

# DISCUSSION GUIDE

A FILM BY BRETT MORGEN

# CHICAGO 10

THE CONVENTION WAS DRAMA. THE TRIAL WAS COMEDY.

Remember Chicago, 1968? Tens of thousands of anti-war protesters stormed the Democratic convention, setting off a chain of explosive and violent confrontations with the police. Well, now history has a new look. Bold and original animation recreate the wild antics of the infamous Chicago Conspiracy Trial, and archival footage and a powerful soundtrack will take you back to the streets of Chicago during that unforgettable summer.



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## FROM THE FILMMAKER

I was initially drawn to this subject matter for both political and cinematic reasons. I wanted to make a film that would remind people about the importance of exercising one's constitutional rights. I found my source of inspiration in the story of the Chicago Conspiracy Trial and the 1968 Democratic Convention. I have long admired the courage and resilience of both the protestors and the defendants. I wanted to make a film that celebrated their actions and allow a new generation to witness a story about how far people will go to have their voices heard. The events in Chicago happened nearly 40 years ago, which basically suggests that most Americans under the age of 50 have never seen these images. My goal from the beginning has been to reintroduce this chapter of recent history to a new generation, for they are the ones who will hopefully benefit the most from this story.

The challenge was to make a film about the '60s that would appeal to a contemporary audience. Most historical non-fiction is presented as memoir or as a recollection. I like the idea of allowing the audience to experience events as they unfold. This means eschewing talking head interviews and omniscient narration. I think it is important too, when dealing with subjects like Abbie Hoffman, to reveal them as they were seen at the heights of their fame, to preserve the integrity of their youth.

I also didn't want to make a film that read like Cliffs Notes to an era. With eight defendants representing three political organizations and a political convention with three candidates, set against one of the most complicated political landscapes in recent history, my biggest fear was overwhelming young audiences with a bunch of names and faces that they had never heard of. At the same time, I didn't want to trivialize the era by giving passing mention to some weighty issues. I knew that this would be somewhat controversial, but once I decided to free myself from the chains of history, I felt that I could make the movie I wanted to make.

As I did my research for the film, I became increasingly inspired by the work of Abbie Hoffman and the Yippies. What I most admired was their sense of theatrics and their ability to expose injustice through humor and charm. I felt that their approach to politics and sense of imagery would resonate with people today. Although the issues that my film deals with are quite serious, I never wanted the film to become too earnest. I wanted the film to have a sense of humor and playfulness while at the same time expose the brutality and violence of the courtroom and Convention week.

When I started this project I knew that I wanted to interweave the events in the courtroom with the events a year earlier. For the longest time I couldn't figure out how to deal with the trial as there was no footage of the proceedings. I knew that I wanted the audience to "experience" the courtroom rather than hear about it, so that ruled out talking head "eyewitness" interviews. Since I was going to be intercutting between archival material and the courtroom material I knew that the characters needed to look nearly identical, which in essence ruled out dramatic re-enactments with actors in costume. Then one day I read a quote from Jerry Rubin where he described the trial as "a cartoon show." It was so obvious. By animating the trial I would not only avoid all of the clichés of historical non-fiction, but I would also be able to make a statement about the circus-like nature of that courtroom.

Ultimately I tried to make this story universally appealing. By shedding the layers of historical context and focusing the narrative on the characters' battles with authority, I feel I was able to craft a story about courage and honor and the refusal to be silenced, themes that I hope will resonate with a broad audience.

Brett Morgen



Brett Morgen (Director / Writer / Producer) of CHICAGO 10. Photo: Myles Aronowitz / ITVS

## THE FILM

With a unique mix of animation and archival footage, CHICAGO 10 tells the story of the architects of the demonstrations in Chicago during the 1968 Democratic National Convention, and the events leading to their indictment and trial a year later. Although they were known as the Chicago Eight, the title acknowledges the addition of two of the defense attorneys, who were indicted for contempt of court and also given jail sentences. The trial of the Chicago Eight provides the framework for recounting what happened in the streets of Chicago during the tumultuous days of August 26-29, 1968, as well as illustrating the styles and beliefs of the defendants.

