

Incident at 18th and Michigan

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This was the appropriate way to end that tortured week. It was one of those times when jail is a place of honor. We did not come to that decision hastily. Most of us were unapologetically respectable types—several college professors, one college president, a distinguished lawyer or two, and a reporter from the archetypically establishment *New York Times*. Murray Kempton of the Post, a New York delegate to the Democratic National Convention, expressed wonderment at himself. Demonstrating was not his “thing,” in fact he had never before been in a demonstration. The first time and here he was getting arrested. It was a week for wonderment. What happened at 18th and Michigan in Chicago on Thursday night August 29 seemed quite natural, almost inevitable.

I

It should have been clear from the beginning what kind of week it was going to be and what kind of response would be required. But at first most of us found the security system amusing in its ludicrous excess. And though amusement was soon replaced by irritation, it still seemed that a little totalitarianism could be tolerated. The truth about the week, and maybe the truth about our society, came home with skull-crushing clarity to some in Lincoln park, later to others in front of the Hilton hotel.

For me the moment of truth came on the convention floor on Wednesday. The security forces were harassing McCarthy delegates from New York—perhaps others too, I don't know—by challenging us every five to ten minutes with demands that we show our credentials. Several of us, deciding this had gone too far, agreed that the next time we were challenged we would tell the man to check with John Burns, New York state chairman, who would testify to our being delegates. All at once, from about ten feet away, I saw a New York delegate being dragged from the floor: Alex Rosenberg, who had not shown his credentials. Two security men had him by the arms, another was trying to pull off the credentials card which was strung around his

neck. I stepped into the aisle and told them, with a confidence that in retrospect appears naive, that Rosenberg was a delegate and they couldn't throw him off the floor. For my trouble two other security agents grabbed me. Before the episode was over several delegates (including Paul O'Dwyer) and Mike Wallace from C.B.S. had been herded—more precisely, dragged—out. One Chicago policeman told me I was under arrest; later another threatened me with arrest. As it turned out, nobody was arrested; just a routine matter of removing delegates from the convention floor.

Two moments illuminated the situation. The meaning of police power became clear as we were being dragged. John Burns came over, identified himself and told the security agents that we were New York delegates. To which one quickly responded: "That's beside the point. This is a security question." When the influence of the state chairman of the strongest state in the Union is "beside the point" one learns something about the relative weight of police power and political power. The other moment came at the height of the melee. One agent shouted, "We only want that guy [Rosenberg]; let the others go." Another, apparently his chief, overruled him: "Take them all, we can sort 'em out outside." That impressed me as a rather concise statement of the police procedures operative at the convention.

II

And more: the McCarthy delegates and some others caucused that Wednesday afternoon. Indignation was high among those 600 or so people, most of whom had by now seen films of the beatings at the Hilton the evening before and many of whom had been through similar moments of truth with the security system at the convention. A couple of things were resolved in that caucus. One was determination that the convention must be adjourned that day, before the balloting. Although this action is not directly pertinent to my story, someday somebody might want to reflect on what might have happened if the caucus leadership had followed through on the plan and the presidential balloting had been postponed for at least one day. The other resolution is more pertinent to this account; it helps explain why there were only 26 delegates and alternates at 18th and Michigan the next night.

At that Wednesday caucus it was resolved that these several hundred delegates would not return to the convention for the Thursday (final) session "unless the civil liberties questions in the city and in the convention had been resolved." I don't suppose any of us really expected the questions to be resolved in one day, but we did expect there would be some appropriate censures, apologies and assurances

that outrages would not be repeated. This resolution took priority over previous plans, informal but widespread, to stage a walkout after the nomination of Hubert Humphrey. But adjournment was not forced that Wednesday evening. Mr. Humphrey was nominated. There was no walkout. There were some cathartic No! No! No!s when the chairman asked to make the nomination unanimous. Nothing else.

Thursday afternoon the McCarthy people caucused. Paul O'Dwyer—New York's candidate for the Senate and a delegate—kept insisting it wasn't a McCarthy meeting but a nonpartisan meeting of people concerned about civil liberties. He invited even a New York regular Democratic wheelhorse to address the group on civil liberties, but he immediately launched into an appeal for party unity around Mr. Humphrey. Since it was really a McCarthy meeting that didn't sit too well. Then Paul O'Dwyer and Eleanor Clark French moved the agenda to the question of what we were all going to do at the convention that evening. This came as a surprise to some of us who remembered the resolution of yesterday and didn't think the question of civil liberties in the city or the convention had been "resolved" in any sense of the word. Murray Kempton and I got up to speak to that, saying we had no intention of going back to the convention that night. We reminded the group that the previous evening—really early morning—when we left the convention and formed a candlelight procession to join the young people at the Hilton, we had promised them that we would meet them at the Hilton this (Thursday) evening and stand with them. Norman Mailer, who was at the caucus but couldn't speak because he wasn't a delegate, was very sober in urging that I underscore to the delegates the perfidy of breaking trust with "these kids" who really did believe we were going to meet them that night at the Hilton. (Mailer didn't show up later at the Hilton, and he wasn't in the confrontation still later at 18th and Michigan; no doubt he meant well.)

