

Boston, MA -- It is difficult to believe that Edward Hasbrouck is a federal felon when he speaks quietly of pacifism and the importance of resolving conflicts without violence. At 23-years-old, however, this peaceful young man stands in clear opposition to the United States government as a convicted draft resistor. In Boston Federal Court, on November 22, 1983, Hasbrouck was ordered by Judge David Nelson to begin serving time on a six-month suspended jail sentence. Since the revival of draft registration in 1980, Hasbrouck has become the second person in the country to be imprisoned for resisting registration with the Selective Service.

Although he is only one of two men to be jailed for this felony thus far, Hasbrouck stands alongside 700,000 other young men, by Selective Service estimates, who have failed to comply with the registration law. Of these nonregistrants, the government has so far identified for possible prosecution fewer than 200 "public resisters" -- specifically those, like Hasbrouck, who have informed the Selective Service that they have not registered and do not intend to do so. Of the 200 identified vocal protesters, only 16 have been indicted by the federal government. For their noncooperation, these young men are risking a maximum penalty of five years in jail and a \$10,000 fine.

While many 18-21 year-old men have refused to register, another 8,500,000 have signed up with the Selective Service. Of this number, however, four million did so either invalidly or incompletely, according to Selective Service and General Accounting Office Studies. The three million men guilty of "invalid" registration have changed addresses since registering without informing the Selective Service, and the estimated one million "incomplete" registrants did not give their Social Security numbers when completing their registration cards.

Currently, the Selective Service is dismissing this seemingly indisputable trend of noncooperation by claiming that most of those in violation of the registration law have either been careless when registering or uninformed about how to do so and will eventually sign up late. However, Dr. Jerrold Cohen, professor of American Studies at Brandeis University and an expert on the Vietnam era, disagrees with the government's interpretation.

"The sheer numbers of people that are resisting in one way or another ought to show the Reagan Administration that registration isn't working," he says. "During the Vietnam War, 300,000 men fled the draft while another 250,000 failed to register in the first place. 25,00 of those were indicted, half that number were tried, but only 4,000 were jailed. There were simply too many resisters to incarcerate. When you talk about draft resistance during Vietnam, you know you're talking about more than a coincidence. And it's the same thing today -- the government might call it chance or error, but the numbers speak for themselves."

During his campaign against then-President Carter, Ronald Reagan opposed draft registration, claiming that, aside from times of national emergency, "a draft or draft registration destroys the very values that our society is committed to defending." After his election to office, however, Reagan reversed his stance and announced, in January 1982, that he would continue the program initiated by Carter. Under this program, registration at age eighteen became mandatory in July of 1980 for every male born after 1960. Like Carter, Reagan claimed that the program would save six weeks emergency mobilization time for the military -- a figure that has been disputed by both supporters and critics of registration alike.

In an effort to deter other young men from refusing registration, the United States government began prosecuting public resisters in August 1982. Despite the fact that 16 indictments have been handed down, registration has not receded to any great extent. In another attempt to raise the registration rate, Congress, in January 1983, implemented Rep. Gerald Solomon's (R-NY) amendments to the 1983 Defense Authorization Act and the Jobs Training Act. These amendments require that 18-21 year-olds file a Statement of Registration on federal financial aid forms and when applying for job training through the Jobs Training Partnership Act; failure to register can lead to disqualification from both programs.

"The Solomon Amendments are clearly an attempt to coerce people into registering by threatening to exclude them from federal programs. By affecting federal aid recipients only, they are obviously discriminatory and can not be enforced for long," asserts Professor Cohen.

Currently, the number of registration violators is twenty times as large as the

29,000-person capacity of the federal prison system. The Reagan Administration may soon find itself in the situation of either developing another plan to curb the tide of nonregistration, or admitting to itself that mandatory registration is unenforceable considering the current noncompliance rate.

