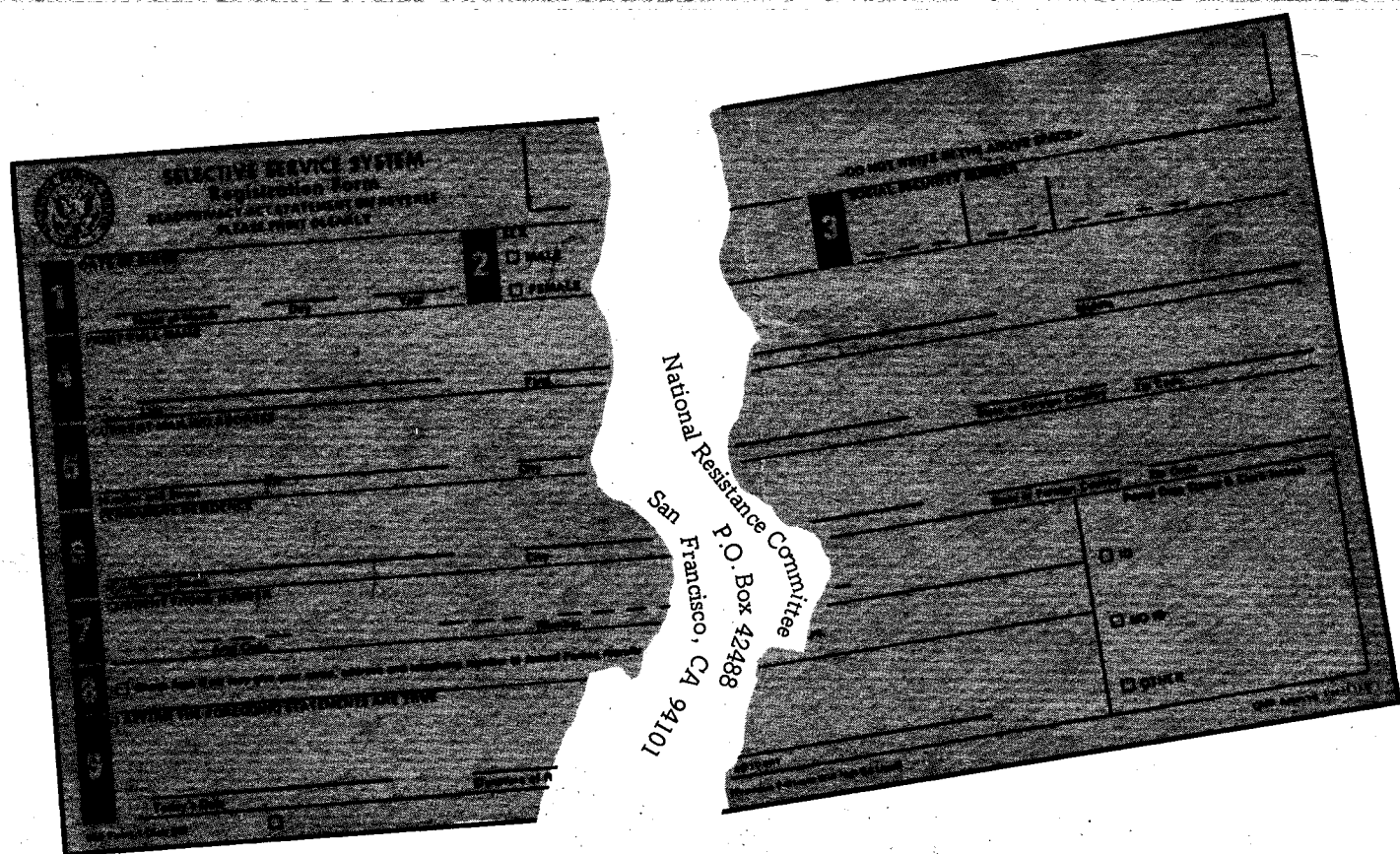
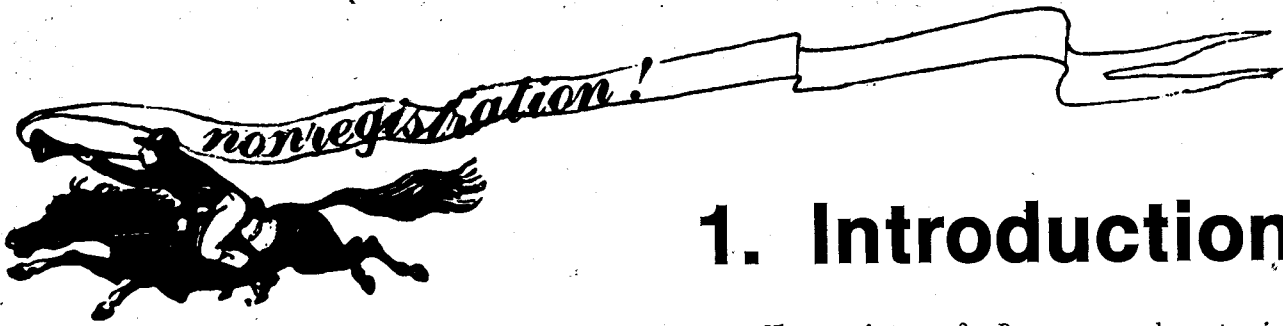


Resistance Manual





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Why resistance? Because we do not wish to avoid, evade, or "dodge" the draft; we want to stop it. We realize that signing a registration card is the same as signing a death warrant. It might not be your own death warrant, but filling out the form sure will be a claim on someone else's life. That someone else may end up being your brother, lover, acquaintance or close friend, but be assured that before the war is over, you'll know someone who died.

War? But there is no war. Not yet. But there has never been a registration without a draft, and there has never been a draft without a war.

