

Ben Mazel (Perfecting the Art of Civil Protest)

By Don E Wirtshafter

Ben Mazel was born in the Bronx, NY, in 1954. He was not quite 14 when getting arrested at the tumultuous 1968 Democratic National Convention in Chicago sent him on a career course like none other. Ben joined the protesters who sued the city of Chicago and Mayor Richard Daley over their illegal detentions and police brutality. After several years fighting city hall, Ben collected \$40,000 in damages. His path was set.

Ben moved to Madison, Wisconsin after meeting a group of Madison activists at the May Day, 1970, "mobilization" against the Vietnam War. He had adopted the progressive politics and comical theatrics of the Yippies (the so-called "Youth International Party" launched by Abbie Hoffman and Jerry Rubin in '68).

In 1970, when Yippie leader Dana Beal got busted on marijuana charges, Ben organized a march to the Capitol in Madison carrying a banner that said, "Free Dana Beal." Ben called this event "The Great Midwest Harvest Fest." It became an annual event that he continued to organize until his death in April of this year.

Ben also organized an annual rural bacchanalia called Weedstock that local authorities tried to but could not suppress. Weedstock became the prototype for the hundreds of hemp fests that are held around the country each summer.

In the late 1980s Ben was a key organizer of an important project that came to be known as "the Hemp Tour." Jack Herer had recently uncovered the amazing story of how cannabis grown for fiber had been an essential crop in America for centuries, before prohibition prevented farmers from growing it. Ben led a busload of activists through the Midwest, displaying artifacts from Jack's "hemp museum," telling the story of hemp's past, and turning on countless students to its potential uses.

Ben ran for public office on many occasions. One run for Governor of Wisconsin featured a campaign poster of him butt-naked and the slogan, "A new kind of Governor with nothing to hide" In 2008, Ben ran for the US Senate. He only accepted one dollar campaign contributions and ran under the slogan, "A Senator you can afford." Despite no budget, Ben received 14 percent of the vote against incumbent Herb Kohl in 2006. Ben had filed to run again against Kohl for the Senate in 2012 when his illness overcame him.

Ben was a Rainbow Warrior who thrived at the annual Rainbow Gatherings held in national forests across the country.

He was the personification of activism. As Democratic and Republican presidents continued to pursue policies he deplored, he regularly joined —and sometimes organized— protests at the parties' nominating

conventions.

Of all things to protest, Ben's favorite became the insane drug war that is pulling down our country. Ben was a regular at drug policy conferences and NORML events. He remained a leader of Wisconsin NORML. Ben was proud of his 137 arrests, almost all of them at protest events. He fought each ticket, accepting only minor misdemeanor penalties in six of these prosecutions. He constantly sued back, collecting 12 judgments against civil authorities over the years. He even got notorious New York mayor Rudolph Giuliani to pay attorney fees in one case.

Ben became an expert in civil liberties and police brutality law. When protestors were not allowed to read the 4th Amendment to juries in criminal trials, Ben designed a shirt for people committing civil disobedience to wear for their arrests. The front of the shirt gave Notice to Law Enforcement Officers that the wearer retained all his rights; the back quoted the entire 4th Amendment to the Constitution. Getting arrested in one of Ben's shirts enabled an activist to enter his refusing consent and the 4th Amendment into evidence at their subsequent trial. Otherwise, the foundation for protection of our liberty could never be seen by a jury. Ben's shirt became a uniform for people committing civil disobedience —and drug smugglers—across the country.

In 1994, the sheriff in Madison arrested Ben for passing out leaflets on the sidewalk. Ben easily won a quick judgment against the sheriff, as the right to leaflet in public spaces is clearly established. The next year the Clinton/Gore campaign came to town. Clinton's handlers did not like to see Ben on the sidewalk leafleting. Secret Service agents asked the Sheriff to arrest him. "No way," responded the Sheriff, "Do you have any idea what happened the last time I tried to arrest Benny for leafleting?"

After the 2002 election of Tommy Thompson as Wisconsin governor (Ben had run in opposition on the Libertarian ticket), The Great Midwest Harvest Festival became controversial. Thompson pledged he would get rid of the annual protest at the capitol. That year the Harvest Fest was interrupted by the arrest of Ben

and others (including myself) for not having a permit. Ben turned around and sued the state. He quickly won a permanent injunction that prevented the state from interfering with the rights of peaceable assembly on the capitol grounds.