Edward Habrouck was raised in Wellesley, Massachusetts, a conservative Boston suburb where many families have New England forebearers and live in homes bearing plaques designed by the town's historical society. Aside from a stubborn belief in his own principles and an interest in politics, there was little in Hasbrouck's background to predict that he would one day come to odds with the United States government over the issue of registration. Voted by his fellow classmates as the "Most Intellectual Boy" of the Wellesley High Class of 1977, and also the winner of a National Merit Scholarship, Hasbrouck's conventional aspirations, at age eighteen, included four years at college and a career in law.

At Wellesley High School, the now long-haired and bearded Hasbrouck is remembered by his teachers as an excellent student who took strong stands but was not a radical by any means. According to his mother, Marguerite, "Edward was always into ideas and principles. He's also very uncompromising, but stubbornness runs in the family."

While in high school, Hasbrouck was an active member of the Student Advisory Committee where he argued frequently for student rights. In particular, he describes working for town acceptance of a state law giving First Amendment rights to students. The motion was voted down in town meeting, but the experience brought Hasbrouck to the realization that "through the democratic voting process, the majority can force the minority to do what it wants. It was disillusioning for me to learn that our representative system can not, by its very nature, represent all of the people."

In addition to this, Hasbrouck says that the political nature of his family affected his political development by "giving me confidence in myself, my intellectual worth, and my ability to develop my own ideas." Both of his parents were active in town meetings and his mother was on the School Committee and the League of Women Voters.

Hasbrouck's dedication to his own principles was clearly evident when President Carter announced his plans to reinstitute draft registration in early 1980. At that time, Hasbrouck remembers not taking the idea of registration very seriously. He felt

that is could not succeed because so many people opposed the plan and would refuse to cooperate with the government.

"I only began to take it seriously as it came very close to July 1980 and the start of registration," Hasbrouck recalls. "Then I began to realize, to my complete amazement, that most of the people who thought registration was wrong were, in fact, intending to register."

Hasbrouck believes that many of these people registered out of fear of prosecution. He, however, was apparently immune to this threat. Then a twenty-year-old junior at the University of Chicago, Hasbrouck announced his intention not to register on July 17, 1980 at a press conference in that city.

Shortly thereafter, he left the University of Chicago and returned to his home city of Boston in 1981. He lived at his parents home in Wellesley for several months and worked towards ending registration by participating in protests and speaking publically against the plan. Then, on October 3, 1981, Hasbrouck wrote a letter addressed to President Reagan, Vice-President Bush, the attorney general, the director of the Selective Service, the chief justice of the Supreme Court, and the Massachusetts senators and representatives. In it, Hasbrouck wrote of his intention not to register and his belief that registration contributes to a spirit of militarism that can only increase the likelihood of a nuclear confrontation.

"I can only hope that you will judge yourselves by the test I apply to myself," he wrote. "Am I acting in the interest of survival? My life is being transformed by the realization that no life on Earth is likely to outlive what would have been my natural lifetime. There will be revolutionary change, or there will be nuclear omnicide."

Hasbrouck describes his basic motive in resisting the draft as one of survival; in his mind, a conscription system can only add to the possibility of a nuclear conflict and possible worldwide annihilation. In his letter, however, he explained his belief that the fundamental structure of society must be altered before survival can be guaranteed.

Those who resist registration refuse to cooperate for any number of reasons, be they religious, moral or political. Hasbrouck, a self-proclaimed anarchist, bases his rebellion on an anarchical view of existence. In his letter, he described this view

as "the absence of authority, the illegitimacy of violence (that) is a characteristic of reality."

"Our lives, in accepting authority, deny their nature and in so doing have produced a chaotic and violently suicidal world," wrote Hasbrouck. "Realism demands anarchic organization -- nonviolent, nonauthoritarian, cooperative, and loving."

Hasbrouck says that when he first started thinking about registration in 1980, his anarchism was not as important a part of his outlook as it became by the time he wrote the letter in October 1981. Initially, his thoughts were occupied with the types of wars that he felt a draft would be used for, wars of intervention and nuclear wars. He was also concerned with the idea that the coercive spirit behind the registration law was incompatible with the values of a supposedly free society.