Registration is not a passive act. If you sign a registration card you are saying, "I am no longer a human being; I am a piece of government property, a national resource to be used as the government sees fit." And the reason the government forces you to go to the Post Office and sign the card is that they need the complicity of the victim. They can't make you into a piece of government property unless you let them. The best way to stop their attempt to enslave young people is by withdrawing your consent.

Withdrawal of consent takes two forms: one is refusal to register and advocacy of non-registration; the other is blocking, or otherwise disrupting, the registration process through nonviolent means. Both of these manifestations of disapproval are illegal. It is not easy to ask people to break the law, but we must ask ourselves: is the law always supreme? And if not, why not? The answers to these questions are highly personal, and each of us must search our consciences to find the answer.

Some of us will go to jail for our activities. It is a possibility we must all face, but we will not face it alone. We have many people on our side. The NRC has obtained pledges from several thousand draft age people stating their refusal to register. Other groups are now advocating non-registration, including the War Resisters League, the United States Student Association, Students for a Libertarian Society, Catholic Workers, the American Friends Service Committee, and more.

What we are fighting for is our basic right as human beings to determine the course of our own lives. Our opposition to the government is not "unpatriotic." On the contrary, it is in the best tradition of American ethics and values. Freedom, according to our own Declaration of Independence, is an unalienable right; governments "derive their just powers from the consent of the governed; [and] whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it..." We wish to withdraw our consent from registration, conscription and war, and we are determined to abolish them.

This Resistance Manual was written in June of 1980 by Fred Moore, Bob Berkel and Milton Mueller. Price: \$2 each; order from the National Resistance Committee, P.O. Box 42488, San Francisco, CA 94101. (415)781-5839.

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Draft Resister

Draft Restorer



2. The Registration Weeks.

A major political confrontation between the U.S. government and its subjects will occur at Post Offices during the weeks of July 21 - Aug. 1. At issue is not just the success or failure of draft registration, but also the future of the draft itself, the "Carter Doctrine" and the entire move to remilitarize the U.S. after the defeat in Vietnam. If young people shuffle obediently to the Post Office without resistance, they are voting "Yes" to all this resurgent militarism. If, however, they refuse to register in such numbers that they cannot be ignored, then they are casting a powerful vote of "NO!"

One of the most important differences between today's resistance and that of the Vietnam era is that in 1980 the choice of cooperation or resistance will not be gradual and diffuse, spread out over a long period of time. This time, it will all happen at once. We know in advance where it will happen, when it will happen, how it will happen, and who we have to reach. Its relative success or failure will be determined in a short period of two or three weeks. It will be, as we said, one of the most massive -- and politically significant -- confrontations between the government and its subjects in many years.

It is worthwhile simply to describe, as objectively as possible, what is supposed to happen during the registration weeks, according to government plans. That way the contours of the confrontation become clear, and we begin to get a grasp of the opportunities for resistance.

Funding for draft registration was signed into law by President Carter on June 24. The SS announced shortly thereafter the weeks of registration: 19 year olds -- those born in 1961-- will be forced to sign up at Post Offices from July 21 through 25, while those 20 year olds born in 1960 will have to go from the 28th - August 1. Those born in 1962 will have another mass sign-up in January of 1981, and after that, everyone will be expected to register as they turn 18.

When the SS announces the dates of the weeks of registration, there will most likely be prominent news coverage of the event in newspapers, radio, and TV. Shortly after this, the SS will send short radio spots to every single radio station in the country. These spots, which will announce the "obligation" to register along with the dates and locations, probably will not use the word "draft" at all. They'll begin to run all throughout July, and as far as we know, these are the only plans the SS has to publicize the registration weeks. According to some sources, the SS plans to register people on specific days of the week based on the month they were born in: just like in good ol' mass, sweaty college registration, people born January-March will register Monday; those born in April-June on Tuesday, and so on. Friday will be a "make up" day (!?!). (As bizarre as this sounds, it is actually good: the more confusing the process is the better -- i.e., fewer will register if it's hard to figure out.)

Meanwhile, the 34,000 Post Offices around the country will have received a stack of the 8" X 5" registration form (see reproduction in this booklet). Many of the larger ones will prepare to set aside special windows for draft registration.

As the registration weeks grow nearer, we can expect to see our friendly community newspapers doing a "public service" by printing the registration schedules according to which month you were born in, and the SS radio and TV spots will become nauseatingly frequent.

The weeks will finally arrive. A little work with an Almanac and a calculator indicates that an average Post Office of medium to large size will, if everyone registers, see only about 100 young people going in to register per day. It will not be a massive stampede--unless, of course, we make it into one with our pickets, leafleters, protesters and the like. Some of the smaller Post Offices are likely to see only about 10 registration-age males per day, while some of the larger ones will probably be more crowded.

Finally, we cannot expect the SS to honestly report the number of resisters, especially if it would prove embarrassing to them. They are likely to assert that "everyone is registering" no matter what happens. And in fact, this is one problem to which the anti-draft movement has devoted very little thought: how do we tell how many people actually refused to register? Perhaps some of our anti-draft allies in Congress will be in a position to find out.

From the foregoing description, we can get some feel for the crucial pressure points in the registration battle. Selective Service is relying heavily on media publicity--so it will be necessary to counter the SS media campaign with a counter media drive advocating non-registration. Chapter 5 of this booklet goes into more detail. Also, it would be a powerful tactic if we could get youth-oriented radio stations to refuse to air the SS announcements. Further, as the SS spots begin to run in July, registration-age young people who have a vague propensity to question or resist will need information -- someplace they can call or turn to for advice about their risks and options. Thus, we encourage the establishment of registration counseling phone numbers, and we have devoted an entire chapter to an assessment of

the risks of non-registration so that you can help people who have questions. Finally, the description above underscores the vital importance of creating as large and visible a presence at as many U.S. Post Offices as possible during the registration weeks. If we have succeeded in making a major issue of registration by that time, the whole nation will be watching what happens on the first day. If the Post Office demonstrations on the first day are a success, it will encourage non-registration throughout the week and make it impossible for the SS to pretend that there is no resistance.