The next year Ben upped the ante by bringing a large sound system to the Harvest Fest. Capitol police arrested him for the sound system. Ben again turned around and sued the state. This time the court awarded Ben a permanent injunction that confirmed the right of peaceful protesters to use large sound systems and therefore attract large crowds to the statehouse lawn.

Through the intransigence of one activist, Madison became the only state capital in the U.S. with well-defined rights for demonstrators.

The miracle we recently saw unfold in Madison —the people's response to Gov. Scott Walker's attempt to bust the public employee unions—could have only taken place in Madison because of the advance work of Ben Mazel.

Ben first learned of the pro-labor protests within minutes of his diagnosis of terminal lung cancer this January. Ben's friends had taken him to the hospital after he woke up in extreme respiratory distress. The doctors quickly understood a growing tumor was blocking Ben's breathing tube. As a temporary measure, they injected him with steroids to reduce the mass. Quickly, Ben's respi-

ration returned to normal. It was then that his phone rang with the news that a public protest had been called for the capitol that day at noon.

Ben was adamant: he had to get to the capitol building. The doctor resisted, telling Ben of the dangers of hemorrhaging after such a big dose of steroids. "If you hemorrhage in the hospital, there is a chance we can save you. If you hemorrhage down there, you are dead."

"That's okay, doc," Ben replied, "If I have to die I would rather do it at the capitol in front of Walker than here in the hospital."

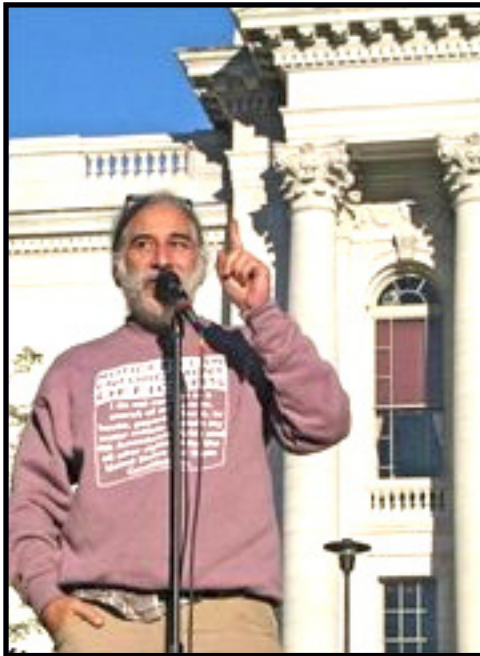
The doctor knew better than to argue with such a determined man. All he could do was admonish Ben to be on time for his 1:30 p.m. MRI appointment.

Ben's last protest took place during the month-long worker occupation of the capitol. People had been arrested for carrying signs inside the building. Ben decided to challenge this and put out an announcement on Twitter and Facebook calling for civil disobedience inside the building. Knowing that the state Constitution was on display on the second floor, he created protest signs that quoted the Constitution. Try as hard as they could, Ben's crew could not get themselves arrested that day.

The Hemp Tours

The Hemp Tours fueled the modern cannabis reform movement and led to the creation of the Cannabis Action Network. We were able to hold 1,500 events all around the nation. The goal of each event was to leave behind a functioning local organization, a good media story, and tools to create strong organizers.

Ben taught thousands of young organizers to stand up and fight —and that is ultimately going to lead to the repeal of cannabis laws. —*Debby Goldsberry*



GRAPHIC BY JOHN JONIK

Gil Scott-Heron

photo by Mark McNulty



In the end his smile
he was so thin, all that was left was

*Jagged jigsaw pieces
Tossed about the room
I saw my grandma sweeping
With her old straw broom
She didn't know what she was doing
She could hardly understand
That she was really sweeping up..
Pieces of a man*

*I saw my daddy greet the mailman
And I heard the mailman say
"Now don't you take this letter to heart now Jimmy
Cause they've laid off nine others today"
He didn't know what he was saying
He could hardly understand
That he was only talking to
Pieces of a man*

*I saw the thunder and heard the lightning!
And felt the burden of his shame*

*And for some unknown reason
He never turned my way*

*Pieces of that letter
Were tossed about that room
And now I hear the sound of sirens
Come knifing through the gloom
They don't know what they are doing
They could hardly understand
That they're only arresting
Pieces of a man*

*I saw him go to pieces
I saw him go to pieces
He was always such a good man
He was always such a strong man
Yeah, I saw him go to pieces
I saw him go to pieces*

—Gil Scott-Heron