The Chicago Eight were comprised of leaders of the two main organizations spearheading the opposition to the Vietnam War. The National Mobilization Committee to End the War in Vietnam (MOBE) was led by David Dellinger and took a somewhat structured, political approach in its anti-war efforts. The Youth International Party, or Yippie, was a reflection of Abbie Hoffman and Jerry Rubin, its free-wheeling leaders, relying on street theater, humor, and outrageous (and often off-color) speech to make its points. Both organizations claimed to be nonviolent, and in 1968 they made joint plans to assemble peacefully in Chicago during the Democratic National Convention.

When the Democrats met in the Windy City, however, conditions were anything but peaceful. Following close on the heels of the riots in April after the assassination of Dr. Martin Luther King, Jr., when Mayor Daley gave "shoot to kill" orders to the Chicago Police

Department, the convention began in a city full of tension, braced for large, and possibly violent, demonstrations by anti-war groups. In this highly-charged atmosphere, crowds got out of hand, police used brutal tactics when their orders were ignored, and hundreds of demonstrators were arrested. The leaders of MOBE and Yippie were indicted for conspiracy and inciting riots and went on trial in September 1969.

The film moves seamlessly between animation and live footage. Scenes capturing the unruly atmosphere in Judge Julius Hoffman's courtroom (taken directly from official transcripts) are intercut with archival footage of the clashes between police and protesters that shook the city a year earlier. The film goes back and forth in time, in and out of the courtroom, showing the defendants holding press conferences, giving speeches and traveling around the country to raise money for their defense.

The outcome of the trial resulted in jail sentences for all of the defendants. At the film's end, a defiant-sounding Jerry Rubin, soon to be in prison, addresses a college audience, leaving the next steps in the protest movement in their hands.

Jerry Rubin. Photo: Roadside Attractions / ITVS





## SELECTED INDIVIDUALS FEATURED IN CHICAGO 10

*Abbie Hoffman* (1936-1989) – co-founder of the Youth International Party; began his activist career in the civil rights movement in the early 1960s working with the Student Nonviolent Coordinating Committee (SNCC) in the South; became a fugitive from law for dealing cocaine and had plastic surgery in 1974 to conceal his identity. Continued his activist work through the 1980s.

*David Dellinger* (1915-2004) – chairman of the Mobilization Committee to End the War in Vietnam and the oldest of the Chicago Eight; as a seminary student with a commitment to pacifist values, he was jailed during World War II for refusing to register for the draft. Continued his activist work for the rest of his life.

*Jerry Rubin* (1938-1994) – co-founder of the Youth International Party; active in a variety of radical/liberal causes, including the Free Speech Movement. Became a businessman and worked on Wall Street in the 1980s.

*Tom Hayden* (b. 1939) – co-founder of Students for a Democratic Society (SDS); drafted the Port Huron Statement, expressing the idealism of the New Left; married (and divorced) actress Jane Fonda; served in the California state assembly and senate and was a delegate to the 1996 Democratic National Convention in Chicago.

*Rennie Davis* (b. 1941) – program organizer for Students for a Democratic Society (SDS); did most of the organizing of activities for Convention week. Became a venture capitalist and lecturer on meditation and self-awareness.

*Lee Weiner* – a teaching assistant in sociology at Northwestern University at the time of the trial, he remained apart from the other defendants' activities and defense strategy sessions; continued to work for various causes, including the B'Nai B'rith Anti-Defamation League and funding for AIDS research.

*John Froines* (b. 1941) – at Yale in 1964, served as chair of Students for Johnson; joined the SDS and later founded the Radical Science Information Service. A chemist by training, he became a professor in the UCLA School of Public Health in 1981 after serving in the Carter Administration as OSHA's Director of Toxic Substances.

*Bobby Seale* (b. 1936) – co-founded the Black Panther Party with Huey Newton in 1966; gave highly inflammatory speeches, including one in Grant Park during the 1968 Democratic convention. Worked as a jazz drummer, sheet metal mechanic, and a comedian before his involvement in black radical politics. Currently has a web site devoted to Black Panther history and his own barbecue cookbooks.