The ultimate breakdown of registration-

3. Risks of Non-registration.



SPEAKING OF HOSTAGES....

If you expect to convince young people not to register, you must have a firm grasp of the actual risks of non-registration, and an awareness of the case law and the examples that have come down to us from the Vietnam era. It is a mistake to assume (as some counselors do) that the government is all-seeing and will automatically slap a 5-year jail sentence and massive fines on anyone who fails to register. It is also a mistake to promote non-registration on the assumption that there are no risks at all.

Registration is not risk-free.

When it comes to risks, the burden of proof should not be totally on those of us advocating non-registration. There are severe risks inherent in the act of registering, too. If you register, you are subjecting yourself to a risk of being conscripted in the near future, which could in turn lead to a chance of being killed or wounded in battle. By offering your body to the SS, you are increasing the risk that this country

without-a-draft between 1973 and 1975 is an important example of what can happen. During those two years, 18 year olds were required to register, but no draft was in effect. Over time, and due to the lack of enforcement, the number of 18 year olds who actually registered dwindled until the whole program was called off. In 1975 President Ford was faced with the choice of either trying to enforce registration and 'make it work, or calling it off. He called it off, allowing both Presidential registration and induction authority to lapse. We can make it happen again, if not this summer, then over a period of time.

will get involved in war. Furthermore, registration is irreversible. Once your name is in the government computers, you cannot get it back out again. Which means if you decide you want to resist after you have registered, you are virtually assured of prosecution, because the government has your name, address, and Social Security number.

Many people think they are being very reasonable by saying, "Well, I'll register now, but if they try to draft people, I'll refuse to go then." Our answer is that if you wait until the government is actually drafting people and has obtained their names, addresses and Social Security numbers, you are increasing your chances of being prosecuted, drafted, or killed astronomically. The time to resist is NOW -- it is not only the most effective time; it is, as we shall see, the least risky.

The government is not omniscient.

The biggest problem in convincing people not to register, we have noticed, is the widespread feeling among young people that the government knows everything. "They've got all our names on computer," they say, "and if we break the law, they'll track us down just like that." In a relatively authoritarian society, where we are brought up in compulsory schools, stripped of all natural rights until the age of 18 or 21, and regimented constantly, we are habituated to following the dictates of the state. Breaking out of that pattern causes extreme psychological insecurity, even when the risks are small. Many young people we talk to have lurid fantasies to the effect that the day after the registration weeks they will hear a knock on the door and the F.B.I. will march in, handcuff them, say, "You didn't register," and drag them off to jail. All this is nonsense, of course. A little knowledge of the facts about the Selective Service System, along with a dose of good common sense, will dispel any of these notions.

Quiet non-registration.

What will happen, or what is likely to happen, to people who fail to register? Let's begin with the easiest case: those who quietly and discreetly fail to register, without making public statements about it.

We would estimate the chances of discovery

for those who quietly do not register is about 1 in 1,000. Of those who are discovered, most will simply be asked to register; few will be prosecuted. Of those who are prosecuted, fewer still will end up in jail. We will back up these projections with what follows.

The first thing to remember is this: if the Selective Service System already had accessible information about your address, Social Security number, and age, they wouldn't be asking you to register. The fact is, the SS does not have a list of young people to check against to find out who registered and who didn't. There are ways they can attempt to get such lists (we will go into that in more detail later) but they all take a lot of time, money, and manpower.

Which leads to our next important point: the SS does not have any mechanism for systematic enforcement at this time. Enforcement takes time, money, and people. The SS as of now has little of any of those. All of the money voted to the SS to make registration possible will be used to advertise the registration weeks, and to prepare for future mobilization. There is no money allotted for checking out lists, handling the paperwork, and paying the bureaucrats involved in enforcement.

During the Vietnam era, the backbone of the enforcement effort was the local draft boards. The people in the local boards were responsible for finding out who didn't show up for induction, keeping up on address changes, sending letters to those who became old enough to register, and finding those who didn't register. But -- and this is crucial -- **THERE ARE NO DRAFT BOARDS ANYMORE**. They were completely dismantled in the mid-Seventies and the current budget does not reconstitute them. So who is it, we ask, who will have the time, the budget, and the facilities to go through four million names to find out how many people registered and how many didn't, to send letters and track down those who didn't, to refer their names to prosecutors, etc? The answer, as far as we can see, is no one.

One way some non-registrants were caught in the past was by the requirement that all men over 18 carry their draft card with them at all times. Not carrying your card was a crime, and many policemen enforced it. But this time, there will be no requirement that young people carry proof of registration with them.

The odds for people who didn't register in the Vietnam era were very good. The most conservative estimate is that 250,000 people failed to register -- some say as many as a million never registered. Whichever is true, we do know that only 250 men were ever convicted. So the odds were at least 1,000 to 1 that non-registrants would never be convicted -- even during a time when local draft boards were going full blast and there was a requirement to carry proof of registration.

What about those non-registrants who are, somehow, discovered? Even then, the non-registrant has options left. During the Vietnam era, the vast majority of non-registrants were given a chance to register late if they were discovered. And if they did register, they were rarely prosecuted. Technically, they had still broken the law and still could have been prosecuted;

in fact, some were. But for the most part, the SS and the District Attorneys simply had other things to worry about which they considered more important than prosecuting non-registrants who had recanted and registered. The system wants compliance, which gives it legitimacy, more than anything else. They want you to go along to get along. You may find an ornery prosecutor who will go after non-registrants even after they register. But for the most part, non-registration (unlike registration) is not an irrevocable decision.

