

Interview with Timothy Kendall

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Interviewer: Kimberlie Kranich

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Kendall: The name is Timothy Kendall. The last name is K-e-n-d-a-l-l. I was born in Oakland, California on January 23, 1949.

Kranich: Tell me about your family of origin. How many brothers and sisters do you have?

Kendall: I have eight sisters and four brothers of whom I am the oldest. The youngest is twenty years younger and was born after I had been away at college for two years. There were never quite thirteen of us living in the house at the same time, but it was close. We lived in Richmond, Virginia. What else can I tell you?

Kranich: Are you a close family?

Kendall: Regrettably not, actually. I don't live in Richmond where most of them still live and so I haven't been present for any of what I'll politely call rifts, but they have unfortunately taken place.

Kranich: Well what about your parents? When you were growing, what kind of work did they do?

Kendall: My father was a commercial artist. He didn't have a degree. He had had to drop out of high school, as a matter of fact, during the depression because the family was not surviving. He went to work to basically help feed the family. He had three younger siblings. My mother was obviously a full-time mother. She never had an income of her own. She never worked outside the home after, I think, after they were married. She had held jobs between high school and when she got married, but as far as I know she never had a paying job after they were married. Not that it would have been possible with thirteen kids anyway, but of course they didn't all come at once. It only became clear over time that that would be the case. You know, commercial artists then, especially ones that were not academically trained, did not make a whole lot of money. My father always had at least two, sometimes three, and at one period four simultaneous jobs: a full-time job and one, two, or three part-time jobs. He always had a very long day. He never took a vacation in the entire 30 years I knew him. I was thirty when he died. They were married for thirty-two years, so I came along a couple of years into the marriage. Just very hard-

working people, always economically struggling and managing to mainly stay afloat, but just barely, and always with the knowledge that they could never let up for five minutes or they wouldn't be afloat.

Kranich: So what about religion? Was religion part of your upbringing?

Kendall: Very much so. We were raised as Catholics. My mother was of German Catholic extraction having grown up in rural Kentucky. My father was a very secularized Jew who grew up in the greater Boston area. I think he might have been born in New Bedford. I'm not positive, but I know he lived in New Bedford for some part of his childhood. The family was not especially religious, but when he married my mother, not at her insistence exactly but it was pretty obvious that she would have preferred it, he nominally became a Catholic for her benefit. He never really frankly had much sympathy for it himself, but he went along with it for as long as she wanted him to. That came to no particular good end for reasons unrelated to what we're talking about. But I think when it finally did come to an end, it was a great relief for him.

Kranich: Tell me, when you were in high school, what were you seeing on TV, hearing on the radio, and reading in the newspapers about the Vietnam War?

Kendall: Well, even in high school, I pretty much followed the evening news. I didn't always, as a high school student, have a chance to thoroughly read the newspapers, but I did see them, and I did read magazines. It was very mainstream stuff. So I guess the closest thing to any kind of liberal, or leftist, slant on it would have been the Walter Cronkite coverage on CBS News. So

nothing at all out of the mainstream. Like everyone else, and because I was like everyone else, I was, as far as I knew, a supporter of the war having never really thought beyond what was on the mainstream newspapers and the mainstream television coverage. The motivations for it I pretty much accepted at face value as they were described in the media which were pretty obviously, in retrospect, taking their cues from the government and the Pentagon. There was no sense of any kind of questioning or certainly not rebellion against it during high school. That all came much later. I was aware that there were people who were opposed to American involvement and opposed to the war. I was aware that that was for a variety of different reasons, some of them philosophical or religious, others political. What we later have called counter-cultural, I had zero sympathy or even tolerance for at the time. I guess the short answer to your question is what I saw, and read, and heard was pretty much what everybody else did, and from the same sources.

Kranich: There was something though when you were fourteen, in 1963, a Buddhist monk. Tell me about who that was and what you remember.

Kendall: I remember that very well. That was covered on all the news media, both print and broadcast. His name was Thích Quảng Đức. It was the first inkling I had there might be a different view, and even then I didn't follow up on it. Well everybody that I knew in this country just dismissed him as an obvious lunatic. But there was this almost subconscious suspicion on my part that maybe there was a little something more to this than was meeting the eye.

Kranich: What do you remember seeing, reading, hearing about?

Kendall: Well, the image of him burning himself alive was all over the broadcast media. It was in all the newspapers as a still. Again, you know, sometimes I get the chronology a little mixed up, but I think this was still the Diem regime. Right?

Kranich: Yes it was.

Kendall: The Diem regime was the remnants, as I seem to recall it, was the remnants of the Catholic French colonial legacy. They were not exactly stellar national leaders. There was a great sense of oppression on the part of the Buddhist population who saw themselves as the victims of it as I'm sure indeed they were. Quảng Đức made the, well, it was the ultimate protest wasn't it? There is not much you can do beyond that. But as I say, a large part of the reaction in this country was dismissing him as a crazy person until quite a bit later. I think it was 1969. We had a similar incident in this country. A man named Norman Morrison, whom you may have in your notes there, but that was quite a bit later. Norman Morrison was a Quaker who had been educating and preaching and working against the war for quite a long time. He had reached, I think, a state of despair that anything he could do just in his day-to-day life wouldn't have any affect. So, he pretty much followed Quảng Đức example. He immolated himself on the parking lot of the Pentagon under the office window of then Secretary of Defense Robert McNamara. That, as I recall, was one of the few things that actually got McNamara's attention. He was deeply

wounded by that whole episode. To hear him talk about it later in his life, I don't think he every really got over it.

Kranich: So the earlier one, what were you thinking? You said it sort of opened your mind a little bit or gave you a different perspective. What were you thinking?

Kendall: Well, it gave me the suspicion that maybe there was a different perspective. I still wasn't ready to make any leaps. Well beyond when I was fourteen, I still counted myself as a supporter of the government and as a supporter of the war in that area at least. There were many other things going on where you could say that I never was a supporter of government policies as they related to things like mandatory segregation and all that. I did live in the South. In terms of the war and foreign policy, number one I didn't know anything real about foreign policy. I just knew what I picked up from the mainstream media, both print and broadcast. Whether Quảng Đức was crazy or not, there was this sense that there's probably something else going on here. Nobody does that without some pretty severe motivation. Again, at that age, I didn't follow up on that. It was the beginnings of a suspicion.

Kranich: So men of your age when they graduated from high school, they had to register for the draft. You were eighteen in 1967, and the Vietnam War was at least ten years old then. Did you register for the draft?

Kendall: Oh yes, on my eighteenth birthday. I remember the clerk at the draft board wishing me a happy birthday. I just sort of scowled and filled the papers out. Even then, I was nominally at least a supporter of the whole thing, but I don't

think anybody really enjoyed registering for the draft. You did it because that was the law. You were expected to do it. At least in the culture where I was, you didn't go against it lightly. As I say, a lot of the people who were vocal against it, it was easy to dismiss them as just a bunch of potheads or hippies or what we later called counterculture. One famous name that comes to mind is Allen Ginsberg. He probably looked to most people like I do now, except he was dark in those days instead of Santa Claus-y like I am now. Yes, I registered, and I wasn't too worried about it, even though my family had no money, and my father never dreamed that any of us would be able to go to college because he frankly couldn't pay for it. Period. I don't think he understood that Lyndon Johnson was President then, and there were ways for people with no money to go to school. You could either...if you were really good you could do it with scholarships and grants. But even if you couldn't get that, under the Great Society programs there were 3 percent student loans. People who could not otherwise have gone to college were able to go to college. That was a great surprise to my father. He had to drop out of high school just to survive. It became clear only as I went through the process that, yeah, there may be a way here after all.

Kranich: So you register for the draft. In the same year, there were these really heavy anti-war demonstrations. The National Mobilization Committee to End the War in Vietnam was picking up its protests. Do you remember that?

Kendall: I remember National Mobe but I thought that was several years later. The so-called moratorium demonstrations were '69 and following, if I'm not

mistaken. There may have been, by comparison, much smaller scale demonstrations and so on. I actually don't know when the National Mobe people got started. It seems to me the only name that I remember from that is David Dellinger who was a Quaker activist and not a kid. He was probably in his fifties at the time. I don't remember who the other principals of that were. There were beginning to be protests against the war. I was not closely aware of the details of any of them. I couldn't really speak definitively about the chronology. My memory of National Mobe was of the so-called moratorium demonstrations that took place in '69 and maybe a couple following.

Kranich: Let me go back then with some that is around this time, the Berrigan brothers. Tell me who they were and what struck you about their actions.