*William Kunstler* (1919-1995) – lead defense attorney for the Chicago Eight and director of the ACLU, 1964-1972. Defended numerous controversial clients including H. Rap Brown, Lenny Bruce, Malcolm X, Stokely Carmichael, Martin Luther King, Jr., and suspected Islamic terrorists.

*Thomas Foran* (1924-2000) – chief prosecutor in the Chicago Eight trial; friend of both Robert Kennedy and Richard Daley; had a reputation as a tough fighter of organized crime. Continued a private law practice serving numerous corporate clients through the 1990s.

*Julius Hoffman* (1896-1983) – presiding judge in the trial of the Chicago Eight and a former law partner of Richard Daley. He was seen as using every tactic possible to undermine their case. Seventh Circuit Court of Appeals later scolded Judge Hoffman and reversed all the defendants' convictions.

*Richard J. Daley* (1902-1976) – the last “big boss” of Chicago, served as mayor from 1955 to 1976; known for his heavy-handed ways and tolerance of corruption. Proud to host the 1968 Democratic convention, but police brutality witnessed by the nation turned that honor into a black eye for the city of Chicago. Father of Richard M. Daley, current mayor of Chicago.

*Norman Mailer* (1923-2007) – novelist and journalist; two-time Pulitzer Prize winner; founding co-publisher of *The Village Voice*; became involved in anti-war activism in the 1960s.

*Allen Ginsberg* (1926-1997) – poet and father of the Beat generation; wrote poems embracing taboo topics such as drug use and homosexuality; a central figure in youth rebellion movements in the 1960s; coined the term “flower power” and encouraged protesters to be nonviolent.



Courtroom of the 1968 conspiracy trial. Photo: Roadside Attractions / ITVS

## BACKGROUND INFORMATION

### 1968—A Year of National Turmoil

The 1968 Democratic National Convention took place during a year of spectacular and wrenching events. In January the Vietcong and North Vietnamese forces staged the Tet Offensive, a series of attacks on scores of cities and towns in South Vietnam. The attacks took American forces and their South Vietnamese allies by surprise and became a turning point in public opinion of the Vietnam War. Americans had been led to believe that the United States was winning the war, but the Tet Offensive—brief though its success was—demonstrated the strength and determination of the North Vietnamese and shattered Americans' hopes for an early end to the fighting. President Johnson's call for a doubling of the draft numbers only added fuel to the growing anti-war sentiment, and his popularity plunged.

On March 31, Johnson announced to a stunned nation that he would not seek another term as president. Four days later, the assassination of Dr. Martin Luther King, Jr. led to riots in cities across the country, including Atlanta, Detroit, Los Angeles, Washington, DC, and Chicago. In early June, Robert Kennedy, brother of slain president John F. Kennedy and a leading candidate for the Democratic presidential nomination, was shot and killed on the night of his victory in the California primary.

By the time the Democrats met in Chicago to choose their candidate for president, the country had been rocked by this string of conflicts and tragedies and was now facing a potentially tumultuous week. Rumors flew about just what the demonstrators coming to Chicago might be planning—putting LSD in the water supply, public nudity, and disrupting the convention— and Mayor Richard Daley was taking no chances. He ordered the police out in full force, along with the Army and National Guard. Altogether, there were 12,000 police officers working twelve-hour shifts, 7,500 U.S. Army troops, and 6,000 National Guardsmen charged with maintaining order on the streets of the city—a force larger than that commanded by George Washington.

Provocations by both police and protesters led to violent clashes between the two groups, with many injuries, but no fatalities. The convention nominated Hubert Humphrey, Lyndon Johnson's vice president, to be the Democratic candidate for president. In November, Richard Nixon narrowly defeated Humphrey, but the Chicago events turned out to be the leading edge of a wave of massive, and sometimes violent, anti-war protests, which continued for several more years.