Let's say you are found out and prosecuted. A non-registrant, unlike someone who refuses to be drafted, has very few legal defenses. But there are some. There may be illegal technicalities in the way the government accumulated its evidence. One non-registrant won his case by proving that the government had enough information to register him without his cooperation; perhaps this defense will work in the future and perhaps it will not. Find a good lawyer through the NRC, National Lawyers Guild, or ACLU referral network, and take advantage of every opportunity, every loophole, every shade of meaning in the case law handed down from the Vietnam draft. You still are not lost.

Finally, if you are found out, prosecuted, and convicted, you needn't count on spending 5 years in jail and paying \$10,000 -- that's the maximum penalty, and there is little likelihood that mere non-registrants will draw that unless America is suddenly consumed by total war hysteria. "During the late years of the Vietnam era, over half of all sentences for draft resistance were probation, usually with civilian work under court direction." (You And The Draft, CCCO). The leniency of the sentence (or lack of it) handed down by the judge will depend on a variety of factors, including public attitudes, the region of the country, race, legal support, and many others.

So at the end of the road, there is a risk. For quiet non-registrants, it is small, but it is there. But remember that registering for the draft has risks, too. It may give you safety from prosecution, but it does carry risks comparable to those of non-registration.



Public Advocacy of Resistance.

While we think the risk faced by quiet non-registrants is minimal we cannot say the same about public advocates of resistance. By law, public advocates are subject to the same penalties as those who fail to register,

whether or not they are 19 or 20 years old. But the government, if it goes after anyone, will almost certainly go after public advocates first: they are visible, and much more dangerous to the state than a mere non-registrant. Obviously, it is very important that some people take the high

risk route of publicly advocating non-registration, because if no one comes out publicly, the vast majority of young people will never get the message. About all that we can hope for is a kind of safety-in-numbers: there will be so many public advocates of non-registration that the government will not be capable of prosecuting all of them. However, be sure that all the resistance activists in your community understand that if they are taking a stance of public advocacy, they should be fully reconciled to being prosecuted, convicted, and jailed.

Tragically, the people in the most jeopardy are those who are both registration age and public advocates of non-registration. The reason for this is that the government may not want to prosecute older advocates because it would look like they were prosecuting people solely on the basis of their speech, and freedom of speech still means a lot to the people of this country. Resistance advocates who are draft age will be prosecuted because they are public advocates, but they can say they are prosecuting them purely for their failure to register. Once again, the only safety is in numbers.

It is hard to predict what will be the government's policy toward public resisters. They could very well try to ignore us and pretend we don't exist, making happy-face projections about how only 2% failed to register and that the resistance was a flop. On the other hand, they could decide to come down hard on resisters to intimidate potential non-registrants. Psychologically, the safest route for resisters is to be fully reconciled to prosecution and imprisonment. If it never happens, so much the better for you.

Big Brotherism.

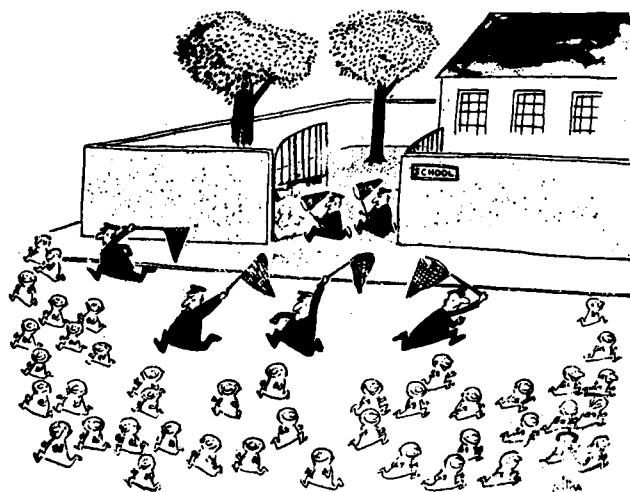
If the resistance makes a significant dent in registration this summer, we cannot expect the government to stand by idly. One possibility that many anti-draft activists have discussed in hushed and somewhat paranoid tones is that of the SS merging the computer files of the Social Security Administration and the Internal Revenue Service. The Social Security list has practically all of the draft age people in it, and the IRS has, according to the SS, the addresses of about 85% of them. So the scenario that we are presented with is the Selective Service going to IRS and SSA, merging their computer files, obtaining a list of 19 and 20 year olds' names, addresses, and Social Security numbers, comparing that list to the list of those who registered and finding out about those who failed to register.

Sounds terrible -- and it would be, if it happened. However, there are two things preventing it from happening now. First, it would require new legislation, and specifically an amendment to the federal Privacy Act of 1974; second, it could be challenged on constitutional grounds; third, it would provide accurate data for only about 60% of the eligible 19 and 20 year olds.

According to the February 1980 report of the SS, "While the construction of a master list from SSA and IRS computer files is feasible, questions have been raised on privacy and constitutional guarantees of equal protection and due process. All Federal agencies surveyed advised

that not only would the Privacy Act of 1974 have to be amended, but prohibitions on individual agencies would also have to be changed. (IRS has specific prohibitions in Title 26). ...Non-participatory registration would require an amendment to the Military Selective Service Act, and such an amendment would raise questions of due process and equal protection guarantees of the Constitution." The report also states that, "Given Selective Service estimates of an 85% IRS coverage (of eligible names) and a 25% mobility rate, a master list (formed from the SSA/IRS merger) may capture as little as 60% of the draft eligible population."

So the government couldn't simply spring something like that on us. They would have to make significant and far-reaching changes in present law, and those changes would have to go through Congress. There is, in fact, more opposition to those changes in the law than there is to the draft itself.



The School System: Big Brother's Helper.

There is another, more realistic, avenue for enforcement that the Selective Service has publicly hinted at: the use of high school lists to track down resisters. Literally every high school student receives piles of recruiting literature from colleges, R.O.T.C., and the military. They know that their name is on some list, and this seems to indicate the possibility of enforcement.