Kendall: I actually didn't hear about their actions at the time they happened. I don't know whether that's because the local newspapers didn't cover it or whether I was just oblivious, probably some combination of both. The Berrigan brothers were a pair of Roman Catholic priests. They had other siblings as well. One, Daniel, was a Jesuit and an academic. He was a poet and a philosopher and probably taught philosophy. I don't remember where he had been teaching. His brother Philip, all I can tell you about him is he had been in the Army, he had been a professional baseball player at one time, he was a big tough dude and was a Josephite. The mission of the Josephites is much different from that of the Jesuits. The Jesuits are more the academics and the philosophers and the theologians. The Josephites are out pretty much on the front lines dealing with really poor people and really impossible economic situations. Philip was

in a...I believe, in a parish in Baltimore that was largely black and basically very, very poor. He was just inundated by the problems of so many people being so poor so concentrated into one place, sort of like what we are seeing in Baltimore now. At some point, possibly under the philosophical influence of his brother and certainly of others, he began to make connections between that and the fact that society was spending so much of its treasure and so much of its resources on the war. Philip, I believe, was the first of the two brothers to do this. It was right around this time that there began to be what we collectively called 'draft board actions'. In those days, nothing was even on computer tapes, and certainly online didn't exist. There was no Internet. To move something from one computer to another you put it on a tape and physically moved the tape. Later on, you had discs and so on. The draft boards, like virtually all other government agencies, were paper based. Everything was paper. They would put it in the typewriter and make several carbon copies at a time, but that was it. So, Philip and three other people, whose names I would probably recognize but escape me right now, were one of the first to pull one of these so-called draft board actions where they went into a Baltimore local board. There were several local boards in Baltimore, if I'm not mistaken. They went into one of them and physically grabbed about a hundred some, maybe a couple hundred files out of the file drawers. They took them out into the parking lot where they poured their own blood on them. They had done blood donations, except they had kept the blood. Obviously, it was quite symbolic. There was nothing about it that was intended to shut

down the draft or anything like that. They would have loved it, but they knew something like that wasn't going to stop it. They thought that by doing something as dramatic as pouring their own blood on these files they might at least awaken some attention. Some few months later, there was a similar action in Catonsville, Maryland involving both of the Berrigans and seven other people. They were called the Catonsville Nine. Daniel later wrote up portions of their trial as a stage play. They did it a little differently. Instead of pouring their own blood on the files, they took them out in the parking lot and burned them with homemade napalm. Napalm was essentially a horror weapon, dating from World War II, that was basically jellied gasoline. It clung. If you were the victim of a napalm attack, you couldn't just knock it out because number one it was gasoline. Number two, it had thickening agents in it so it would cling almost like Vaseline or something. Getting rid of it was difficult stuff. It was known as a real horror weapon in the Vietnam War. So, a thickening agent is a thickening agent. I think they used soap flakes. They made virtual homemade napalm, and burned the files. This was quite a few more than the four had gotten in Baltimore. But even at that, they knew that this wasn't going to stop the draft or anything. It was a symbolic action meant to arouse attention, raise questions, and so on. Later on, there were numerous other such actions, and several of them really were intended to shut down the operation which they did in some places.

Kranich: So you graduate from high school, you register for the draft, you're not really aware of these actions, but they're going on in your country. So you registered for the draft, then what happens in your life?

Kendall: Well, then I go off to college.

Kranich: How were you able to go to college?

Kendall: Well, I was able to go to college by borrowing money from the government, and I had a package of scholarship, grant, and loans. It was sort of a bait-and-switch operation. I applied to five different colleges, and I was still very Catholic. All of them were Catholic schools. Therefore, they were private, and therefore very expensive. Not like going to a state school where it only cost, in those days, a few hundred dollars a semester. This was in the thousands even then. The package that I got lasted for one year. Then the scholarships and grants were replaced with loans, so I borrowed the rest of my way through college. They were called actually National Defense Student Loans. They may have actually been attached as a rider to some defense appropriations bill. But really, I think the thought was that the best thing you could do for the ultimate security and defense of the country was have an educated citizenship. That would have at least been the Great Society explanation of it. We seemed to have reversed course on that in more recent years. There was Federal money available to borrow, so then I did borrow enough. In those days, where I went to school which was Notre Dame, I had to go to the place that gave me the most money compared to the amount it cost to go there. It was a financial

decision. I was accepted and got some scholarship assistance from Georgetown. I don't even remember who the others were. St. Joseph's, I believe, in Philadelphia, and possibly there's a Catholic university in Pittsburgh. The name of it escapes me right now. This is one of the benefits of advancing age here. Anyway there were five. The one that gave me the most money relative to the amount that it cost was Notre Dame. I didn't pay any of it at the time. My parents had no money, and I didn't have any money. I had summer jobs and things like that, but you know there were a lot of kids at home. My father was always struggling financially, and whatever I made over summer jobs I would just give to the family. It was suboptimal, but there was nothing else to do. So, I borrowed money to get through school, and went to Notre Dame.

Kranich: So, you're at Notre Dame, it's 1967. What's happening with your relationship to the Vietnam War and having registered for the draft? Take me through that.

Kendall: Ok, the draft registration was temporarily moot. There were student exemptions, well not exemptions but deferments. You had to file an application for one every year, but as long as you were in school and a student in good standing, and there were probably one or two other conditions that everybody met, then you were deferred from the draft for the duration of being in school. Early on, I think that may have been all the way through as far as you wanted to go with your education, so even through a PhD or like a medical degree or anything like that. Later on, they clamped down on it a bit because people were beginning to notice even then that this was a really

inequitable situation that favored a certain segment of the population. So, they cut out the exemptions for graduate school and cut it off at graduating from undergraduate school. They had, not deferments, but out-and-out exemptions for people who were married. I think that may have been withdrawn about when I was a junior or senior in college. I don't remember. That wasn't going to be an issue for me for a while anyway, so I didn't follow it really closely. There were a lot of draft marriages as they were referred to. There were people who would tell you that, you know, somebody would come home for the summer from college and someone would say, "What are you majoring in?" "Well, right now I'm majoring in avoiding the draft." I just had a number of friends who said that. They hadn't declared a major yet, so they didn't have a better answer. It was honest. Freshman year, you asked about my relationship. As I said, having registered was not an issue at that point. One thing I do remember from freshman year, and probably the people responsible for this had no idea that anybody would remember it for this kind of time. There was a campus newspaper at Notre Dame that raised part of its funding by selling ads. One of the products that a lot of people used in colleges at the time was a sleep preventing potion called NoDoz. It was basically concentrated caffeine in a pill. People said, "Well you know if you take five of them it's just like doing speed," or something like that. Well, if you took five of them you got nervous, and that's all you got. You didn't sleep, or that was at least the theory. Well, in this campus paper there was an ad for NoDoz, and it was a cartoon. It showed a GI down on his stomach with a rifle in what was

obviously a jungle. This is obviously the Vietnam War. The caption on this cartoon/advertisement was “I laughed at my roommate when he took NoDoz during exam week.” I was grossed out, even though I was still a supporter of the war. I hadn’t begun to challenge it at that point, mentally or any other way. I was just aghast at this, but like so many other people I didn’t say anything about it.

Kranich: Tell me more about that. Tell me why.

Kendall: They were using this horror of people flunking out of school, and therefore getting drafted, therefore being sent to Vietnam as a way of selling NoDoz, so that you wouldn’t flunk of school. You’d study around exam week around the clock. It was just one of the worst examples of grotesque advertising I have ever seen. We all have our favorite examples. When you ask me about freshman year, it’s interesting that that’s the first thing that came back. I don’t think we talked about that before. It’s a vivid image even now. That was 1967. This is 2015. All these years later and it’s still burned into my memory. I was just outraged by it, but, like so many other people, not enough to say anything about it. Not enough to raise any protest with the student newspaper or any of that kind of stuff, but I will tell you that I never bought NoDoz in my life.

Kranich: So you see this ad, you’re at Notre Dame, then what happens? Who were you meeting while in college that you didn’t meet while you were in high school?

Kendall: Well, the person who started me on the road to questioning the whole situation was the professor I had for, certainly the most difficult course I had as a freshman, a course in symbolic logic. Just extremely, extremely difficult. He also taught honors philosophy courses. He himself was a graduate student at Indiana U which had a branch at South Bend. He was still at the dissertation stage. He wasn't any kind of tenure-track professor or anything like that. He was heavily involved in the local anti-war movements and what small groups there were at that point in South Bend. It was easy for me to dismiss him because, you know, he had long hair, and he was in a folk group, and he wrote songs and some of them were protest songs, yeah, yeah, bunch of hippies. But then we got into a discussion, this would have been late '67 I guess when Lyndon Johnson announced that he was not going to run for re-election. I had never been a supporter of the "dump Johnson" movement because I knew perfectly well what would happen, and it did. You know, Johnson could be hard to defend in some ways. To this day my phrase is 'he couldn't have been invented by Shakespeare and Sophocles combined'. When he got his hands on real power as president, he really did try to do a lot of good things. The whole Great Society program that enabled me to go to school for one thing, but much else. The 1964 Civil Rights Act is an obvious example, and knowing full well that that was going to have catastrophic political consequences in the south for the Democratic Party, and it did. He stuck his neck out in a lot of ways while at the same time he could not get his head out of the war. He didn't have any answers to that either. He was not naïve. He knew that he

wasn't going to win this thing because, number one, it was undefined. What did it mean to win it? Did anybody think that sometime they would just stop? They weren't going to go and nuke Hanoi the way they had Hiroshima and Nagasaki in World War II. That wasn't going to happen. The whole concept of winning where one army surrenders to another, and they all lay down their arms and go off into the sunset, everybody then knew that that wasn't going to happen. Johnson knew it wasn't going to happen. I think he reached a point of real, call it despair. Then of course he was identified as the great ogre of the war by the anti-war movement in this country. He could have had another term because his first partial term filling out Kennedy's was only I think a year, so he was eligible for another term if he had wanted to run for it. Who knows what would have happened if he had run. Meanwhile, so Pat, I shouldn't even tell you that should I because we haven't...

