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JUANITA NELSON

It is impossible for me to write about Juanita Nelson (1923–2015) without memories of her surfacing in my mind. She was sixty-six when I got to know her, in connection with the IRS seizure of houses owned by war tax resisters Bob Bady, Betsy Corner, and Randy Kehler. She was already an eminence in the war tax resistance movement, but not a laurels-sitting eminence; she was gracious and fierce and courtly and funny. (She was implacable on the question of lending money at interest, which she opposed.) Her home on Woolman Hill, near Deerfield, Massachusetts, was a place of hospitality and radical simplicity (no electricity, no running water, an outhouse), with neither getting in the way of the other. Over the years she became still more eminent, almost legendary, but never stopped having those other traits as well.

She was born in Cleveland, enrolled in Howard University in 1941, was the secretary to that university's NAACP chapter, and was first arrested in 1943 for a protest against lunch counter segregation. (For her as for many, opposing war and opposing segregation were not separate issues.) She was working as a journalist when she met Wally Nelson in 1943; they got married and stayed married till Wally's death in 2002. In 1948 they helped found Peacemakers, an organization devoted to war tax and draft resistance; she recounts an episode in her fight against war taxation in her essay "A Matter of Freedom," first published in 1960.

Along with their antiwar work, the Nelsons were farmers, seeking to live a simple life, in the line of war resistance that leads from Woolman to the Nelsons by way of Thoreau and Scott Nearing; they heated and cooked with wood, preserved food, and made soap. When they moved to Woolman Hill in 1974, they found, animated, and were animated by a remarkable community of like-minded people for the rest of both of their lives, as farmers, citizens, and pacifists.

A Matter of Freedom

In March 1959, I hunted through the Sears-Roebuck sales catalogue for something to throw around my nakedness when I emerged from the bath or lounged around the house, an economical garment to double as a beach robe. I finally ordered J934: white terrycloth, full back, worn with or without a belt, three-quarter length sleeves, shipping weight 1 lb. 12 oz. Over

the left breast was a green, yellow, red and blue emblem, a garish enough flower for a rebel coat of arms.

I give the preceding account in all its triviality because three months later, on June 16, the versatile robe became something more than either Sears or I had intended; it became a provocative "kimona" around which revolved considerable consternation on the part of certain public officials and a great deal of reassessment on my part.

The first link between the robe and my intellectual processes was my declination to pay income taxes because most of the money goes for H-bombs and other combustibles capable of setting off conflagrations which cannot be extinguished by the average hook-and-ladder company. I balk at the notion of contributing so directly to making atomic hash of others and perhaps of my own wonderful self. The final bond was forged by the early hours kept by those who execute the orders of the United States government. They, apparently, do not require as much sleep as I do. Perhaps if I had business as important to attend to—bringing in the Body—I would not need so much sleep, either, or I would forego it for the important job I had to perform. Justice, I suppose, never slumbers, and she must demand the same insomnia of her bondmen. But I, not being affiliated in any way with justice or the Department of Justice, was sleeping soundly and in my accustomed nudity when the doorbell rang at 6:30 A.M. I slipped into the bargain bathrobe and stumbled to the door.

Two somber men stood there. As if they were in some way hooked to the hinges, they flipped open their identification wallets as soon as the door began to swing open. I did not bother to examine their credentials, accepting their word that they were U.S. marshals. I invited them in. They were all brusqueness and business as they sat on the edge of the sofa to which I waved them.

"We have an order for your arrest," said one, and thrust toward me a blue-covered legal looking document.