If the SS has the manpower and the ability to get them, high school class lists represent the worst danger to non-registrants. In the Vietnam era, local draft boards obtained lists of graduating Seniors from local high schools and checked them against the list of registrants. This was a very effective method of enforcement, although it spared high school dropouts.

The 1974 Privacy Act does not prevent schools from turning over their records to the Selective Service system. On the local level, the State Boards of Education may or may not be willing to comply with a request for names from the SS. There is, therefore, only two things which could effectively prevent full-scale enforcement using high school lists: the SS's own small staff, and public pressure on the schools.

The small SS staff in Washington D.C. simply could not, by itself, accumulate lists of gradu-

ating seniors from each of the thousands of high schools around the country. There are 6 small regional offices of the SS scattered around the country -- in Philadelphia; Marietta, Georgia; Great Lakes, Illinois; Dallas, Texas; San Francisco; Aurora, Colorado -- although it is problematic whether they have the capacity to undertake systematic enforcement.

The issue of school complicity with the SS must, therefore, be raised publicly, to alert students and sympathetic parents to the problem. High school (and university) administrations should be pressured to swear off any release of their students' names to the SS. The issue should not be treated simply as an anti-draft one, but also as a fundamental violation of the right to privacy. Many people who don't object strongly to registration may be strongly opposed to the idea of the Federal government accumulating lists of high school seniors.

In addition to school lists, there is the Educational Testing Service (ETS), that massive student-sorting machine which dispenses the SAT test. There have been some mentions of the use of ETS lists to enforce registration. The threatening aspect about this is that the ETS list, unlike high school lists, is centralized completely and therefore capable of being snapped up by the SS without much work.

However, the ETS scare turns out to be another bogeyman. To begin with, only 55% of all high school seniors take the SAT test. And of those, only 80% answer the questionnaire and check off the little box which allows their name and personal data to be released to colleges (the "Student Search Services" list, as it is called). So the ETS list would cover only 35% of the eligible age group.

Even if they had 100% of the names, ETS spokespersons adamantly insist that they would not, "under any circumstances, except under subpeona," turn over their names to the SS. Also, according to ETS, every client who purchases the Student Search Services list must, as part of the contract, sign a confidentiality pledge which prevents them from passing on the names to others for "secondary use" of the names. We need not necessarily trust ETS -- it has a long history of "government-business partnership" -- but in this case we can feel relatively sure that they are sincere. If word got out that ETS released its names to the SS without permission, the number of people who check off the little box allowing their name to be released -- and the number of people who take the SAT test itself -- would be likely to drop precipitously. It's just not in their self-interest to allow that to happen.

In sum, the piles of recruiting literature that 18 and 19 year olds receive do not, it appears, come from a single, centralized list which the SS can grab and use for enforcement. They are built up from a variety of local sources, mainly the high schools, but also from auto registration and commercial list distributors. While the Armed Forces recruiters have offices in most localities and enough staff to visit high schools, give talks, and get information from the administration, the SS does not appear to have anything near those capabilities -- yet. The SS's new budget of \$13.2 million makes quite a contrast to the Army recruiting budget of several hundred million, and their six small regional offices pale beside the hundreds of aggressive recruiting offices all over the country. This is not to say that the SS won't be beefed up in the future.

4. Conscientious Objection: Missing the Point



In the brief period since the registration law passed, the NRC has received quite a few calls from registration-age males, and we have talked to many draft counselors from the Vietnam era who are preparing to go back into counseling. Unfortunately, large numbers reveal a fundamental misunderstanding of the nature of the issue during the up-coming registration weeks. Many of the calls from young people ask, "what deferments can get me out of the draft?" And unfortunately, many of the counselors are focussed on this same question, spending most of their efforts counseling young people on how to get Conscientious Objector status once the draft comes back.

Both are making the same mistake. The issue at hand is not yet the draft, but registration for the draft. The registration forms that young people will have to sign this summer make no allowances for CO's -- everybody has to register -- and we simply do not know what deferments will be allowed until the draft comes back. The fundamental moral and political issue we are now facing is whether or not to register, NOT how to get out of the draft once it comes back. If, through non-registration, we succeed in defeating the Selective Service System's designs on American youth, there will be no need for CO

status or deferments. If resistance is widespread enough, EVERYONE will be deferred, EVERYONE will have the chance to act on the basis of their own conscience -- not just the few who have access to counselors and legal information. So why should we passively sit back and allow registration to happen; why should we pretend that its implementation is a foregone conclusion? Yet by preparing for CO status or deferments that is exactly what we are doing.

What the seekers and counselors of Conscientious Objector status are doing, in effect, is granting the government the moral and legal right to register millions of young people, while seeking for themselves a special exemption. CO status is designed by the government to further the aims of conscription: it takes the friction out of their machine by giving privileged status to a few, narrowly defined categories of people who are certain to oppose conscription. Getting them out of the way makes it easier for them to conscript everyone else. CO's, by working with the conscription system, give that system the legitimacy to draft others. If Conscientious Objection to war and conscription is to make any sense in the summer of 1980, it can only take one form: conscientious objection to registration, expressed by refusal to register.

Many young people see CO status as a less risky way of opposing war than non-registration.

This is not necessarily true. Those who are banking on qualifying for CO status are operating under a false impression: they are filling out CO cards stating their opposition to war, making written records of their beliefs, and so on, with the idea that this will guarantee them CO status in a future draft. But it ain't necessarily so: nobody can make any guarantees about what will qualify people for CO status in a future draft. CO's must convince a local draft board that they are sincere opponents of all war. While there are legal guidelines coming down from the Vietnam era, nobody can ascertain that you will convince them you are not just someone out to escape the draft. Also, if there appear to be too many CO applicants, the government could decide to tighten up the standards. There has already been one proposal to limit CO's to members of certain religious sects. And if your application is denied, -- fully half were denied during the Vietnam era -- what then? You will have registered, and the government will have all the information it needs to draft you when the time comes. Seeking CO status -- just like non-registration -- has its risks.