Kranich: Is he still living?

Kendall: Yes, he is. Let's just say Pat, this professor of mine. He had been part of this movement against Johnson and against the war. He said in class the day after Johnson's announcement that he thought that in any country where enough popular opposition and popular non-violent uprising could topple a President might be a country worth hanging onto. He had said he had been driving the night before when the President came on the radio and he said, "I almost drove off the road," and so on. So, he was asking people for various reactions and I said at the time that I thought that Johnson had done a pretty good job, and I was booed by other members of the class. Not by Pat, he was actually

one who would engage you on these things. After class we were talking, and he invited me to just come to his apartment and drink some Cokes and talk. So I went to his apartment and we drank some Cokes and talked. By the time that conversation was over, he had planted the seeds of a realization that raising questions and honestly looking for answers, rather than just accepting a line and taking what you read in the mainstream press as always true, might actually be a good idea. He didn't make an anti-war protestor out of me in that one conversation. He did suggest that there was a lot here that ought to be investigated. You ought to go in with an open mind, raise your own questions, and honestly search for the answers. That was the beginning. I had his course the following year in fact during the time when Hubert Humphrey lost that next election. You know I had known all along that was going to happen if Johnson were forced out. I was a great admirer of Humphrey's because of his handling of the Civil Rights Act in the Senate. He did a terrific job on that, and I just thought he was wonderful. Also other things like labor relations and things like that. He was saddled with the war and couldn't find a way out with the campaign. That allowed Nixon to come in claiming to be the peace candidate with a secret plan to end the war, and people went for it, as is understandable under the circumstances. That's not the only time people have voted for somebody who was able to portray himself as the "peace" candidate. Now we all know where that went, but that's the way that was.

Kranich: After this conversation, you're still a student, then what's happening? You're not being asked to serve. You're still going through college. How else did your consciousness evolve? Were there other people?

Kendall: There were. By this time there began to be a noticeable, not a group exactly, call it a war protest community if you want. It was looser than a group, but a number of people on the campus began to speak out, write letters, address rallies, and things like that. As it happened over time, a number of these were people I already knew, didn't know they were into that, but respected. One of them ultimately became my academic advisor. He was a professor of Medieval History. He was actually in the theology department, but his course was sort of a history of Christendom. He was even more directly a war opponent I think than Pat had been. He was a brilliant scholar. It was very hard to disrespect him, in fact there was no way to. Other people as well, there were a lot of students, some graduate students, mostly undergraduates that I knew. Some of these people were very articulate. Some of them would end up sticking their necks out in significant ways, even though they hadn't yet at this time. We're talking about my sophomore year here now. I began to say "Ok, well now we have two sides of an argument, and I'm pretty conversant with the one side. Now it's maybe time to investigate the other one." That began then. The following year, my junior year, I think in the wake of the nationwide riots that followed the assassination of King, there was a big uproar on campuses about that too. Once the King uproar took place, it was a very short step to the anti-war uprisings on campuses and so on. At Notre

Dame we never had anything like they did in some places where I believe, I forget where, but in one place an ROTC building was bombed and somebody was actually killed. I don't remember where that was. We had nothing like that. We did have people standing outside the ROTC building with protest signs, but that was as heavy as it got. Later on, it built up a momentum until the campus unrest situation induced certain fairly large corporations, I believe they were oil companies, to fund an institute at Notre Dame called the Institute for the Study of and Practice of Nonviolence. I think the basic idea was to tame the campus protests and unrest. At Notre Dame, it wasn't that much of an issue. There wasn't really any violence or anything like that there. We never got to the stage of Kent State or Jackson State or the other places where it really did get completely out of hand. The idea was that this was going to be an honest-to-god philosophy type course. You read Gandhi and King himself and lots of other writers on the subject, and you wrote papers. The two professors who ran the institute, one of them is still to this day is an extremely outspoken peace advocate. He has eleven children. He is a Catholic, but he found a division of the Catholic Church, a rite of the Catholic Church, where married priests were allowed. Late in life he was ordained into this. It's (unintelligible), that is to say it's under the Pope, but it's a sect or segment of Catholicism that recognizes married priests. He's out there, and still quite active. He has a website, and he travels around and lectures a lot. He has a beard way longer than mine because that's part of the religious tradition of that rite. These guys in presenting this course material, basically the

assignment was always to read a book and write a paper reacting to it. There was just a lot there. The notion of objecting to the war and war in general because this was much more generalized than just Vietnam. I mean this goes back to Gandhi and even things before that ... Gandhi as an example of somebody who toppled a colonial regime without resorting to violence, which is mostly true. It began to lend an academic respectability to the war protest, by this time you would call it a movement. This was my junior year now. If it had had it before, it wasn't as obvious as it was then. This was true in other places as well, not just Notre Dame.

Kranich: When you were in these courses were there any returning soldiers that you interacted with?

Kendall: Yes, yes there were.

Kranich: Tell me, did you have conversations with them? Tell me how their presence on campus after being on campus and coming back impacted you.

Kendall: Individual conversations were hard to come by. There were two or three in particular who would always show up at peace demonstrations and anti-war demonstrations with signs saying things like "bomb the Cong". You know all that kind of stuff. What emerged was if you didn't demonize these guys, you could bring them pretty much where you were. Remember I had been where there were. You could engage them, once they got beyond the defensiveness part, and the feeling that they were being demonized, which in that place they really weren't so much. I understand they were in other places, but I have no

personal experience with that. People knew who they were. At first, they had these contrarian signs that were obviously meant to be provocative, but it turned out to be possible to talk to them just if you approached them with a modicum of respect. They were willing to meet you there. In some cases, they never did change their stance on it, but in other cases they had seen the horror. By the time they realized you weren't blaming them for it, they could meet you in a common ground. So, yeah it did happen.

Kranich: Did you have any of those conversations?

Kendall: Yeah, with one guy in particular. I'm drawing a blank. I don't remember his name. He had either interrupted his education and come back as an upper class undergraduate or he was a graduate student. I don't remember which. It was just like I was telling you. It wasn't just me, but it was always out on the quad with other people around. It did happen, not with everyone, but more than you might have thought. You could find common ground and reach a kind of understanding. Some of them came back even more radicalized than any of us were ever going to be. I knew some of these guys later, not really at Notre Dame. I knew people that had been to 'Nam and had come back as, if not Maoist, then very close mentally and philosophically to the communist outlook. They saw capitalism as a great worldwide beast that was trampling people all over. They had been sent to enforce it with arms, and they weren't happy about it at all. These were people that I knew when I was in graduate school at the University of Pittsburgh. Such people were around. Again, some

of the confrontational stuff, less of it at Notre Dame than there was at other places.

Kranich: So, you're in your junior year. It sounds like you're sort of against the war at this point. Is that what happened? Had you evolved in your opinion?

Kendall: Yes, by the middle of my junior year, I started thinking that the coursework that I was doing in these philosophy of nonviolence courses was going to form the basis of an application for conscientious objector status. That whole application process came to be largely what I objected to myself. It was wildly inequitable. By the middle of junior year, yeah I knew that at least I was going to be a CO. I hadn't mentally followed it beyond that. I hadn't looked very directly at the way the draft itself worked and was working. You may remember that before he died, King made a fair point out of this. That it's the poor, it's the black people who are bearing the brunt of this and so on. It took me awhile to figure out what he was talking about, but what he was really talking about was that if you were of the right economic strata, and you had been fortunate enough to get an education to the point where you were minimally articulate, you had a much better chance of getting out of it, which was the phrase everybody used, than you did if you grew up on the rough streets of some inner-city and didn't have those opportunities. That turned out to be true in many more ways with respect to the draft system itself. This was not ever a big deal to me, but for a lot of people they reacted bitterly to General Hershey, who was the director of the, they called it the Selective Service System. Everybody else just called it the draft. So the draft director

was General, I think his name was Lewis Hershey. He wrote an essay that became famous in a way that he wouldn't have wanted it to. He said with the threat of the draft we channel people into professions and occupations in that way where as in a communist country they just do it directly by ordering you into it. Well, the word channeling became a dirty word after this article of Hershey's got around. I don't think he knew that he was creating a monster when he wrote that, but a lot of people reacted to that. That actually didn't bother me so much. I'm not entirely sure why. It just wasn't one of the things. If I was upset about it, I wasn't anywhere near as upset about it as I was about the rest of the draft. So, I end junior year still thinking that I'll go the CO route. I got into the second half of junior year at least with that in mind. Shortly after that, and certainly by the summer after junior year, I had begun to read about and think about the draft itself. I had come to see myself as one of the privileged. Some of these people, like Berrigan, both of them really, and they weren't the only ones, but they come to mind as having pointing out that conscientious objector status is a way of silencing people who might otherwise vocally protest. Because as long as they can get out of it then they can say 'whew' and didn't feel compelled to protest it any further.