I was startled. For eleven years, my husband, Wally, and I had neither paid withholding taxes nor filed any forms, fully aware that we were operating on a brink-of-imprisonment policy. Wally managed to find work that did not come under

withholding tax provisions. I was, therefore, able to claim him as my dependent and could earn up to about twenty-five dollars on any one job with no tax withheld. I usually held a couple of such jobs and so earned a taxable income. Then, several years ago, the revenuers tardily checked on two part-time jobs I had held simultaneously from 1952 to 1955 and began billing me for a sum which finally mounted to $959.83, including penalties for interest and fraud. And in March I had been served with a summons to appear at the Internal Revenue office in Philadelphia with my records. Our procedure all along had been not to cooperate with the collection of information, and we felt we would probably not cooperate with an arrest. Protest through individual income-tax refusal appears to most folks about as effective as scooping out the Pacific Ocean with a spoon; it seemed even more hopeless to dump each spoonful of water into a tunnel which led back to the ocean. I had refused even to accept the summons and had heard no more from that quarter. In spite of Wally's warnings that "you can never tell what those guys will do," I think that way down I had come to disbelieve that I could ever be considered enough of a threat or an affront to the government to stir up anything more than this kind of bureaucratic feinting. But even with the best intentions in the world of going to jail, I would have been startled to be awakened at 6:30 A.M. to be told that I was under arrest.

When the marshals offered me the order I said, "I am not interested in that," keeping my hands tightly clasped in my lap. I tried, in words which sounded hackneyed to my ears, to explain my position briefly.

"*We* are not interested in *that*," they said. "You can tell it to the judge."

"I would be glad to tell it to the judge," I said, "if he will come to see me. But I do not wish to go to jail to tell him these things. I am not paying taxes because the overwhelming percentage of the budget goes for war purposes. I do not wish to participate in any phase of the collection of such taxes. I do not even want to act as if I think that anyone, including the government, has a right to punish me for an act which I consider honorable. I cannot come with you."

There was less fuss than I had thought there might be. Clearly, these men had studied my dossier and were undoubtedly informed of my friendship with Maurice McCrackin, tax-refusing minister, who had just completed a six months sentence for the same offense. Mac had not been at all clerical—they'd had to carry him into court each time. And Wally they knew about too—his 33 months in prison after walking out of Civilian Public Service camp during World War II, the 108-day fast (with force-feeding by tube) which had preceded his release.

At any rate, they seemed not inclined to philosophize. After a few appeals to my common sense, the sterner of the two marshals said mildly, "Well, if you won't come with us we'll have to carry you in." He left to summon a red car.

I realized that I was actually going to jail. And, at that point, I became acutely conscious of the robe. Should I quietly excuse myself, get dressed, then return to take up my recalcitrant position? It would have been simpler, of course, if they had left and made their entrance again, with me fully aware that they meant business. Debating the question, I went to the bathroom, brushed my teeth, ran a comb through my hair. These simple acts of grooming brought me back to reality sufficiently to realize that I might be spirited away. Wally was off on a sales trip, and I had no way of reaching him. I put the cap back on the toothpaste and went to the telephone, which is on a wall between the dining room and the kitchen, a considerable distance down a long, high-ceilinged hallway from the living room where I'd left the deputy. I was still on the phone when I heard the click of the door announcing reinforcements. There was a tentative, "Mrs. Nelson," as though there was some fear I might be in too delicate a position to be barged in on. As I raced to get information to a friend, the deputies and two policemen converged on me. Other policemen trooped in. I remember saying as I hung up, "I'm surrounded."

Seven law enforcement officers had stalked in. I sat on the stool beneath the telephone, my back literally to the wall, the seven hemming me about in a semicircle. All of them appeared over six feet tall, and all of them were annoyed.

"Look," said one, "you're gonna go anyway. You might as well come peaceful."

There they stood, ready and able to take me at any moment. But no move was made. The reason was obvious.

"Why don't you put your clothes on, Mrs. Nelson?" This was a soft spoken plea from the more benign deputy. "You're not hurting anybody but yourself." His pained expression belied the assertion.

One policeman snorted when I attempted to say that they needn't take me at all.

The benign deputy made a last try. "Do you believe in God, Mrs. Nelson?" Irrationally, stalling for time, I asked, "Are you asking me as an individual or as an official?"

The marshal answered as if the question were not at all out of the ordinary, at least no more than the whole situation.

"I'm asking you as an individual."