We repeat: the issue at hand is not what to do when the draft comes. The issue is whether or not we allow registration to go into effect. Until registration is successfully emplaced, the issue of CO status is basically irrelevant.



5. Media.

The media should be thought of as a huge amplifier; you plug in your message, they blow it up and distribute it to places and people you could never reach otherwise. Like all amplifiers, they usually distort, filter or otherwise affect the message in some way. This does not diminish their value. The media is a tool, and like any tool you have to learn how to use it properly.

A systematic, vigorous media campaign is absolutely essential to the resistance effort. Think of it this way: a potential non-registrant is confronted by hundreds of information sources. The government will be constantly beaming out messages such as "do your patriotic duty," "go register," and "obey the law." There will be

signs in Post Offices, radio announcements and TV spots. Some of those messages will be direct threats: "Register or go to jail." In addition, a registration-age person's parents will often either support registration or urge him to stay out of trouble by registering. The same goes for many of his teachers, employers, friends and neighbors.

Resisters must, therefore, use every opportunity to saturate the media with counter-registration messages. Talking to people we know and handing out leaflets is not enough. The non-registration message must come in by radio, TV, and newspapers as well. This is as crucial a method providing support to resisters and potential resisters as local support groups and grass-roots organizing.

Many of the normal avenues for publicity may be closed to the resistance due to the illegality of our message. Public Service Announcements (PSA's), full-page ads in newspapers, free speech messages, and editorial rebuttals on TV cannot come out and advocate resistance because broadcasting is licensed (i.e., censored) by the Feds. Stations could lose their license if they broadcast our felonious remarks.

That means we have basically two ways of getting the message out: first, we have to make news; and second, we have to couch the anti-draft message in cautious, legal terms if it is to go through regular media channels. The media can report illegal messages if they are part of a newsworthy event. And more cautiously worded messages like "Think before you register" or "You do have a choice; call 888-9999" are excellent supplements to the resistance message and can be advertised through all normal channels.

Make News, Not War.

Local resistance groups should seize every opportunity to create media events in order to put the non-registration message into the newspapers and airwaves. If Carter (or any major pro-draft politician) visits your city, do a picket line. If a noted, or not-so-noted, anti-draft speaker comes through town, send out a news release and try to interest sympathetic reporters in the event. If you collect a significant number of non-registration pledges, call a news conference and tell the media about it.

When you are making news, one thing must be strongly emphasized: your comments to the media should be reduced to one simple message which you hammer away at again and again--non-registration. State it simply and clearly: "I won't register, and I'm urging every other 19 and 20 year old not to register." Don't give the media complex, rambling discussions of your feelings about Afghanistan, nuclear weapons or military life. The media, especially radio and television, will inevitably strip down your message to one simple message, and you - not they - should control what that message is. You've got to make sure that the message they get is the most powerful and timely message the anti-draft movement has to offer: DON'T REGISTER. Even saying you're simply against the draft is off the mark. Unless you raise the subject of non-registration you're not giving draft age listeners any options or knowledge of what they can DO if they, too, are against the draft.

Nationally Coordinated Media Activity.

The NRC is pushing for a major, nationwide media event to be held a few days before the registration begins this July. We want to hold a nationwide network of simultaneous news conferences in as many localities as possible -- 100 or so -- in which registration age men all over the country will go before the media and say, "Don't register next week." The media could hardly ignore 100 news conferences in which young people were openly defying a government law about to go into effect a few days later. We expect major publicity. To pull this event off, we need to expand our network of resisters willing to face a high risk of prosecution. Also, a large number of coordinated news conferences takes a lot of advance preparation. If you are interested in striking a major blow against registration through these nationally coordinated news conferences, please call the NRC as soon as possible.

Counseling phone numbers.

Another (less risky) goal of the NRC is to see the establishment of "Registration Counseling" phone numbers in every locality in the U.S. Local groups should find an informed person capable of answering questions about the various options available to young people: non-registration, registration, seeking CO status, open resistance, and so on. Please make sure that whoever does your counseling reads our chapter on the risks of registration vs. non-registration, and especially the section on CO status. NRC chapters should take great care to make sure that non-registration is presented by such

counselors as an available option; many counselors downplay it, or merely state the penalties as if all nonregistrants are certain to get the maximum penalty of 5 years in jail.

The great thing about these Registration Counseling numbers is that they can be promoted and advertised legally through all the normal media channels--PSA's, newspaper ads, etc. A message like "What are YOU going to do about draft registration? For Counseling, call 888-9999" is less likely to be rejected by local stations with the FCC looking over their shoulder. In addition to radio PSA's and TV "free speech messages," Counseling numbers can be listed in the community notices section of local papers and even put on billboards if you can raise the money.



Basic Media Information.

We've made references to news releases, news conferences, Public Service Announcements, and the like. Many of you may not even know what such things are. The following outlines should give you the basic, "nuts and bolts" information necessary to handle media work.

I. News Releases.

News releases are the most basic form of communicating to the media. A news release is simply a formal way of telling them that something newsworthy has happened, what the facts about it are, and who to contact for more information.

For the proper format for releases, see the sample release printed on the next page. As you can see, it has the name and address of the group releasing it at the top; an attention-getting "NEWS" graphic; a heading FOR IMMEDIATE RELEASE; the date, and a contact name and number at the top. There is a title that succinctly summarizes the story; these titles should be carefully worded to arouse the interest of reporters. It should be written in "inverted pyramid" style, which means the top paragraph should have all the essential information (who, what, why, where and when) and each succeeding paragraph has more detailed and less important information. At the end of the release the symbol -- 30 -- tells a reporter that he or she has reached the end of the release, while the symbol --MORE-- tells them it continues.