Paul O'Dwyer said that those who "want to go with Kempton and Neuhaus can do so" but that the rest should talk about what they were going to do on the convention floor. The residue of Wednesday's indignation was sufficiently alive to produce the idea of supporting the vice-presidential nomination of Julian Bond, and Eleanor Clark French suggested we could follow through in the spirit of Wednesday's resolution by shouting a vigorous No! when the chair asked a vote of thanks to the city of Chicago.

The sabotaging of some of the more lively previous resolutions is understandable in view of the need some had for party cooperation in forthcoming campaigns. Also it was argued that the regulars in the party expected the McCarthy people to be one-issue protesters who were not to be taken seriously as continuing forces in party

business. Not showing up for the final session, it was said, would confirm the regulars in their suspicion.

III

Perhaps O'Dwyer accurately grasped the mood of the group, for when we gathered in front of the Sheraton-Chicago at the announced time, 6:45, to "walk down to meet the kids at the Hilton" there were only 18 of us. The number later grew to 26, but it remained a rather dismal remnant from the righteous indignation of Wednesday's caucus. When the young people asked us where the hundreds of delegates were who had promised to stand with them, we explained we were a "delegation from the delegation," most of which was busy doing creatively radical things on the floor of the convention. It seemed that the kids believed us, and I felt bad about that.

The 17 decided that I should be the spokesman and leader of sorts. We assembled in what looked disturbingly like military formation, and I assured the anxious that we were not likely to be arrested; our purpose was just to stand between the cops and kids. We started walking toward the Hilton and Grant park, about 20 minutes south on Michigan avenue. Along the way we picked up a few more delegate recruits and some nondelegates; the latter took up position in the rear.

I had been in contact with Dick Gregory, who was to lead a walk of people south on Michigan avenue; we arranged to meet him in Grant park. When we got there, however, he and his group had gone ahead. So the walk was halted while Peter Weiss, a lawyer, and I ran ahead to coordinate signals with Gregory. A couple of blocks short of 18th street—a mile or so south of the Hilton—we caught up with Gregory, and Weiss went back to bring the delegate group up front.

That's when Gregory, the National Guard, the police department and I started laying out plans. The first thing established was that Gregory's group and its actions should be distinct from the delegates and their actions—two groups making the same essential and elementary point: the right of citizens peaceably to walk the streets of the city; no banners, no shouting, no singing, just walking. Dick Gregory's contention was that he had simply invited these people to his home on the south side. As we shall see, the police expressed some incredulity on that point.

IV

Take the National Guard's General Richard Dunn. He was really a very nice fellow; he assured me that what was happening was not his idea but that he was under orders from the police. He introduced me to Inspector James Rochford of the Chicago police department, then went back to sit in his "Daley wagon" —a jeep fitted out with barbed wire in front and a chicken-wire grill enclosing the body.

Mr. Dunn appeared to be embarrassed about sitting there inside his jeep, looking nervously through the chicken wire at us distinctly nonthreatening civilian types. Most of his uniformed subordinates, however, were not about to be embarrassed. There must have been at least 300 of them stretched five or six deep across the intersection of 18th and Michigan. They stood there, many of them teenagers, with rifles at the ready, looking very determined.

Some of them seemed to have a hard time being nonchalant about pushing around people with clerical collars. But I have noticed that police forces of various sorts are overcoming their inhibitions about this sort of thing. There was some evidence in Chicago, in fact, that individual policemen were taking care to pick out people with clerical collars (in addition to people with long hair) for special beatings; no doubt that says something about the role of the clergy in American society. One does, however, discover a residual respect for the clergy. That is why it is important to refer to clergy who take part in demonstrations as "so-called clergy." One Chicago paper went further and showed a picture of three young people and four clergymen in Lincoln park over the caption "A group of hippies flee from Lincoln Park, four of them dressed as clergymen."

Inspector James Rochford came quickly to the point: If you are delegates to the national convention you can walk through the line one by one; in fact we will give you police escort to the amphitheater (some four miles away) or even get transportation for you if you want it. I asked if this applied also to Mr. Gregory and his guests.

"No, only the delegates can walk through the line."

"Is there some law that says we can walk the streets and Mr. Gregory and his guests can't?"

"Do you really believe these are Gregory's guests? How many people do you think his house can hold?"

"Is there a law that says how many people you can invite to your house in Chicago?"

"Yes, there is a law. There are fire regulations about things like that."