Kranich: When we left off, we were talking about the draft, you're in your junior year. You talked about feeling like you were part of the privileged. Talk to me about that. You have a large family. You grew up making ends meet. Was that privilege in terms of skin color? Why didn't you see yourself as someone who was supposed to be on the front lines?

Kendall: As it related to the draft, yeah, it was partly skin color. It was partly just having been fortunate enough to get enough of an education to be reasonably articulate about what was known in those days as a CO statement. You had to write almost a brief. You claimed to be a conscientious objector, and then you had to prove it somehow. It's one of the few, maybe the only, draft classification that was left to the judgment of the draft board. Now, your draft board never changed once you registered, no matter where you moved after that. The draft board at the place you registered was always going to be your local board. The procedure for getting a conscientious objector formal classification was either really easy if you happened to be born into a historically pacifist church like the Mennonites or the Quakers, or it was theoretically not impossible but rather more difficult if you weren't. You basically had to write this statement, think of it as a brief, explaining yourself. Hopefully in some manner that would convince the board which was charged with basically sitting in judgment on your claim. Now this was problematical for several reasons. Number one, right away you have a system that is heavily in favor of people who have been fortunate enough to get at least a minimal education to the point of minimal cogency. Reasonably convincing at any rate. There was that.

There was also the fact that it varied wildly from one location in the country to another. People who filed for CO status in, for example, Berkeley almost 100 percent of them got the classification. There were other boards, notably in West Virginia but also in some other places, where no one ever got

it. I don't know what happened if someone filed for it and didn't get it and was then faced with being eligible for the draft. I don't know if other people took that to court then. I don't remember any cases of the courts interfering in a CO classification proceeding. In any case, it was part privilege and part a roll of the dice. That just seemed wildly amiss to me. The more I thought about it the worse it seemed. I grew up in a place where, to say the least, race consciousness was pretty universal.

My family had at one point taken in, temporarily, an exchange student from Cameroon, a very black African who had come to this country to go to engineering school at Duke. He lived with us for some few weeks before he went to college. My parents immediately lost all their friends. The backlash was horrendous, but the point I'm making here is that the racial overtones in many cases were more than just overtones. You had vast populations in inner-cities and so on where it wasn't even an issue. Nobody was going to file for CO because it was just too much to contemplate. There were others who tried it. I don't know what the percentage was of people who tried it and made it versus those who tried it and didn't make it. But again, it was also geographically, it was wildly unequal.

The only universally available method of keeping from contributing to what I was increasingly seeing as really an ethically untenable situation was just to refuse to do it. That's where I ended up. I suppose I should mention, and this is kind of ancillary, two of the summers during college I had a temporary job in a funeral home in Richmond where I lived. It was quite

large, handled more funerals I think than all the other establishments in town combined. By far the hardest cases to deal with...you know, didn't mind the work. Dead bodies did not spook me in and of themselves, but the hardest cases to deal with by far were the children who died of a disease or whatever or of an accident. That was really, really hard, but close on the heels of that were the Vietnam cases. The guys would come back in bags and be sent to the funeral establishment of their family's choosing. I don't know what the arrangements were like, but there were quite a number of these military funerals of guys my age. That I will tell you made an impression. It was just something as I say, it wasn't really part of my thinking up until then, but it was bringing it home in a way that might not have been otherwise. By the time I got about halfway into the summer after my junior year, I had pretty much come to the conclusion that the only ethical way out of this that I could find, since in those days I was perhaps unduly concerned with philosophical consistency, was to say I'm not going to do this. That method would have been open to anybody whether they had the education to write a statement or not, whether they had a peace church background or not, whether they lived in Berkeley or Keyser, West Virginia or Richmond. Anybody could do this. There were obviously going to be consequences. A lot of people had already done it. There was also a fair amount of emigration. The Canadians would accept people on that basis, refugees from the military draft. They've changed their law since then. If that arises again, I don't believe Canada will be an option, but another option was Scandinavian countries. Certainly the Swedes,

and I don't know about the Norwegians, but there was a large American expatriate community in Sweden because of the draft. I contemplated leaving and decided not to. I still felt, despite everything that was going on, despite the fact that I was certainly going through some emotionally difficult times of my own because of it all, that the country was worth staying in and working towards improving however I might be able to. I was more optimistic then, than I ended up being. So while I did contemplate leaving, and I had people offering to drive me up to Montreal. There was an open border in those days. We didn't have 9/11 and there were no checkpoints and all that. It was the longest open border in the world. So getting up there would have been possible, but I just decided not to.

Kranich: So you went from a high school kid who kind of supported the war to by the summer of your junior year you're telling people that you can't even be a conscientious objector. So you're articulating your stance. So who were you sharing this information, this evolution with? Were you telling your parents? Were you telling your professors? Were you telling your friends?

Kendall: All of the above. Not all of the professors certainly. Some of them couldn't have cared less. Some of them were quite supportive. I don't think by junior year I was taking courses from anybody who would have been opposed. My parents found it very hard to deal with at first, but it didn't take them long to be become really supportive. Because you know, they can read newspapers too, and they were following what they could on the news and so on. Actually coverage had gotten a bit more intense in the mainstream media by then. You

were seeing a lot of footage of the war, and every night on CBS News you had the nightly body count, and the estimated number of Vietnamese killed was always five or ten times higher than the estimated number of Americans. To this day I don't have any idea how accurate or inaccurate that was, but it struck me that the death toll was wildly uneven between the two sides. But every night there were figures of people dying in the war. The group that I had sort of, again group is a bit of a strong word there was nothing formal about it, but the sort of circle of friends that I had by then, yeah, I was telling most of them. There was nobody that I was really concealing it from. There were some people that I didn't bring it up with, and some people that I would not cut it off exactly but gloss over it if they brought it up. My younger siblings were all pretty much of the same mind at that time. One of them changed his mind later but that was much later. My professors certainly knew. I mentioned my college advisor. His name was William Storey. He was a medieval historian and quite an eloquent pacifist. I used to have debates about this with one of my professors who was an ethics professor, who has subsequently gone on to become one of the best known theologians in the United States. He was born a Methodist in Texas, and I think he ended up in the Episcopal Church because he was tempted to become a Catholic but he couldn't quite deal with how the Catholics dealt with women, so he became an Episcopalian instead. He finished his career as a professor at Duke. His name is Stanley Hauerwas, and again we don't have his permission to name him, but he is quite well known. I remember I used to debate in these one-on-ones that I would have

with him the whole issue of pacifism and so on. I never quite got him to do what I considered coming around, but later on he became one of the most outspoken proponents of pacifism in the United States, largely under the influence of a Mennonite theologian named John Yoder. John died some years ago now, but he was quite well known in the theological profession. Stanley Hauerwas was a strong admirer of his. I wish that I could have been present for their conversations. I know they must have been beyond whatever I had. So yeah, I was pretty much talking about it.

Kranich: So let's go to you graduated college, so now your deferment is no longer.

Kendall: Actually the deferment ended before that because after I went back to...remember you had to fill out a new form every year. When I went back after senior year, I was pretty committed non-cooperator by that time, so I did not take out a student deferment my senior year. They got around to noticing that around December. I began to get mail from the draft board, and sometimes I would write snarky things on the envelope and send it back unopened. Sometimes I would open it and then just throw it away. The first one that came was almost certainly an order to report for a physical, and that would have been in Richmond because that's where my board was. As far as they knew that was my home address, which it was. My parent's address was my legal address at that point since I was a college student. These letters started coming. The first one was undoubtedly an order to report for the physical. I'm guessing that the next several, either I didn't open them or I just don't remember, but they were probably half threat and half reminder. You

know 'you have another chance here coming up, you better get down here'. As it happened, every violation of the draft law was a separate felony worth five years and \$10,000 if you got the max. So failure to appear for the physical was a separate crime all by itself. Failure to carry a draft card, which I had long since ceased to do, actually senior year I made a religious statement out of it. I didn't burn it because it was a windy day and didn't want to start any fires, but I did tear it up in front of a crowd of people on Good Friday on the steps of the administration building at Notre Dame, not too dramatic. So not having the card was theoretically a separate offense. The last one was almost certainly an order to report for induction itself because I was deemed by that point to have waived the physical, and I just didn't. I'm sure that I didn't even send that one back. I just threw it away, but I didn't appear for it. So they got around to noticing that I didn't have the deferment around December. This was about mid-April or so, early April, when I declined to appear for induction. Then, I discovered that I had been indicted on the Federal charges when my mother read it in the Richmond newspaper and called to let me know, and I said well, we knew this was coming. So by that time, I had three weeks left between me and graduation, and I didn't really want to get pulled out of school three weeks from the end. You know, I had no money and was already in debt for the previous three years and finishing would have been very, very difficult if I hadn't finished at the time. Not perhaps the loftiest of motivations, but there it was. So, I was in a position to simply drop out of sight for those three weeks. I had a full load, in fact I had