NEWS

FOR IMMEDIATE RELEASE: July 4, 1980
 Contact: Che Guevara (916)999-9999
 West Coast MAD (415)781-5839

Grass Valley Mobilization
 Against the Draft
 c/o Che Guevara
 19999 North Great Highway
 Grass Valley, CA 95999

ANTI-DRAFT GROUP URGES YOUNG PEOPLE NOT TO REGISTER

The local chapter of Mobilization Against the Draft is urging young people not to register for the draft, a possible felony.

During the weeks of July 21 through August 1, 19 and 20 year old men will be required to register for the military draft under President Carter's new draft registration bill.

The Mobilization Against the Draft (MAD), a coalition of over 75 regional political and religious organizations has been working to build a broad-based national anti-draft movement since early this year. Their West Coast Emergency Conference held in San Francisco June 7 and 8 called upon young people to consider not registering and promised to help those that do not register.

"We feel that non-registration is the most viable way for young people to avoid the draft," said Che Guevara, a local organizer for MAD. "Over 250,000 never registered during the Vietnam war, but only 250 were ever caught and convicted. It's very difficult for the government to enforce registration, especially when large numbers avoid it."

Guevara indicated he didn't know how many would refuse registration, but said he thought it would be at least 10% of those eligible. "There is no way, under those circumstances, that they can find all those who refuse to register," said Guevarra, "and if they did, the jails couldn't hold them all."

Mobilization Against the Draft is offering counseling to young people on alternatives to draft registration. For more information call 999-9999.

-- 30 --

II. News Conferences.

News conferences are called to announce something newsworthy to the press directly, rather than through a release. To put on a successful conference you must:

A. Have something new and interesting to announce. It might be a major demonstration, a piece of information suppressed by the government, a significant number of non-registration pledges, or the announcement of the formation of your local resistance group.

B. A place to hold the conference. Try to find a place convenient to the media people. Press clubs and hotels rent out rooms for such purposes. In many areas local governments provide press rooms for political news conferences. College campuses often have available rooms, but make sure they are easy for a reporter to find. If the weather is good you can always have an outdoor conference--at a Post Office, the Federal Building, a high school, etc. Signs and other props attract TV cameras.

C. Send out a "News Advance" to the media. A News Advance is simply a news release telling reporters when, where, who and why a news conference is being held. Instead of being titled "FOR IMMEDIATE RELEASE" it says "NEWS ADVANCE" and says when and where the conference will be. Everything else is the same. You should send out the advance so it arrives two or three days before the conference. You should also call radio and television stations the day before the conference, ask them if they got the advance, and ask if they are planning to come.

News conferences are best held in midmorning, because the news schedule gets crowded after that. Tuesday through Thursday are the best days

because Monday and Friday are heavier news days, and the media has fewer people working on the weekends.

III. Public Service Announcements.

Public Service Announcements are free, short notices that radio and TV stations make available to non-profit, non-partisan groups. They must be sent in several weeks in advance of the actual event. The maximum requirement is six weeks; other stations have a shorter lead time. Don't forget: six weeks in advance. In many cases, this long lead time will mean that you should take steps to get PSA's out to your local stations the minute you finish reading this --otherwise your spot will come after the registration weeks.

Send a letter to the Public Affairs Director of the radio & TV stations requesting PSA time. Make it clear that you are non-profit and non-partisan, and have broad community support. Also, tell the station when you would like the spot to run, give them a choice of 60, 30 and 15 second spots, and put on your local phone number and address in case they want to call to confirm or ask questions. This is especially important for TV stations, which usually require you to go to their station and record the spot.

Some stations will confirm your PSA request by postcard, telling you when it will be playing; others simply run it or don't without letting you know.

We recommend that all local resistance groups use PSA's to publicize their counseling services. We suggest that you also try to get as open a statement of resistance onto the airwaves as possible, along with the announcement of a counseling number. Remember, the Selective Service is relying almost totally on PSA's to publicize the registration weeks -- so if your group gets PSA's on also, you will be competing on a nearly equal basis with the SS.

60 Second Spot

The Draft is on its way back. That's right. Sometime this summer, millions of 19 and 20 year olds will be forced to go to their local Post Office and register for the draft. Don't sign your life away without thinking about your options. The National Resistance Committee of (city) has counselors who can answer your questions about registration and clarify your options. Whether you choose to register, seek CO status, or refuse to register, we can discuss with you the legal and moral consequences of your choice. We can also put you in touch with local rap groups of other registration-age people. If you need advice, call us at ***. Think about what it means to give your name and address to the Selective Service system. Think about what it means to give two years of your life to the military. Think about what it could mean to lose your life. If you need advice, call us, the National Resistance Committee, at ***.

30 Second Spot

Prepare yourself for draft registration. Don't sign your life away without thinking about your options. The National Resistance Committee of

(city) can counsel you about registration, the draft, and what you can do about them. Think about what it means to give your name and address to Selective Service. Think about what it means to give two years of your life to the military. Think about what it could mean to lose your life. If you need advice, call us at ***. That's ***.

15 Second Spot

Prepare yourself for draft registration. Don't sign your life away without thinking about your options. If you need advice about registration and the draft, call the National Resistance Committee at ***. That's ***.



6. Forming Resistance Communities.

The philosophical ideas "protest" and resistance seem to overlap; however as methods of social change they derive from separate sources. It is important to understand the difference.

When protesting, one states objections, writes letters, attends rallies, marches, pickets and by a variety of such-like means petitions the government, or the established institution. The protester assumes that the institution has the power and that one can do nothing to bring about change directly. It is up to the politicians or "those in power." The protester hopes that by expressing one's opinion on some issue this may persuade the authorities to change their policy or law.