"Has Mr. Gregory now broken those regulations? It may be he's going to have a party in the yard outside."

The inspector seemed disinclined to pursue this argument. He said the crucial question was that Mr. Gregory "colluded" to make this walk with a number of people, and you have to have a permit for a walk that you "colluded" to take with other people. I wasn't sure what you had to do to "collude" something, but I pointed out that we delegates had certainly got together ahead of time to take this evening stroll to the amphitheater.

The conversation continued in this vein for some time, and I suggested that what the inspector was really advocating was a discriminatory application of some perhaps nonexistent law. He broke it off with the statement that he wasn't about to spend more time debating law with me. Anyway: "It isn't a question of particular laws. I'm just telling you what I'm willing to do." This appeal to law-in-general seemed to me instructive as to what was happening in Chicago.

I returned to our group of delegates, now standing on the curb at the head of the larger gathering. Everyone agreed it would dissipate the whole point if we allowed ourselves to be given "privileges" as delegates while Mr. Gregory and his guests were barred. After some discussion we decided to remove our delegate badges and move ahead. Then word came through that Gregory wanted everyone to sit down in the street until we were able to move ahead without hindrance. Some of us began to do so. Then Inspector Rochford came up again and announced that he had changed his mind: now nobody could go through, not even the delegates. We put our badges back on and decided to continue our stroll to the amphitheater.

V

A National Guard colonel stood in front of me, and I asked him to move; he did not budge. I asked him again, very politely, pointing out that he was blocking our means of crossing the street in order to continue on to the amphitheater. I moved ahead several inches, crossing the line of permissiveness he had apparently fixed. At that point he grabbed me by the shoulders, half lifting, half pushing me to his right and shouting to a policeman: "Here's the first one. Take him in." Two policemen seized

me by the arms, another rammed a billy club into my back, and they hoisted me into a paddy wagon about 50 feet away. Immediately behind me came Peter Weiss, then Murray Kempton, then our company of academics, correspondents and other "upstanding" citizens. Tommy Frazier was with us—a Humphrey delegate from Oklahoma and a paraplegic from World War II who had won most of the military medals the country offers. The police acted with dispatch, lifting wheelchair and all and rolling it into the paddy wagon. Fortunately Mr. Frazier managed to keep his seat. He was good company in jail.

What happened at 18th and Michigan after that I know only secondhand. There was some tear gassing and apparently a few heads were bashed, but nothing like the slaughterhouse technique employed by the police in Lincoln park and at the Hilton. Later in jail, a policeman complained that "a kid" had thrown something at the police after we left. Perhaps that happened. In any case, we were all giving a vigorous rendition of "My Country 'Tis of Thee" as the doors to the paddy wagon were slammed shut and we were driven several blocks to the underground garage at the central police station. There followed what I assume is the usual procedure: backs to the front of the elevator, hands up against the wall, empty your pockets, into detention room for an hour or more, out for fingerprinting, mug shots, another search of your person, into the cells. Peter Weiss, ever the lawyer, was taking notes all along. At several points he asked, as did others, about making a phone call. About two hours after the arrest we were told we wouldn't be in long enough to make a phone call worth while. An hour later a policeman explained that while phones calls are usually permitted, "this is an unusual situation." Six hours after our arrest we were permitted to make our first phone calls.

At no point were we advised of our legal rights. After about six-and-a-half hours some of us met lawyers who had volunteered to help—but then we found that the judge excluded those lawyers because they weren't "authorized" in some way or another by the Chicago bar association. We were informed of the charges against us only when we came before the judge a little after 5 A.M.—eight hours after our arrest. Some of the arrestees were out by 2 A.M.; Peter Weiss and I, the first arrested, were the last—except for Dick Gregory, who decided to refuse bail and go on another fast. While we were in the same detention area Gregory expressed appreciation of the delegates' supportive role, and I felt a little better about there being only 26 of us.

Lawyers will be making more of the legal points I have touched on. I understand there are several cases being launched against the city of Chicago, and I am the plaintiff in one action to get a federal injunction issued against prosecution. I don't pretend to understand the legal technicalities of the situation, except that I have the clear impression that any appeal to constitutional rights in our situation would have carried about as much weight as a citation from Leviticus against excessive force in dealing with malefactors.

One of my fellow prisoners had a transistor radio, and I listened to part of Mr. Humphrey's acceptance speech; listening to it in a jail cell seemed to me singularly appropriate. And I remember Peter Weiss's saying that Daily Ramparts had enlisted him to write a column each day from his viewpoint within the convention—to show that someone who really cared about radical change could work as a delegate within the system, as it were. He thought it was significant that had he been able to do so he would have had to write the final column in the series from a jail cell. There is at least a large part of the truth about Chicago, about the Democratic party and, I am afraid, about the United States of America.