more than a full load. At Notre Dame in those days a full load was 15 hours. I had 18, but I didn't have any classes. All of my courses were, we called them 'directed readings'. They were one-on-one with a professor at your mutually convenient time, so I would meet with each one of them once or twice a week. I don't think I ever read as much or wrote as much in my life as I did that semester. I figured, well, I would just crash with friends and come out at night and slip my papers under my professor's office doors and things like that. Just not appear in public. Well, it was around that time, you know I don't remember how it came about, there had to be a conversation, and I don't remember how it went. But one of my professors, not one of my professors at the time if I'm recalling correctly, I had had his course the year before ... He was an historian named Carl Estabrook. He basically offered to put me up and nominally hide me out. Not that anybody couldn't have found me if they really wanted to, but enable my dropping out of sight for those three weeks. Carl and his wife Leigh were really taking a very big risk at the time. This was harboring a fugitive, when you come right down to it, because I was on the lam, I knew the FBI would be looking for me. They had come to my parent's house. My parents wouldn't tell them anything. They just said they didn't know where I was, which they didn't. They didn't have any idea where I was, since I had dropped out of sight. But I knew it could only be a question of time when they found out I might still be in South Bend and came looking for me there. As I say, I had three weeks to go, so Carl and Leigh offered to put me up. They had three small kids. As I say, it was quite a risk for them, and I

will be grateful to them for the rest of my life. They just weren't phased by it. They said "Well, this is something that ought to be done," so they did it. I know I didn't ask them because it wouldn't have occurred to me that it might have been even possible. I didn't know that they had an attic room for example. I had no idea. I knew they probably had kids, but I didn't know how many. I didn't know whether they had space in the house or anything. So I'm sure I didn't ask. I'm sure he offered, but how it came about I don't remember.

Kranich: Do you remember when your mother called you and said? Do you remember your feelings? Do you remember her feelings?

Kendall: Again, by this time she and my father were pretty resigned to what was going to happen. I think my father had one minor emotional meltdown into tears at one point. I wasn't there, but I understand it happened once. Both of them really by this time had become quite supportive. It probably didn't hurt that they had no use at all for Richard Nixon. They had been in his Congressional district when he first ran for Congress, a legendarily dirty campaign. They just had no use for him at all. This was, as far as they were concerned, part of it, that I was opposing Nixon. It was Nixon by then. While it was really hard for them, they were quite supportive. So by the time the indictment came down and my mother read it in the newspaper, it really wasn't unexpected, and it was kind of a matter-of-fact phone call. I just said well, we've known that it was going to happen. You know what's going to happen is I'm just going to go crash around with various people, and then I'll see you on graduation day,

which is the way it happened except I didn't have to go around from one place to another because of the Estabrooks' kindness.

Kranich: Then what happened after graduation?

Kendall: What happened after graduation is that that night we drove from South Bend back to Richmond. That's a long drive, but we did it. As I recall, my then-girlfriend had come up to the graduation. She had gone to St. Mary's College which is right across the road from Notre Dame, and she had graduated the year before and had come down to my graduation. She lived in Cleveland, so we went back to Richmond and dropped her off in Cleveland on the way. Then we got back to Richmond in the wee hours of the morning. Then the next day, I went and turned myself in. I don't think it was the FBI. It might have been. It probably more likely that it was the Federal Marshal's office which is attached to the courts.

Kranich: Why did you turn yourself in?

Kendall: Because...well, I don't want to dramatize it too much, but for the same reason Socrates drank the hemlock. I didn't have a libertarian bent. I had no attitude that no government was going to push me around or any of that kind of stuff. I had never even had a parking ticket at that point and considered myself law-abiding. But I think it was Thoreau who said, "When the laws are unjust, the only place for the just man is in prison." That's pretty dramatic, but I was 21. I've said only half in jest since then that if I had to do it again I'd make them catch me, but whether I really would I don't know. I knew what was coming

up to a point. I didn't really have an accurate picture of prison life, that's for sure, but I knew that it was in the future. It was a principled stand, and I wasn't really interested in hiding or, you know, skipping the country. Facing it down basically is what I saw myself doing.

Kranich: So you turn yourself in, what happened after that?

Kendall: I was arrested immediately. I think it was a Federal Marshal's office. They said, "We have a warrant for your arrest." I said, "Yes, I understand you do." So they locked me up in this little holding cell. I guess they sent my father packing. There was nothing more for him to do at that point. Or maybe there was, maybe he stayed around because there was a judge on the premises at the time. There wasn't a trial going on, but the judge who ended up having my case was there. So they had a sort of on-the-spot hearing. Well, this was a kind of seriously no-nonsense judge. The prosecutor was hastily summoned from his office to come over and do this. It wasn't an arraignment yet, but it was sort of a preliminary. There must be a name for it, but I think it maybe was a bail hearing or a bond hearing. The prosecutor knew very well that he'd better volunteer to the judge that I had turned myself in, so he did, because if he hadn't volunteered that, the judge would have made his life miserable when he found out. So he did volunteer that, and the judge asked me if I had a lawyer and if I had a job. I said "Well, I graduated from college yesterday," and I used a phrase that was current in the newspapers at the time. I said, "I guess I'm one of the unemployed graduates." The big thing in the news was that people were graduating from college that couldn't find jobs. Sound

familiar? So he asked about the lawyer, and I said I don't have a lawyer. He said, "Do you want me to appoint you a lawyer?" I said, "Well I'd appreciate it if I could take a few days and see if I can find one." He thought that was ok, so I was released on what was called personal recognizance. I was not required to post bond which was good because there was no money. My father would have had to sign over the house to do that. I wouldn't have gone for that. If they had demanded bond, I would have just had to stay in jail. He released me on recognizance. It took me a couple of days, but I actually did find a lawyer who was willing to take it pro bono. I assumed that he must be a leftist of some kind...no, not exactly. He was an intellectually curious lawyer. I think he did it as an intellectual exercise even though himself he was quite a right-winger, but he did a really good job of handling the case I must say. I was amazed later on to find out he was actually a George Wallace supporter. You could have knocked me over with a feather. He did a terrific job of this case, and he tried every way he could think of to talk me out of what I was doing. He knew more about prison than I did, but I wasn't budging, and he concluded that I wasn't going to budge. So he did everything he could...including the one count about refusing or declining or failing to show up for the physical. He managed to get that one dismissed by observing that the prosecutors hadn't provided any documentary evidence of that count, so the judge dismissed it. The failure to show up for the induction was actually a bit more self-evident since I was standing there in front of them, so that was not dismissed. He then recommended that I waive a jury and just have a judge

trial, and it was the correct advice. This judge was quite liberal on social issues. He was not yet liberal on the subject of the war, and certainly he had no sympathy for people who violated the law when they had another option which to his mind I had. I could have gone the CO route, and I didn't. The trial was set for the end of June. I think June 28th. A side amusing anecdote is that there was a time in my life that any time I did anything that was remotely important there would be a thunderstorm. I don't know what explained this, but I'll tell you I'm something of a musician. The first time I ever conducted a concert there was a huge thunderstorm. It knocked out the electricity. We lost the recording. There was a thunderstorm the day of the trial that just blackened the skies and shook the chandeliers in the courtroom. I knew that the judge belonged to the same church that I did. He did not know that I knew that, and you could not know because it was a huge church. They had like 5,000 members or something like that and many, many Masses on Sunday. You could never meet some of the people who were members of the same church, so of course I was certain to mention it in the course of my testimony. I was messing with his head, but at the end, truth to tell, there was probably little he could do except find me guilty, so he did. Sentencing was then put off until the 3rd of September which I think was the day after Labor Day that year. They got what the was known as a pre-sentence report where they have the probation office people do a thorough background check to see if there's anything they ought to know about. Turned out there was nothing. So when the time came, as I say he was very heavy sentencer despite being famously

liberal on social issues. His usual practice was to give just below the maximum for whatever the offense was. By not giving the maximum, by giving just a little below, he demonstrated that he had thought about it and not just done it automatically, so it was much more difficult to have him overturned. He was not overturned very often. He was wildly unpopular in Richmond because he had ordered school busing and all that to remedy segregation in the public schools. Half of Richmond would have been perfectly happy to ride him out on a rail or something, so he didn't have a big following. He was a very tough sentencer no matter what the offense was. My four years out of a possible five was the lightest he had ever given. Everyone else who had come before him for that had gotten four and a half.

Kranich: What were actual charges?

Kendall: I don't remember the exact wording of it, but it was essentially failing to observe a lawful order to report for induction into the military. I forget how they worded it exactly, but that's pretty much what it was.

Kranich: You were 21, so what year was it?

Kendall: This was '71.

Kranich: Seventy-one, so you were sentenced to four years in prison.

Kendall: Was I still twenty-one? I guess I was twenty-two by that time, so yes I was sentenced to four years.

Kranich: Before you tell some of the prison stories, it sounds a lot like by this time you are pacifist.