### Chronology

May 1967 – founding of MOBE (National Mobilization Committee to End the War in Vietnam)

Dec. 31, 1967 – founding of Yippie (Youth International Party)

January 31, 1968 – beginning of Tet Offensive in South Vietnam

March 31, 1968 – Lyndon Johnson announces he will not seek another term as President

April 4, 1968 – Martin Luther King, Jr. assassinated in Memphis, Tennessee

June 5, 1968 – Robert F. Kennedy shot in Los Angeles, after winning the California Democratic primary election

August 26 – 29, 1968 – Democratic National Convention, Chicago

November 5, 1968 – Richard Nixon defeats Hubert Humphrey

December 1968 – National Commission on the Causes and Prevention of Violence, known as the Walker Report, called the events of Chicago 1968 a “police riot”.

March 1969 – grand jury indicts Chicago Eight

September 24, 1969 – trial of Chicago Eight begins

November 5, 1969 – Judge Julius Hoffman separates Bobby Seale from the trial and sentences him to four years in prison on contempt charges

February 18, 1970 – verdict announced in trial of Chicago Seven

May 1971 – Bobby Seale's sentence overturned and charges dropped

May 1972 – contempt convictions of Chicago Seven reversed

November 1972 – “anti-riot act” convictions of Davis, Dellinger, Hayden, Hoffman and Rubin reversed

### Trial of the Chicago Eight – September 24, 1969 to February 18, 1970.

*Presiding judge:* Julius Hoffman

*Prosecuting attorneys:* Thomas Foran and Richard Schultz

*Defense attorneys:* William Kunstler and Leonard Weinglass

*Defendants:* Rennie Davis, David Dellinger, John Froines, Tom Hayden, Abbie Hoffman, Jerry Rubin, Lee Weiner, Bobby Seale

*Jury:* Mostly middle aged and middle class; two white men, ten women (two black, eight white)

### **The charges:** *Against seven of the defendants (all but Bobby Seale)*

- Conspiracy to incite a riot, involving the crossing of state lines to implement the conspiracy; intent to create incendiary devices to be used during civil disorders; and obstructing firemen and police officers from carrying out their duties during civil disorders.

*Against Bobby Seale* – crossing state lines for the purpose of encouraging a riot.

**Basis for the charges:** The Civil Rights Act of 1968, Title 18 (sometimes referred to as the “anti-riot act”), which makes it a felony to “travel in interstate commerce... with the intent to incite, promote, encourage, participate and carry on a riot...”

**The verdict:** John Froines and Lee Weiner were acquitted of all charges; the other five defendants (all but Bobby Seale) were found guilty of crossing state lines with the intent to incite a riot, but were acquitted of the conspiracy charges.

**Bobby Seale**, one of the original Chicago Eight defendants charged with inciting to riot, had only been in Chicago for about two days during the Democratic convention. He came at the last minute to fill in for Eldridge Cleaver, another Black Panther leader who had to cancel his speaking engagement. Seale had not participated in any of the advance planning and was most likely added because of his highly inflammatory speeches in which he advocated violent actions. During the trial, one of Seale's many outbursts led the judge to have him bound and gagged. Judge Hoffman eventually severed Seale from the case and sentenced him to four years in prison for contempt because of his outbursts. Thus, the Chicago Eight became the Chicago Seven.

### Charges against the police

Eight Chicago police officers were charged with violating the civil rights of demonstrators. Charges against one officer were dropped; the other seven were acquitted.



## THINKING MORE DEEPLY

1. What emotions did you feel as you watched the film? Did you find your sympathies moving toward one side or the other at different times? Explain.
2. Voting is considered by many to be the most powerful tool citizens can use to bring about change. Do you agree with that sentiment? Why or why not? How can the voting process be strengthened in the U.S.?
3. Why did the anti-war groups focus their efforts solely on the Democratic National Convention? Do you think their actions also should have targeted the Republicans?
4. What were the goals of the anti-war demonstrators? Does the film make those goals clear? Do you think the demonstrators' actions were appropriate for achieving their goals?
5. Where do you think the filmmaker's sympathies lie in this film? Give a specific example to support your opinion.
6. Do you think the city of Chicago's denial of a permit to march was a violation of the protesters First Amendment rights? Why or why not?
7. Could demonstrations of the size and intensity of those in Chicago take place today? Why has sentiment against the war in Iraq not led to more protest marches and other public anti-war activity?
8. How has the role of the media in American politics changed in the forty years since 1968? Consider Abbie Hoffman's belief, as expressed by Allen Ginsberg, that "politics had become theater and magic; it uses manipulation of imagery through the mass media, confusing and hypnotizing the people, making them accept a war they didn't believe in." Do you agree with Hoffman?
9. What is your reaction to Jerry Rubin's question: "Are we going to be strong enough, brave enough, together enough to survive as a generation and change this country?" Did his generation, that is, those who engaged in protests in the late 1960s and early 1970s, make any lasting, substantive changes? Give an example.
10. "Change" has been the operative word in more than one political campaign this year. What are some ways to try to bring about change in American society? Which do you think are most effective?