"No," I said.

Taken aback, he did not go on to explain the connection he had evidently been going to establish between God and dressing for arrest.

When the affairs of men have reached a stalemate, there seems always some man of action to come forward. There was such a one among the seven. He was not a member of a debating society. These questions had nothing to do with him. I cannot describe his physical appearance, for he was not a face or a personality; he was a no-nonsense voice and a pair of strong arms.

"Listen, we don't have to beg her to do anything. We'll just take her the way she is, if that's the way she wants it." He snapped a pair of handcuffs around my wrists and, with another pair of brawny arms, half carried, half dragged me down the hall, the other five trooping after. In the street, the no-nonsense transporter delighted in maneuvering me into a position to expose the nakedness under the robe. One of the unencumbered tried desperately to arrange my limbs so that the robe would fall circumspectly and unrevealingly about my ankles. On my part there was a fleeting anxiety about the exhibition, but I was too engrossed in anticipating next steps to worry overmuch, especially as, at that early hour, there were few around to gawk. I thought fleetingly of Corbett Bishop, World War II C. O. who practiced such consistent noncooperation that he suffered a roach to go down with the mush he

was being tube fed. I did not shift from the spot where I was dumped on the floor of the paddy wagon as we drove down Market Street to the Federal Court Building.

When the doors opened, I continued to sit. My thoughts were like buckshot, so scattered they didn't hit anything or, when they did, made little dent. The robe was a huge question mark placed starkly after some vexing problems.

Why am I going to jail? Why am I going to jail in a bathrobe? What does it matter in the scheme of things whether or not you put on your clothes? Are you not making, at best, a futile gesture, at worst, flinging yourself against something which does not exist? Is freedom more important than justice? Of what does freedom of the human spirit consist, that quality on which I place so much stress? How important is the exercise of that freedom if it conflicts or seems to conflict with the maintenance of the dignity of other individuals or of institutions? Was it enough, in any case, to have made the gesture of refusing to pay for weapons of destruction? What was the purpose of extending that gesture to such complete noncooperation with legally constituted authority? Was it only a gesture? How much is one demeaning himself when he kowtows either to authority or to custom, in short, to myths? When one does not yield is he simply being rigid, humorless, arrogant, or is he defending that innermost place, the last sanctuary of selfness?

And all these questions turned around a basic question: Who am I? If I could know who I was, at least who I conceived myself to be, then I would be able to approach those other questions.

The same two stalwarts yanked me from the van, hardly giving me time to alight under my own power had I wished to do so. They divined my attitude correctly. I was becoming increasingly rigid as the situation became more ridiculous and I less certain of myself. They carried me by the elbows down a long corridor and up a flight of stairs to an elevator. One patiently endured while the other impatiently endured. I really did relate to the two men at one point. I realized how heavy an almost inert body can be as I saw the perspiration run down their faces. But did they have any conception of how difficult it was for me to be carried? They let me slide to the floor in the elevator, from where, fortunately, it was only a few steps to the

cell. They sat me on the bench and left, vastly relieved to have finished their part in the business.

I did not know the time. I did not know precisely what charges had been lodged against me. I did not know when I was to be tried. I had the beginnings of a nagging headache. I had been plopped onto a wooden bench which ran along two sides of the tiny barred cell. There was a toilet and a washstand with a drinking fountain attachment. This was the first time I had been in such a cage, having been confined in ordinary rooms in previous jail experiences. A narrow corridor ran between the cell row and the outside wall. I contemplated dappled bits of sunlight scurrying through the venetian blinds covering the window opposite the cell. I could not see anyone, but I heard the murmur of voices around one end of the hall where, I supposed, were the administrative offices.