Kendall: Oh yes.

Kranich: Tell me what that meant to you. How did you define your pacifism?

Kendall: Pacifism to me is a recognition that there is almost never an excuse for violence and in particular premeditated violence. It might be one thing if you're walking down the street at night and somebody jumps at you out of an alley or something like that. You just instinctively, you might punch him or something. But when it comes to premeditatedly deciding that violence, and in this case, globally lethal and widespread lethal violence, as essentially an instrument of foreign policy, which is what that war was. We were pursuing what was known, in the Eisenhower days and following, as a "policy of containment." Everybody who mattered in Washington in those days saw Vietnam as a "domino", you know, like you knock down a row of dominos and one falls down after another. It's amazing the extent to which so few of them realized that they needn't have worried about the Chinese coming in and influencing anything. The Vietnamese and Chinese historically are not the greatest of friends. The Vietnamese were primarily nationalists, and they were shoved into the Communist camp because the western powers would not come to their aid against the French colonial powers. For me, the question of pacifism doesn't mean shying away from anything. It certainly doesn't mean appeasement. It does mean facing down what you legitimately see as evil.

Yes, that means taking gigantic chances sometimes. It could very well mean dying when you come right down to it, as a number of Gandhi's followers had during the last days of the Raj in India. It was some song writer from those days, I was never much of a popular music fan, so I don't really know who said this, somebody's phrase was "Peace is not the end, peace is the way." That just seemed to make sense especially in the context that nothing else seemed to be working. Here we were in 1971 and at that point there was really no end in sight. Like I say, they weren't going to nuke Hanoi and be done with it. So what were they going to do? Did they really think that at some point the Vietnamese would just give up on their own country? Not likely. Did they think the armed opposition of the South, the so-called Vietcong, were going to somehow make peace with first the Diems and then the Thieu regime and following? I don't think so. What they were thinking was not clear. This was clearly not working. It is not working now. You know, pacifism is heavy duty stuff. It does mean occasionally, sometimes more than occasionally, having to face down possibly lethal, call it evil for want of a better word, without responding in kind. That's heavy duty stuff. I don't know if under all circumstances I would be brave enough to follow through on it. The one serious test that I had of it I did manage to get through.

Kranich: Tell us about that.

Kendall: Well, when you come right down to it this was where the story ceases to be romantic and anything remotely heroic or anything like that and gets really down and dirty. It was a rape attempt in the Richmond City jail, on the part of

a guy who was probably three quarters again my weight, a solidly built black guy who was just obviously consumed with rage against white people.

Jailhouse and prison rape is an entirely different phenomenon than even what it is in other contexts. It's pretty bad, God knows, already, but it has nothing to do with any kind of sexual orientation or sexual deprivation or anything like that. It's sheer dominance and is seen as a humiliation tactic. The phrase is "taking your manhood". There must be a similar phrase in women's joints, but I don't know what it is. It was heavy duty. The guy just beat the hell out of me when you come right down to it. He was a big, tough dude. You know I don't know why he stopped finally. I just don't know. Maybe "the man" was coming. I have no idea. It became clear to this one guard that something untoward had just happened, so I was put in what is politely called protective custody. The real translation of that is solitary, where I stayed for a day and a half, and then the Federal Marshals came to take me on my journey to prison in Pennsylvania, by way of the DC jail, which was another bona fide hellhole. You could have died there very easily. The stance that I took in the face of this attack was neither to submit nor to resist. There was no knowing at the beginning of it whether I would survive it or not. I needn't have. He was big enough that he could have killed me if he set his mind to it. I mean it wouldn't even have required any weapons, just beat my head against the wall or something like that. He could have done it. He didn't do it, and I don't want to read too much into that. I don't want to say my facing him and not resisting him was somehow transformative or anything like that. Maybe it was, who

knows. I never saw him again. That's the one sort of immediate, here and now kind of test that this conviction has had. But again, you could almost put that in the column of the unexpected attacks that you might very well instinctively fight against. Doing something as a calculated matter, and for want of a better term "premeditated" matter, for me it's in an entirely different category.

Kranich: Tell me how you faced down without resisting this attempt at rape.

Kendall: I just stood there and stared him in the face and kept saying no, and he kept pounding on me. It was memorable, let's just put it that way. Interestingly, I felt it a little afterwards, but I wasn't really badly injured. It was not something I'll forget anytime soon. In a jail you're in cells, but they open onto what's known as a tier. The cell doors are open during the day, so I couldn't have taken refuge that way. In fact, I certainly wanted to stay out of the cell because that would have been probably certain death. So I stayed out in public so to speak. I certainly didn't expect anyone to come to any kind of assistance and possibly wouldn't have wanted them to anyway, although you could wonder about that. After this was over, and this guy was taken back to where he had come from...that's another part: somebody had let him into that tier, so you have to feel like some guard must have been complicit in this. I don't know how that happened, and I never did know how it happened. At some point, maybe that's why it stopped, because his time was up or something like that. I don't know, but the other guys just then erupted on me for not defending myself. I can still remember this one guy saying, "This is going to happen to you in every institution of correction you're ever in until you learn

to stand up for your manhood.” That’s the way he put it, his exact words. Even after all these years, I can still call them up. All I could do was say, “Well he didn’t succeed did he?” But that didn’t carry a lot of weight because everybody knew he could have killed me if he wanted to. His life wouldn’t have been too great after that, but.

Kranich: How did you respond in prison to threats of violence? Did you continue to respond that way?

Kendall: It never again quite got that intense for me, although it could have if I had stayed in Lewisburg for longer than a week. Lewisburg is a big maximum-security prison. The hierarchy at the time was there were two satellite prisons administratively under the warden at Lewisburg. There was the so-called Lewisburg Farm Camp that was right outside the Lewisburg walls that was sort of medium security where the guys basically did farm labor all the time. Then there was Allenwood which was some number of miles up the road – I don’t remember exactly how far it was – and that’s where I ended up. Allenwood was also a so-called farm camp. It had once been a small village in Pennsylvania, but it was eminent domained in World War II. They made an ammunition factory out of the whole area, and so the prison buildings at Allenwood were what was left of this old ammunition factory, several buildings. Later they had built some specific prison buildings. When the marshals took me via the Washington DC Jail where I was for one night, another very frightening place but I got through it ok, and then in Lewisburg it

was sort of a question of “any minute now”. It didn’t happen in that week. I was only there for about a week, and then I was sent out to Allenwood.

Allenwood was a different scenario from the real monstrous places like Lewisburg. For one thing in those days, this is not true today, in those days it was a minimum-security camp. It was a camp. It was in the foothills of the Poconos, and as I say had been an ammunition factory during World War II. The only thing left of the old town was a little stone church surrounded by a cemetery. Then there were the buildings, some of which had been there during the ammunition factory days. Others were newer, but it was barracks living, no cells. There was no fence, there was no wall. If anybody wanted to run, it’d be a several mile run over an open field, so, you know, people could do it. Several people actually did manage to escape and stay gone for a while. But by and large, being minimum security and relatively relaxed compared to some place like Lewisburg, it was correspondingly safer... which is not to say it was 100 percent safe by any means. Not only because of the threat of violence, although that was certainly there, but also just for aggravating routine things like people dying for lack of routine medical care, that happened on a couple of occasions, or people being given inordinately dangerous work assignments. They sent an untrained guy up a telephone pole to do something, and he died. He got across several thousand volts and was dead before he hit the ground. So that sort of thing did happen. Another guy, a guy in his 30s, had a heart attack and was driven past the civilian hospital to the prison hospital in Lewisburg where there wasn’t going to be a doctor on

duty until the next morning, so he died. Things like that...it was not that uncommon.

There was the constant threat of violence. You constantly had to be aware. As I think I mentioned in a previous conversation with you, it was my introduction to an aspect of existence that women live with all the time, but most guys don't have occasion to experience. But when you're in a situation like that, and as I've told people for years, you're young, small, white, and stupid...it didn't help because, you know, the racial animosity was always there. Even if you tried to ameliorate it, you could up to a point, but only up to a point. So there was that to worry about, and the consequent threat of violence was pretty much never-ending. You always had to be on the lookout. You always had to have your wits about you and so on. Some people could back it down by means of threats. There was a guy who was even smaller than me, and he was, let's say, "approached" by one of these guys and "declined the honor", shall we say. The guy said "Well, we have ways, I assume you know about that," and he said, "Yeah, I know that some people die in their sleep too." You know, you could resort to that if you wanted to. I didn't like that, but I could understand why somebody might do that. Again, you know, it was certainly far from being a safe environment by any stretch, but a large part of the population was in fact draft cases.

