

Veterans on Trial for Peaceable Assembly at Vietnam Veterans Memorial

By [Margaret Flowers](#)

Global Research, July 04, 2013

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On July 8, 2013, 17 U.S. military veterans and their allies will stand trial after being arrested as they read the names of the fallen and laid flowers in their memory at New York City's Vietnam Veterans Memorial. The NYPD leadership had an opportunity to safeguard the First Amendment protections of those gathered to mark 11 years of war and destruction in Afghanistan. Instead, the police chose to arrest 25 vets and supporters, charging them with violating a rarely enforced 10 pm curfew at the memorial. Their trial will hinge on whether their constitutional and international human rights to speech and assembly may be superceded by municipal park regulations.

On the evening of October 7, 2012, the veterans and their supporters gathered to condemn government lies and betrayals that precipitated wars where so many died. At 9 pm they began to read the names of the fallen. They gathered to respect those who died and the many more who were maimed in body and spirit and still suffer, as some of the Vietnam, Iraq and Afghanistan veterans present that night still do.

The gathering, in keeping with the solemnity of the venue, was orderly and respectful, yet powerful, as Vietnam combat veterans like Bishop George Packard, Mike Hastie, Paul Appell, and others talked of the need to speak truth to power and expose the lies that send young men and women to kill and be killed in wars for profit and empire.

"I chose to travel 2000 miles to stand with my fellow Veterans For Peace in the cold rain on the night of October 7, 2012, because the effectiveness of the First Amendment is being chipped away at an increasing and alarming rate through the imposition of limits on the people's exercise of their inalienable rights. We see coming to pass precisely the 'abuse of its powers' that the states feared would result from a strong federal government unfettered by these necessary restrictions." —Major Ken Mayers, USMC Ret.

"We are watching our First Amendment rights recede into a deep darkness, to a place where those who speak out could be detained indefinitely without trial and tortured. We see the day when dissent becomes impossible and we know that the only way to keep our rights is to challenge the system while we still can."—Dr. Margaret Flowers

"I stand in the place of my friends who were killed in Vietnam. I want to disrupt the collective unknowing of war by refusing to remain out of sight, out of mind." —Vietnam combat veteran Paul Appell

On that cold, rainy night the veterans and their allies demanded an immediate end to the brutal 11-year war in Afghanistan and an end to all U.S. wars of aggression. They were there to remember and honor the fallen and to stand up for their constitutional rights to assemble peacefully in a public place. If these rights are not upheld by the court, many of them say they will refuse to pay a fine, do community service, or acknowledge any wrongdoing and will do jail time if necessary to stand up for people's right to assemble.

Veterans For Peace board member Tarak Kauff, also arrested that night, said, "Can you imagine if there were an independent-thinking judge who saw his or her duty to actually protect the Constitution, specifically, the First Amendment? The prosecution reads the charges, describing the circumstances of our arrest. I can just picture the judge: 'Wait, are you serious? These veterans were arrested while laying flowers at a veterans memorial? Were they disturbing the peace, desecrating property, using illegal substances?' 'No, your honor.' 'Then what in God's name are they doing in this court? Have the police nothing better to do?'"

The trial will begin at 9:30 am in July 4, 100 Centre Street, Manhattan, and is expected to last for at least four days. The defendants are represented by National Lawyers Guild-NYC attorneys Diane Brody, Ellery Ireland, Martin Leahy, Vikrant Pawar, Martin Stolar, Jonathan Wallace, and Patricia Wright.

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