I was just soaking things in. I was feeling more sensitive about the robe, not being quite able to determine its role in the affair. I did come to one conclusion. Until I made up my mind about what I was doing and why, I would continue in the most extreme position. I would not do anything, only suffer what was done to me. Almost as if I had divined what was coming, I resolved not to leave the cell under my own power for any reason whatsoever except to go home. I remembered almost excruciatingly an experience in the Cincinnati County jail on a charge of disorderly conduct for trying to gain admission to an amusement park which barred Negroes. I did not eat during the nine days. I would not wear the prison uniform. But, thinking I was exercising what degree of freedom I had, I wandered about the floor at will and bounced downstairs to see visitors. But there was always the agony of afterwards. I could not endure being dragged upstairs each time, and returning voluntarily was degrading.

So, when the deputy interrupted my reverie to announce visitors, whom I could see in the waiting room, I told him I would leave only to be released. He shrugged his shoulders and left. Well, I thought, they're not going to get themselves into a stew about this.

In a few minutes I heard a hearty, "Well, good morning." Two fellow pacifists, one of them also a tax refuser, had been permitted to come to me, since I would not go to them. I asked

them what was uppermost in my mind, what they'd do about getting properly dressed. They said that this was something I would have to settle for myself. I sensed that they thought it the better part of wisdom and modesty for me to be dressed for my appearance in court. They were more concerned about the public relations aspect of getting across the witness than I was. They were also genuinely concerned, I knew, about making their actions truly nonviolent, cognizant of the other person's feelings, attitudes and readiness. I was shaken enough to concede that I would like to have my clothes at hand, in case I decided I would feel more at ease in them. The older visitor, a dignified man with white hair, agreed to go for the clothes in a taxicab.

They left, and on their heels came another visitor. She had been told that in permitting her to come up, the officials were treating me with more courtesy than I was according them. It was her assessment that the chief deputy was hopeful that someone would be able to hammer some sense into me, and was willing to make concessions in that hope. But he had misjudged the reliance he might place in her—she was not as critical as the men. She did not know what she would do, but she thought she might wish to have the strength and the audacity to carry through in the vein in which I had started.

And she said, "You know, you look like a female Gandhi in that robe. You look, well, dignified."

That was my first encouragement. Everyone else had tended to make me feel like a fool of the first order, had confirmed fears I already had on that score. My respect and admiration for Gandhi, though not uncritical, was deep. And if I in any way resembled him in appearance I was prepared to try to emulate a more becoming state of mind. I reminded myself, too, that I had on considerably more than the loincloth in which Gandhi was able to greet kings and statesmen with ease. I need not be unduly perturbed about wearing a robe into the presence of a His Honor.

I had, I think, been immobilized partly by a sense of my own failures as a human being. Here was I, still struggling with the meaning of my own life and standing, it seemed sometimes, on dead center. How, then, did I have the effrontery to question a whole way of life that had been evolved slowly and painfully

through the ages by the accumulated wisdom of mankind? How could I presume to have so much of the truth that I would defy constituted authority? What made me so certain of myself in this regard? I was not certain. But it seemed to me that if I could see only one thing clearly, it was not necessary to see all things clearly in order to act on that one thing.

One pinpoint of clarity was that it was time for man to grow out of the short pants of barbarism, of settling things by violence, and at least to get into the knee breeches of honestly seeking and trying ways more fitted to his state as a human. To take life, especially in cold-blooded, organized fashion, seems to me to be the province of no man and of no government. In the end, no government can do it—it is only men who fire guns, drop atom bombs, pierce with bayonets. If an entity called government could slay another such entity, no great harm would be done and maybe even good would come of it—at least the destruction of files of papers. My repudiation of violence is not based on any conventionally or conveniently religious motivation. I cannot say that it is against God's will, since I do not know that there is a god, nor would I be able in any case to assume that I was conversant with his will. But I do not consider, either, that men are gods, that they should determine when another man should die. I do not consider that I am capable of such judgments, either of my own volition or at the command of others. Such behavior in others I abhor, but may not be able to affect. I *can* control my own behavior. And I do not think that my participation in stupid or immoral acts can add to my stature as an individual—I think, rather, that it might detract, take me even further afield from the discovery of myself.