Of those, probably a good half were Jehovah's Witnesses. They have a really raw deal, and I don't know whether this has changed since then. But in those days, their attitude towards the draft was exactly the same as the

Mennonites. They have nothing to do with it. Well, that was my attitude too, but they were at least driven by a church teaching which I was not. The church that I belonged to when I started all this did not have pacifist leanings to say the least. The Mennonites will have nothing to do with the draft. They won't register. They won't take physicals. They won't file for CO. They won't do anything. That was pretty much the attitude or was, I assume it still is, of the Jehovah's Witnesses. But for some reason, when there is a draft on, the Mennonites are left alone and the JW's got to jail in droves. They were easy guys to get along with. There was no danger from them, certainly, except that the guards were aware of the fact that if you asked a Jehovah's Witness a question he would always tell the truth. So there were some things you didn't want them to know, but that's not danger in the same category as what we are talking about. Conversely, there were some street-tough sorts of people, but this was federal prison bear in mind.

Ordinarily, violent street crime doesn't precipitate Federal charges. Those are usually state charges, so the violent street criminals, robbers, murders, rapists, you know that kind of thing, typically end up in state prisons. What you have in Federal prisons are things that just happen to be either specific Federal crimes or they become Federal crimes because they are carried out across state lines. One of the most frequent Federal crimes is car theft. Well, car thefts, they can be violent crimes too, but by in large they aren't the same as people who, you know, rob you on the street for example.

All sorts of white-collar crime, bank embezzlement was another one. Actually the most frequent Federal crime, interestingly, is bank robbery, and that's Federal because of the FDIC. It's federally insured, so it becomes a Federal crime. It's also not for your really intelligent criminal. Nobody gets away with bank robbery. I think the conviction rate is something like 99.8 percent, but the place was nonetheless had its share of bank robbers. You know they too can be violent people, but again it's not the same as the street-toughs and the rapists and so on. It just sort of fortuitously I ended up in a place that compared to others was relatively safe.

To be sure, there were also heavy-duty mobsters for example. Three of them in particular that were really notorious. One was seriously notorious. Another was sort half-notorious, and the other one might have been if he hadn't been so old. By the time I knew the third one he was an old sort of jolly old man. There wasn't much danger from him. He had nonetheless had a major heroin operation on the East Coast. He wasn't exactly your innocent angel. The other two were serious mobsters and would literally just as soon kill you as look at you. So you had to steer clear of these guys. I accidentally physically bumped into one of them one day, and I thought my life was over. But as it happened all he did was shove me aside without a word. "Be warned", so I was warned.

It was during all this time that my own motivations and so on began to evolve a bit. When I first self-identified as a pacifist, having been brought up as a pretty committed Catholic all my life, I assumed that only something like

religious faith could sustain something as impractical as pacifism. I have since moved away from the Catholic Church, but I have not moved away from pacifism, interestingly. Largely, I see it as even more firmly grounded now because I see it as a practical matter. This didn't quite begin to emerge there in Allenwood, though the seeds were planted by some reading that I was doing. I also got into some discussions on the subject with somebody who in terms of the war and all that was definitely on my side, but he was not coming out of the same background at all. This was another man who died in his early 90s about a year ago. His name was Bill Yates. You can find out about him in a book called *The Deacons for Defense*. The subtitle is *Armed Resistance in the Civil Rights Movement*. Unfortunately, it's only available as a pdf, so you have to read it online and it's eye-killing, unless you want to print out 300 pages. Yates had been an English instructor at Cornell University and had gotten involved with the Civil Rights Movement. He was a white guy. Certainly not a pacifist, he had volunteered for the Second World War. He was old enough to be my father, but he was not as old as my father. He had gotten involved in the Civil Rights Movement, and Yates was one of those people that doesn't do anything halfway. Before it was over, he was a major organizer for CORE, the Congress of Racial Equality, which sent organizers throughout the segregated south. I didn't know this at the time, but he was viciously attacked and beaten up to the point of breaking his hand by the Ku Klux Klan, I think in Mississippi. I only found out a lot about him much much later after I was out of touch with him, but he and I used to get in these almost

screaming matches. You know he didn't take to disagreement really gracefully. He just thought pacifists were paper tigers and worthless people, who could have been real revolutionaries. He had very little patience with it, and I used to get into arguments with him and have to defend these notions. I certainly developed a respect for how he could have the attitudes that he did. He got into the CORE stuff and had his own troubles in the South. He could have been killed. From that, for him, it was a short jump into the anti-war movement because the two in his mind were inextricably bound up for the reasons we've talked about. A large part of the burden of it was being born by the poor and the black and so on.

There was a lot of that notion in the Civil Rights leadership, certainly Martin Luther King was an outspoken opponent of the war for much the same sort of reasons. For Yates, he said he would go to these anti-war demonstrations and there would always be somebody with a sign saying 'better dead than red'. So he started reading and before he knew it he was a member of the U.S. Communist Party, the old Gus Hall organization that ran Gus Hall for President about six times. They had a daily newspaper called the *Daily Worker*, no it was the *Daily World* by then. It had been the *Daily Worker*. That used to come into Allenwood through the mail, interestingly. So Yates was sort of known as the voice of Communism. It was interesting having these arguments with him. I was never going to get anywhere because he was as dogmatic as anybody on the other side could ever dream of being. He, to be fair about it, never got anywhere with me either. It was an

interesting intellectual exercise in having to defend nonviolence against somebody who shared my goals and my values but thought that only violence could bring it about. He was committed. In fact the reason he was in prison... I have no idea how he got involved with a Quaker sanctuary action, but he did. A local Quaker meeting wherever he was living at the time, it might have been Ithaca, it might have been Buffalo, he was from somewhere near Buffalo... There was a guy who had deserted from the Navy, having turned against the war, basically being sheltered at a Quaker meeting. Yates was anything but a Quaker, but he got involved in this sanctuary action where basically people formed a human wall around this guy and tried to offer some measure of protection. Well, nobody anticipated that the feds would send in guys with clubs and start beating people. Yates, as I say, was anything but a pacifist and anything but a Quaker, so he got up and belted one of these guys. He did three years for that. I don't know if they called it resisting arrest or interfering with a federal arrest or what. So he was there when I got there and got out before I did.

Kranich: Did you serve the full four years?

Kendall: No, I didn't, and that's kind of an interesting story. The attitude in the country was changing, and there was another interesting thing. I forget what the magazine was. It might have been *Atlantic* or *New Republic* or one of those monthly magazines that ran an article about draft resisters in prison. The upshot of this article was that while applications for parole, which was still part of the system in those days, were allegedly handled on an individual,

case-by- case-basis, the workload of the parole board was such that even if only one member of the board decided each case, they would have about 8 seconds to spend on that case in the course of a year. Obviously they weren't individually decided. They were decided by category, and draft cases never got parole. Certainly none of the ones I knew did. So this article was published, and...how did this happen? ...a friend of my mother's was a friend of the judge's wife, my judge. She gave this article to the judge's wife who put it on the little stand by the chair where he would come home and sit and read. Later on, this other friend then told my mother that she had done this. My mother's telling me this story, that the judge's wife then gave it back to the woman who had given it to her, and it had all these markings that the judge had made on it. He had obviously read it. I don't know if this is still in effect or not, but there was something in the Federal code at the time called the All Writs Act, which allowed a court to treat any correspondence from a prisoner as though it was a formal motion by a lawyer. So you could just write a letter to the court making a request for something, and most of them came to nothing of course. I just said, "Well, what have I got to lose?" I wrote a letter to the judge that four years seems like an awfully long time, how about reconsidering? There was no way for me to keep a copy. So I sent this off, and by God he did. He cut my time in half, very quietly. It never made the newspapers the way the indictment and trial had. By that time I was already close to that halfway point anyway. So now I was doing two years instead of four years. There was no parole. There still wasn't going to be parole. The

system at the time was such that you were eligible...as long as you didn't get any violations inside the prison, you were eligible for what was known as 'good time'. These were days that were knocked off the end of your sentence. You got so many per month if you didn't violate any rules or get what they called 'written up'. If you got written up, then they could 'take days', as they said. It was a control mechanism when you come right down to it, but a lot of people got some time off the end. So my twenty-four months boiled down to somewhere north of seventeen months, to what was called "maxing out". By maxing out, I mean I didn't get parole, but I had this "good time". The catch on the good time was that you were still what they called "on paper," as though you were on parole. So you still had to report to a parole officer and all that for the duration of the good time which was a couple of months in my case. If you ran afoul of the law in any way or kept the wrong company or anything like that, you could be "violated" just like any parole violator and sent back for the rest of it. I ended up doing what we all referred to as 'maxing out' on two years. Like I say it was a bit more than 17 months.

Kranich: Tell me the story briefly. You met this judge. You know the name of the judge and how did you come to meet him later.

