think anybody would take them seriously. Hoffman met with city leaders to request that YIPPIES be able to camp in the city parks, but the request was denied. With the DNC starting on August 26, three days before police posted signs in the parks stating the 11 o’clock curfew. On August 25, the day before the DNC started, people were in the park listening to a concert at the “Festival of Life.” Close to the park’s closing time, the police announced that that park would be closing, and that if they didn’t leave, they would be arrested. At 11 o’clock the police tear gassed and hit the remaining people with

billy clubs and eventually cleared the park. Shortly after midnight Tom Hayden was arrested for letting the air out of a police car's tire. Officer Jeffrey Patterson, who is a federally recognized expert witness in the use of force, sat down in an interview with me to discuss exactly how situations similar to The Chicago Seven happen in current times. Patterson states, "In situations like this, police officers will often times charge suspects with every possible offense they can in hopes that one of them will stick in the courtroom, or they will charge the offender with a felony in hopes that they will plead to a misdemeanor. If the tactic is successful, then both will end up with some sort of jail time." On the 27th, the day after the convention started, Abbie Hoffman was arrested for public indecency when he wrote the word "FUCK" on his forehead. Davis, Dellinger, and Hayden addressed thousands of protesters. Hayden said, "Make sure that if blood is going to flow then let it flow all over the city. If we are going to be disrupted and violated, let the whole stinking city be disrupted. I'll see you in the streets." Police undercover agent claimed to have heard John Froines say that the protesters need more ammo to use against the cops, and Lee Weiner told others to gather the materials needed to make Molotov Cocktails to throw. The Chicago Seven were charged with violating federal Anti-Rioting Act.

Prior to the 1968 Civil Rights Act, rioting was considered a law that was to only be enforced by local law enforcement. Because of the increasing amount of anti-war protest Congresses felt as though a law needed to be put in place to regulate the actions of civilians. The Rap Brown law was created and put in place soon after. This law stated that it was illegal to cross state lines with the intent to incite a riot.

"Even after passage of the law, Attorney General Ramsey Clark and the Justice Department were reluctant to enforce the new provisions. Clark viewed what had happened in Chicago as primarily a police riot. The Attorney General expressed more

interested in prosecuting police officers for brutality than in prosecuting demonstrations for rioting.” (Linder 1)

The Mayor of Chicago at the time, Richard Daley, was very angry at the fact that the Justice Department was failing to act on this new law. Daley contacted a close friend, William Campbell, who was a federal judge and asked him to summons a grand jury to look over the protest at the DNC. The grand jury returned indictments on eight demonstrators and eight police officers. “By the time the grand jury returned the indictments, the Nixon administration had begun. The new attorney general, John Mitchell, exhibited none of these predecessor’s reluctance about prosecuting demonstrators. Mitchell gave the green light to prosecute.” (Linder 1) The eight demonstrators that were being indicted were Abbie Hoffman, Jerry Rubin, David Dellinger, Tom Hayden, Rennie Davis, John Froines, Lee Weiner, and Bobby Seale.

On September 24, 1969, thirteen months after the riots took place, The Chicago Seven went on trial in front of Judge Julius Hoffman . The Chicago Seven were on trial for trying to start a riot during the 1968 Democratic Convention. The jury consisted of two white males, two black women, and six white women: Clearly, this was not an unbiased jury. From the beginning of the trial it was clear that the defense knew they were going to have their work cut out for them. It was clear the the defense and prosecution represented polar opposites in the courtroom. The defense was more relaxed by wearing blue jeans and sweatshirts, while making inappropriate gestures and comments, and snacking, making a spectacle of themselves. They exemplified actions that were viewed upon as unacceptable in a courtroom. The prosecution included DA, Thomas Foran and his assistant, Richard Schultz. They stood behind a well organized table and wore clean cut business attire. There were discrepancies in how the defense wanted to go about the trial. Some wanted to play the trial straight and just focus on winning

over the jury through revealing the prosecution's weaknesses. Others, including Abbie Hoffman and Jerry Rubin decided that this would be a great time to appeal to the youth by turning the courtroom into a theatrical event. “To that end, Yippies would spice up the days of the trial by, for example, wearing judicial robes, bringing into the courtroom a birthday cake, blowing kisses to the jury, baring their chests, or placing the flag of the National Liberation Front on the defense table” (Linder 1).

In *The Barnyard Epithet and Other Obscenities*, J. Anthony Lukas refers to the trial in five separate phases. During the “Gags and Shackles” phase 2, Bobby Seale, leader of the Black Panthers, fought to be represented by his own lawyer. He went as far as calling Judge Hoffman a racist for denying his request for a separate trial. On October 29 Judge Hoffman ordered Seale to be bound and gagged and later released him from his ties to the trial and convicted him of contempt and sentenced him to four years in prison. The largest part of the government’s case came from accounts of undercover agents who had infiltrated the protesters and became part of their group. These agents described plans to take over traffic, sabotage restrooms, and take over hotels among countless other radical protests. In contrast, the defense worked diligently to portray the defendants as “committed idealists who reacted spontaneously to escalating police violence.” (Linder 1)

At the conclusion of the trial, the jury had hardly begun deliberations when Hoffman started assigning long prison terms to the defendants, including their counsel, on 159 specifications for criminal contempt. These ranged from minor acts of disrespect to questioning the integrity of the court. The Seventh Circuit Court of Appeals later reversed all contempt charges on the grounds that convictions of more than six months in length call for a jury trial. The jury came back from deliberation with a split decision and Hoffman ordered them to keep

deliberating until a unanimous decision had been made. In the end all defendants were acquitted of all conspiracy charges, but five were found guilty of intent to incite a riot after crossing state lines. Froines and Weiner were acquitted of the charge of teaching and demonstrating the use of an incendiary device. The five guilty members of the Chicago Seven were sentenced to five years imprisonment and a \$5,000 fine. The seven Chicago police officers charged with civil rights violations were acquitted. The eighth officer's charges were dismissed.

Work Cited

- Alonso, Karen. *The Chicago Seven Political Protest Trial: A Headline Court Case*. Enslow Publishers, Inc, 2002.
- Carter, Terry. "The Acquittal Next Time." *ABA Journal*, 2001, p 90.
- "Chicago Five' Sentenced". *Leominster Enterprises*. 21 Feb 1970. P. 1.
- Linder, Douglas. "Famous Trials: The Chicago Seven" *University of Missouri-Kansas City School of Law*, 2000.
- Lukas, J. Anthony. *The Barnyard Epithet and Other Obscenities*. Harper & Row, 1970.

Patterson, Jeffery. Personal Interview. 18 March 2017.

Sanders, Ed. "1968 Chicago Seven Trial." *Prague Writer's Festival*, 9 January 2008.