It may be that most people think it necessary, if wicked and perhaps self-defeating, to build atom bombs to drop on such races of devils as inhabit Hiroshimas. We must save our skin, protect our way of life. Let me first excise the horns from my own head, since it was made, I think, for something besides butting. Besides, I cannot accept any package labeled "way of life," only those particular values which seem to me worth protecting, and I must protect them in a way which seems fitting to those values.

Suppose, though, that most citizens eagerly pay their money into the government's war chest before the tax deadline, and some sacrificially give more than their share. I have decided that this is not the best depository for the fruits of my labor. But believing as I do, I must, it seems, comply in order to uphold the system of law and to act in concert with my fellows. Holding that law can be an aid but never a substitute for individual integrity, responsibility, and perception, I want immediately to know: In concert for what? If it seems that the purpose of the united action is to create misery, cannot, in fact, have any other effect, then I must decline my part in the performance. In order for men to live together, it seems efficient for them to work out bodies of regulations. But efficiency can in no way supplant morality. Is the height of man's being obedience to the common will? I think it a higher purpose to live in a creatively oriented relationship than to adopt a slavish attitude toward rules and regulations. I think it the worst part of folly to be so enamored of acting in unison that I am herded into acting inhumanly.

If those with opposing beliefs hold them so strongly, they have at least the same choice of throwing their whole weight into bringing about that state of affairs which they espouse. Not by bringing me to heel, but by giving all they have to their own visions. I cannot think that the measure of one's belief is the extent to which he tries to coerce others into believing it or acting upon it, but the extent to which he is willing to sacrifice for it himself. If, for instance, I am, because of my well-intentioned but mistaken notions, depriving the Department of Defense of ten dollars per year for making a guided missile, why does not someone convinced of the necessity of the weapon come forward and voluntarily make up that ten dollars? Is it not mere pettiness to insist that I would stand to be "protected" by this sacrifice? (I would also stand to be annihilated by it.) The money spent trying to make me comply could be squandered, instead, on the purposes for which my tax money would be used.

But, no, this non-compliance constitutes an affront which cannot be ignored. It is no doubt the fear that even one insignificant defiance will produce a rent in the whole fabric, and

that the cloth may some day be beyond repair. Perhaps we do not need the garment at all and should throw it into the rag bag before it is completely in tatters. If the idea I champion is worthless, not many will be impressed to follow suit and my intransigence can be regretted, deplored and suffered. If, on the other hand, only the law keeps most people from acting with me, then this must be the worst kind of despotism—it must be the minority who are keeping the majority in line with the whip of the law. Or perhaps everyone is being kept in line with the whip, and no one dares look the thing in the face for what it is.

Most people who take any notice of my position are appalled by my lawbreaking and not at all about the reasons for my not paying taxes. Instead of trying to make me justify my civil disobedience, why do they not question themselves and the government about a course of action which makes billions available for weapons, but cannot provide decent housing and education for a large segment of the population? Actually, many people seem envious that I have for so long been able to "get away with it," with not paying taxes. I wonder what would happen if the income tax laws were repealed tomorrow. Let everyone be sent a statement of what his fair share would be, to be paid on a voluntary basis. How many of the people who bark at me, "Do you think you should use the highways if you won't pay taxes?" would send in their assessments?

Anyway, because I believe that it is more important to do what is right than what is lawful or expedient, I have declined to pay the tax. All right, then, having determined this course of action for yourself, should you not be willing to accept punishment for your defiance? Why should I? I have stated that 1) I believe this particular measure to be so intolerable that I cannot abide by it; 2) I believe that I have every right, nay, every responsibility, to act according to my best judgment, not waiting for one-hundred and fifty million others to concur. This one act may not lead inevitably to a good end, but I do not see that it can lead to a bad one. Why should I expect or accept punishment for exercising my best judgment? I was not a whit more contrite when the marshals came to arrest me than when I first declined to pay the tax. Would I go peaceably in order to show my compatriots that I do not utterly despise them and their institutions? If I must go to jail in order to demonstrate

my respect, then they will have to believe as they believe; if I should go to jail willingly for that, I should undoubtedly end up despising myself at least. And how can one have respect for others without self-respect?