Kendall: The judge...he's deceased now. His name was Robert Merhige, M-e-r-h-i-g-e. I think he was of Lebanese extraction, quite a liberal on social causes, as I say a very tough sentencer on any criminal matters. Many years later...how many years later? I got out in '73, and this must have been about '78 or so, so about five years later. I had a part-time job working as a bookkeeper for the state

affiliate headquarters of the ACLU in Virginia, the Virginia ACLU central office. I didn't do any of the exciting or sexy stuff. I just was the bookkeeper, but in the course of working there something came into the office that announced that the University of Richmond Law School was going to be hosting a symposium titled something like 'Civil Disobedience and the Law'. When I saw that Judge Merhige was going to be on the panel, I thought, well, oh I've got to go, so I went. The audience was five hundred people or something. It was a huge auditorium. There was no way he could have known that I was there. I didn't even know at the time if he would remember who I was. This was some years later. This was shortly after Carter had taken office as President. You may remember the very first thing that Carter did after taking the oath of office, even before delivering the inaugural address, was to sign a blanket pardon for any draft violator in the whole Vietnam period. So, all the guys who had fled to Canada, all the guys who had fled to Sweden, people who had been indicted but had never been caught, and all the rest of us, although in my case, it was obviously too late to spare me all the fun. Carter had signed this blanket pardon covering all these people. Full, free, and unconditional pardon I believe is how he worded it. A lot of people did then come back from foreign countries and come out from hiding and so on. In my case, all I know that it did was allow me to register to vote in Virginia, which is not automatic. Well, these days, they have to apply for restoration of voting rights, and it has to be signed off on by the Governor. I don't know whether that was the case then, or because the President had done this, and it was a

Federal offense, that that would suffice. After initially balking, the state Registrar's office let me register to vote, and I've been a registered voter ever since.

The Carter pardon caused an uproar among the right wing, as you can imagine, because here are all these traitors who didn't do their duty and now they were getting off scot-free, etc. In the course of this symposium that Judge Merhige was participating in, during the question and answer period, somebody asked him about this whole thing. He answered the question directly by saying, "Yes, the President does have absolute pardon authority. It's absolutely legal for him to do this, and there is no question about that." Then, he followed this with a sort of public mea culpa that he didn't really have to do. It was essentially a public apology for the way he had handled draft cases. You could just tell by his demeanor, he was making it up as he went along, but he had had a real genuine change of heart. Obviously, he wasn't alone because most the country had, by then. It wasn't anything that stuck out, but it was more than he had to stay in public. He didn't have to beat his breast, so to speak, the way he did. Afterwards, I went up to the stage, and he was still there.

I just walked up to him and stuck out my hand. He took it, and I said, "Do you remember me?" He looked at me and said, "Kendall." I said yeah. We shook hands, and that was the last time I saw him. He continued to be quite the famously liberal judge on social issues, certainly, to the point where his house was vandalized and his dog was shot over some school

desegregation case that he had had. It was grim. He was in many ways sticking his neck out too. That too was a memorable sort of thing I could have never predicted.

Kranich: Two more questions. When you got out the war was still, the official end was...

Kendall: Seventy-five I believe. Forty years ago today if I'm not mistaken.

Kranich: Right, exactly forty years ago. Did you stop? What did you do in terms of...

Kendall: Activism? Well, I didn't stop, but I was in the situation of course of having to make a living. I had not only a prison record, although that, to be fair about it, that has never really been an impediment to employment.

Kranich: Even though it was a felony?

Kendall: Even though it was a felony. There was the Presidential pardon, so every job application I ever filled out always asked 'have you ever been convicted of a felony?' I always said yes. "If yes, then give details." I gave details. The details always ended with 'Presidential pardon 1977'. So it was never really an issue. The only thing it was an issue for was my being allowed to serve on juries, which I have been called to three times. I've been dismissed from every case on that basis. One judge asked whether I had papers proving that I had the Presidential pardon. I said, "No, there were several million of us. I don't think they sent out individual papers. It was a blanket pardon." While I was required to go down to the courthouse and sign in, and wait, and all this, and

get interviewed by the lawyers for every case, in the end in every case, each of the three times that I've been called, I ended up being dismissed. I've never sat on a jury, which I would be perfectly willing to do. That's the only effect that I know of that it's had.

In terms of activism, you know as I say, I did have the prison record, but even worse for the prospects of getting a job was I had a Liberal Arts BA which was approximately good for zero. I was over-qualified for everything that I wasn't under-qualified for. I had been told all the way through college that you'll do just fine with a liberal arts degree, just be willing to start at the bottom and work up, and you'll be fine. Well that just wasn't true. By the time I got around to, after the prison episode and all that, that I got around to actually applying for jobs, things had gotten to the point where a lot of people were demanding people that already had experience even for beginning jobs. I don't know how you get that if you can't get the first job, but I ended up getting really menial things, like I think I was a mail clerk for the Virginia Lung Association for example which, is the Christmas Seals people, that raise money for lung disease research. At one point I worked as the lowest level person you could imagine at the...just a temporary as a matter of fact, but it went on for a several years, at the Virginia Employment Commission, making absolutely rock-bottom wages with no benefits of any kind because I was a temp. In fact, they had a classification called 'permanent temporary', you like that? Theoretically, the world ought to collapse if you could even say that. What this basically meant was I was working a lot of hours for very little

money. I think at one point...the girlfriend that I referred to earlier, who we had taken back to Cleveland after my graduation of college, it was she who picked me up at Allenwood Prison the day I got out. We've been together ever since. We've now been married for forty-one years and have two adult daughters. At one point early in our married life, we were both working full-time and between the two of us, both of us combined, we were making about \$10,000 a year to give you some idea. It was more than it is now, but it was just barely enough to rent a one-bedroom apartment and still have enough to eat. We did it mostly because the jobs at least did have health insurance...actually, no, in that case they didn't. We were depending on a public, free clinic for healthcare. Later on, we took some jobs that were almost as bad except they did have minimal benefits.

In terms of activism, you know, you continue to talk to people. You continue to write letters. I certainly was doing that. I got invited to a panel discussion or several. In fact, there was one before Carter was elected. Gerald Ford had floated the idea of signing, not a pardon, but what he referred to as 'amnesty.' That was compared to the general amnesty that was signed after the end of the Civil War even against enemy combatants, the Confederacy. But the Ford proposal had all sorts of strings attached to it. Chief among them was you had to publicly repent your evil ways and say "Sorry, I was wrong". I went to one panel discussion that was called about this Ford proposal, and I said the only problem with that is that they weren't wrong. They were right. That got applause from some corners of the audience and rage from some

other parts. So that sort of thing. I can remember when we went to Pittsburgh to go to graduate school. There was the serious danger that Mr. Carter was going to take us to war in Iran over not the hostage stuff but the threat of the Soviets moving to the Iranian oil fields. Carter said in, I believe it was, a State of the Union address that he basically warned the Soviet Union that if they made a move toward the Iranian oil fields that the United States would meet it with military force. Here we are. Here was this guy that had signed my pardon that I found it very difficult to go along with at that point. Luckily for everybody, the Soviets did not go for the Iranian oil. I was invited to address several rallies against a possible military presence in Iran. This would have been about 1978. Things like that.

Kranich: In your own words, how would you describe your relationship to the war as a young man? (unintelligible)

Kendall: Now I would certainly say that, as a retrospective matter, I would have to say that I came to it gradually. I certainly was not born into it. I was not raised in it. I wasn't really pushed very hard into it by any of my professors who were into it themselves. They basically persuaded me to look, and think, and raise questions and try to find answers. There was no pressure really from anybody to go this route, even people who had gone it themselves. They did persuade me to think about it, and that's the conclusion I came to. It was gradual. The draft issue then became separate. I could very well have been a legal CO as a pacifist and as one who could write a statement. I suppose I would describe it that way.

Kranich: When you explored and being a pacifist is what you picked, are other people's choices as valid in your mind?

Kendall: They certainly are for them. I long since gave up judging people about that. I never really went in for judging people about that in the first place. I had cousins who died in the war. I did. Not people that I had grown up around and knew very well, but I knew about it. Over time, as I say, I used to think that only religious faith could possibly sustain something like pacifism because I hadn't yet figured out that, you know, it's really not necessarily the most impractical thing out there. We've been doing the opposite since the beginning of recorded history or earlier. We're not any better off, I think, for having fought our way out of everything and developed what I think is a really severe national obsession with guns and arms in general. I shudder to think where Iran and Afghanistan and Iraq could still end up. I don't think, certainly, the Islamic State, possibly not even Al-Qaeda, would have come about without the impetus of Iraq. I don't know that for sure, but they certainly seem to have gotten a huge push from that. The bizarre part is that Saddam, as horrible as he was, and he was, I don't want to make light of him...I'm a long time member of, Amnesty, and I can remember the Amnesty people back in the days of the Iran-Iraq war, when the Reagan people were sending arms to Iraq because they were fighting Iran...Everybody knew that you had to fight Iran or something like that. The Amnesty people saying don't do this. He's not your friend just because he's the enemy of your enemy, and he's going to turn that stuff against you. Lo and behold, a few years later

that's exactly what happened. If pacifism is impractical, I don't think it's any more impractical than the opposite. I would argue that it's less so or at least potentially less so until we try it. There hasn't been much of a trial as best I can tell. Those places where it has been tried the results have been mixed and have taken a long time: Mandela in South Africa, Gandhi in India. Those were grim and gruesome episodes. Mandela was robbed of thirty years of his life because of it. Whether an armed uprising would have been any better I think is questionable at best. I think my own self-identification as a pacifist...I think of it as grounded more in practicality than anything else. The popular notion that it is impractical. Well, I think people have some explaining to do, because clearly the opposite has led us to a place where I think most of us would rather not be.