## SUGGESTIONS FOR ACTION

Together with other audience members, brainstorm actions that you might take as an individual and that people might do as a group. Here are some ideas to get you started:

1. Get involved in voter registration drive in your community. Reach out to potential new voters and encourage them to register and vote.
2. Learn about state and local election laws that can affect who can vote in the upcoming elections. Start a community education campaign to inform people about those laws.
3. If you are an attorney, law student or paralegal, volunteer for Election Protection. See National Campaign for Fair Elections web site in Resources, under Voter Protection.
4. Get involved in Verified Voting activities, to make sure all votes are counted. See Verifiedvoting.org in Resources.
5. Help get people to the polls on Election Day. Make sure voters have proper identification and proof of residence if required by local election laws.
6. Organize a community forum to educate people about First Amendment rights and how to exercise them appropriately.

For additional outreach ideas, visit [www.itvs.org](http://www.itvs.org), the website of the Independent Television Service. For local information, check the website of your PBS station.

## RESOURCES FOR FURTHER STUDY & ACTION

[www.takepart.com/chicago10](http://www.takepart.com/chicago10)- Information about CHICAGO 10. Participant Media produces entertainment that inspires and compels social change.

[www.roadsideattractions.com](http://www.roadsideattractions.com) – For more information on purchasing a copy of CHICAGO 10 on DVD.

[www.firstamendmentcenter.org](http://www.firstamendmentcenter.org) – Provides information on First Amendment rights and issues for educational purposes.

### Vietnam-era Events

[http://en.wikipedia.org/wiki/Opposition\\_to\\_the\\_VietnamWar](http://en.wikipedia.org/wiki/Opposition_to_the_VietnamWar) – Summary of anti-war activities, including an annotated timeline of protests from 1963-1972.

<http://www.spartacus.schoolnet.co.uk/VNtet.htm> – Brief description of the Tet Offensive, with a list of links to websites about the Vietnam War.

<http://www.law.umkc.edu/faculty/projects/ftrials/Chicago7/chicago7.html> – Comprehensive information on the Chicago Seven trial, including chronology, transcripts, map, biographies, text of the indictment and more.

<http://www.geocities.com/athens/delphi/1553/c68chron.html> – a detailed and descriptive chronology of political and anti-war events from 1967-1975.

### Activism

<http://www.britell.com/text/tgrassroots.html> – “Organize to Win: A Grassroots Activist’s Handbook,” by Jim Britell, is a downloadable booklet with directions for organizing community campaigns.

<http://www.peacemagazine.org/198.htm> – List of almost 200 methods of nonviolent action, from *The Methods of Nonviolent Action* by Gene Sharp (Boston, 1973).

### Voter Protection

<http://verifiedvoting.org> – Advocates the use of voter-verified paper ballots for all elections in the U.S.

<http://nationalcampaignforfairelections.org> – A program of the Lawyers’ Committee for Civil Rights Under Law, working for election reform and to prevent the disenfranchisement of eligible voters.

[http://voteprotect.org/?jsc\\_1](http://voteprotect.org/?jsc_1) – Home page of the Election Incident Reporting System (EIRS), and integrated set of computer tools for recording and analyzing information about voting problems before, after and during elections.

CHICAGO 10 WILL AIR NATIONALLY ON THE EMMY AWARD-WINNING PBS SERIES *INDEPENDENT LENS* ON October 22, 2008. CHECK LOCAL LISTINGS. CHICAGO 10 was produced by C7 Films, Inc./Participant Productions, LLC/River Road Entertainment.

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