According to Hasbrouck, however, these early reflections radicalized him by making him think about other kinds of institutions and other kinds of oppression in American society. "It made me think about the consistency of the way I was living my life and how the things that I was doing fit into the kinds of beliefs I had about the draft. Since then, my anarchism and passivism, which was a sentiment but not something I felt a strong identification with, has crystallized."

Hasbrouck had several reasons for informing the Selective Service that he was not intending to register, the most important being as an expression of solidarity with others who were being threatened for having written themselves. "I didn't feel that I could allow them to be prosecuted and stand idly by," he explains. "It seemed to me that the best way to make sure that these prosecutions didn't succeed would be for as many people as possible to stand together."

His other reason for writing was an attempt to show the government that people were not afraid to speak and act against registration. "I wanted them to see the futility of what they were doing," says Hasbrouck. "And I think a time will come when they will acknowledge that registration can't succeed because people won't stand for it."

Two months after his letter to the government officials, Hasbrouck received a letter from General Counsel Henry M. Williams. Williams urged Hasbrouck to send the appropriate information to the Selective Service within fifteen days of "we will send your name to the Department of Justice for investigation and possible prosecution."

Hasbrouck ignored the warning and six months later he received a letter from United States Attorney William Weld. In the letter, Weld advised Hasbrouck that he would be subject to a federal felony prosecution if he did not register within twenty days. After failing to do so, Hasbrouck was indicted by a federal grand jury on October 6, 1982 and eight days later he faced arraignment in Boston's U.S. District Court.

At his trial on December 15, 1982, Hasbrouck was found guilty of refusing to register, as he expected to be. When the judge entered the courtroom on that day, Hasbrouck did not rise for him, nor did more than eighty supporters among the spectators who crowded into the room. He also offered no defense and no witnesses, the only resistor not to when brought to trial. Hasbrouck did not defend himself because he felt that the question of whether or not he registered was "entirely irrelevant."

"Obviously I did not register," Hasbrouck told the court. "The real issue here does not concern what I did, but that you need a draft to fight wars that people don't want."

Sentencing was set for January 14, 1983, and on that day Hasbrouck was ordered to perform 1000 hours of community work during a two-year probation period with a six-month suspended jail sentence. The sentence was considered lenient in comparison to others that had been imposed, but Hasbrouck knew that he was going to have some problems with the judge's version of community service.

He was told to draw up a plan of community service work and to submit it to the judge for approval. Hasbrouck, however, wanted his anti-nuclear and anti-draft activities to be counted in his program. Although his probation officer felt that his political work should be counted, it did not satisfy Judge Nelson's requirements. The Judge referred to Hasbrouck's proposal as "garbage" and said that he would not approve a program involving anti-draft or political activities of any kind. He found Hasbrouck in violation of his probation and ordered him to serve out the six-month sentence.

"The day of the sentencing I told the press that Judge Nelson and I might not share the same ideas about community service," explains Hasbrouck. "By giving in to his demands, it would have been equivalent to saying, 'I did something wrong by not registering and I will accept your definition of how I should compensate for that.' I refuse to

accept community service as a punishment. I believe strongly that it's everyone's obligation to work for the community, and that's exactly what I've been doing in the anti-nuclear and anti-draft movements."

Currently, Hasbrouck is the federal penitentiary at Danbury, Connecticut waiting to be transferred to another federal prison. He feels that the registration movement has been highly successful and is an important indication of the constraints that people can place on their government if they do not agree with its policies. For Hasbrouck, however, the goal of noncompliance is not only to stop registration "but to realize noncooperation is a tool that can be used to make a point of a lot of other developments related to the growing militarism in America and throughout the world." Specifically, Hasbrouck believes that the failure of registration foreshadows the potential for war tax resistance, an idea he is just beginning to learn more about.