I think that what I was saying with my robe was that I was doing what I thought right. I was convinced enough to feel that it would be good if others were moved to do likewise. But I some time ago gave up the notion that it was my province to reform the world. But I think that if I have helped to start a fire, the first thing I must do is stop adding fuel to it. I could not very well help going to jail when seven strong men were determined I should go, but I did not wish them to think for a moment that I was on their side. You will do what you think you should, what you have been ordered to do, but I shall not help you do it, no, not even to the extent of getting dressed so that you may feel more comfortable in your mission. If a law is bad or unjust, is not every phase of its enforcement simply an extension of the law and to be as greatly resisted?

I wanted passionately, perhaps grimly, to be myself. Somewhere that self existed, independent of, though cognizant of, all other selves, a being and a striving to be in inevitable loneliness. I wanted to strip to the skeleton and clothe it with my own humanity, my own meaning. Some parts of that self could be satisfied only in the context of other selves, but that participation would have to be voluntary, whether bound to other selves in marriage, social club, or government. There is no collective conscience. I think it is too bad that anyone should suppose that holding me within their bounds, forcing me to do what they think is good, is within their prerogatives. It is no palliative that they do it impersonally, without having thought through anything, but only because notions have become automatic through codification. I saw a movie about a woman who was put to death by the state in a gas chamber. Not the man who dissolved the crystals, nor the man who pulled the switch, nor the woman who sat guard to keep the prisoner from killing herself, nor the priest who heard her last confession, nor the governor who might have commuted the sentence, not one was anxious to have any part in that degrading performance. And yet each swallowed his revulsion like vomit and, when he could not be saved by some decree, played out his part.

It is, as far as I can see, an unpleasant fact that we cannot avoid decision-making. We are not absolved by following the dictates of a mentor or of a majority. For we then have made the decision to do that—have concluded because of belief or of fear or of apathy that this is the thing which we should do or cannot avoid doing. And we then share in the consequences of any such action. Are we doing more than trying to hide our nakedness with a fig leaf when we take the view expressed by a friend who belonged to a fundamental religious sect? At the time he wore the uniform of the United States Marines. "I'm not helping to murder," he said. "I'm carrying out the orders of my government, and the sin is not mine." I could never tell whether there was a bitter smile playing around his lips or if he was quite earnest. It is a rationalization commonly held and defended. It is a comforting presumption, but it still appears to me that, while the seat of government is in Washington, the seat of conscience is in me. It cannot be voted out of office by one or a million others.

I had not answered all the questions when I was wheeled into the courtroom in an office chair mounted on casters. I had not even asked all the questions.

But I had asked and answered enough to be able to leave behind me the brown paper bag holding my clothes. The commissioner received me in my robe. A friend who was in the courtroom noted that I was "brave but halting." Even so, it was necessary for me to suppress a smile or two. The consequences for me might be grave, but it *was* a comical situation.

The commissioner cited the law which empowered him to imprison me for a year and fine me a thousand dollars, or both. But he did not wish, he said, to be the first to commit a person to jail for flouting the law. He gave me until the following Friday, this was Tuesday, to comply with the court order.

At 2 P.M. Friday I was at the ironing board, rather nostalgic that this might be the last time I would perform that humble task for some time. In baggy blue jeans, I was disreputably but more respectably dressed than I had been three days before. But they did not come for me. Some weeks later I learned from a news release that charges had been dropped, since it could not be proven that I owed anything. (I was not, as a matter of fact, arrested for not paying the tax, but for contempt arising from

refusal to show records.) Still, in my Christmas mail there was a bill from the Internal Revenue Service for $950.01.

If this was the prelude to another abduction, I can only hope that those attached to the court will have achieved that degree of nonchalance which I think I have attained regarding proper court attire. Or that they will at least first send out their intelligence agents to scout for more favorable circumstances for taking me into custody.