Protest connotes "loyal opposition." Petitions to Congress or the President, no matter how strongly worded, are really complimentary and reassuring to such officials because they are proof that the populace still considers Washington to be the place where decisions are made.

But if people do not look to Washington and begin to take matters into their own hands, then we are beginning to talk about resistance. Resistance stems from the knowledge that all governments rule by the tacit consent of the governed. Withdraw your consent and the government soon ceases to function. Indeed, knowing this, governments maintain prisons to control the populace and induce their cooperation. Statistically, most people will submit to laws when threatened by fines and imprisonment.

We are not mere slaves nor mechanical robots, however. We can think and act on our own. And given sufficient reasons of justice, liberty or the value of life itself, some people will go against the law. And when repression increases, so also will resistance. For it is through disobedience, not protest, that the people exercise their power to alter or abolish tyrannical laws or government itself. Freedom ultimately rests in the willingness of the individual to disobey.

When resisting, one acts directly to deny the government its presumption of power or control. The resister simply declines to cooperate

or refuses to comply with the policy or law. When this personal act of conscious non-cooperation is repeated by hundreds and thousands of individuals, a resistance movement can be said to exist.

I have stressed the conceptual difference between protest and resistance to make a key point about the manner and style needed in building a resistance movement. Whereas it is possible to organize a mass protest movement--get people to unite around a cause, attend meetings, sign petitions, join a party, etc., organized resistance is much more difficult. Resisters tend to question everything, and are not given to following leaders, orders or party lines. Resisters think for themselves and make their own decisions. This is healthy, and in my opinion, as it should be, if for no other reason than that each non-cooperator will have to bear the consequences of his/her actions personally. And when one is pulling time in jail, it is far better to be there because one has internal reasons meaningful to oneself than to be there because "the organization" called the action.

A potential resister already sees the world independently, with his/her own eyes and own interpretation of events. He/she insists on making up his/her own mind. From this insistence on the freedom to define reality for oneself and act in ways meaningful to oneself comes the acknowledgement of personal responsibility for one's life. Simply put: a resister takes personal responsibility for his/her actions.

Notice the inherent anti-military consequences of this stance. The military is based on authoritarian-hierarchical chains of command, uniformity and obedience to orders--the very opposite of thinking for oneself and taking responsibility for one's actions.

Yes, resisters are unique and singular persons. A movement made up of such people must be broad and respectful of different and divergent views. Should not all human beings be respected and appreciated as unique personalities? Remem-

ber, the diversity of human behavior counteracts the imposed conformity of the state. The resistance movement has the potential to include everybody.

But the non-conforming nature of resisters does not imply that they cannot work together. The basis for cooperation is that it be voluntary and by individual consent. Problems arise when some try to set up a structure to organize the consent and designate the functions that constitute cooperation.

Resisters are not "the masses" to be led or used to advance the aims of the organization. Attempts to manipulate or force the "correct" political line on a gathered group of resisters will only result in their departure and a dissolution of whatever unity previously existed.

Resistance is best served by a loose network of friends who will mutually assist one another. Our common unity will be revealed in our action--refusing to register--not in our words about future goals or ends. Regarding ideologies or beliefs there will always be disagreements, and perhaps they are best left undefined and unspoken.

Our solidarity arises out of our human needs, not political theory. A young man may say, "I will resist if others resist, but I don't want to be alone and I'm scared." What is needed here is a resistance community; all for one and one for all. If resisters, their friends, parents and supporters can find a way to band together with a commitment to each other that is serious and sustainable, then a local resistance community can be formed. Some local resisters may want to pledge a mutual solidarity pact with each other: NO ONE REGISTERS and if anyone is singled out and prosecuted, all come to that person's aid and defense.

The questions young people facing the registration law have are mostly personal in nature: What will happen if I don't do this or that? How will my parents react? What will breaking the law mean to me in later life? Will I be sent to prison? How can I sustain a personal relationship while in prison? How will I finish school? What about my career and future plans? Discussions with a variety of older draft resisters can be helpful and informal workshops might be set up to focus on these topics.

During the Vietnam war local resistance groups would often get together for a weekly pot luck dinner. Resistance groups would sponsor social events, picnics, dances, rock and folk music benefits, etc. Political action projects included leafleting at high schools and colleges, picketing at Selective Service headquarters and Induction centers, marches and rallies, support demonstrations at courthouses when resisters were on trial, etc. Letters and visits to those in prison were especially important. Peacemakers set up a "Sharing Fund" to aid the families of imprisoned resisters nationwide. Such direct practical support will, in the long run, be needed once again.

A good way to start a local group is to begin with yourself. For example, you may write a letter to the local alternative newspaper or

post a flyer on bulletin boards. Although graphics draw attention, I suggest simplicity. You might write something like this:

"I am planning not to register for the draft. I would like to get together with others who are also considering draft resistance. If you are interested, come to my house for a simple pot luck dinner on [date] at [time] at [address]. See you on [day]. [Signed]."

The style and manner of this first gathering will tend to influence all future meetings. So it is important to consider carefully our process at all times and be sensitive to the needs of each resister. I suggest keeping structure to a minimum. You don't need hierarchy or authoritarian decision-making, parliamentary rules, voting, pre-set agenda, nor even a facilitator. Instead, you need to allow informal discussion, sharing of information, personal responsibility, voluntary initiative, self-reliance, and encourage general friendship and trust in each other.

The resistance pledge cards of the NRC are a good point of departure for discussion. By making the commitment to resist public and visible, they draw out many of the fears and hesitations associated with resistance.

One procedure that is often helpful is for everyone to sit in a circle and then go around the circle, allowing every person to state what he or she is planning to do, what he or she is concerned about, what hopes the person has for the resistance group, how to reach other people, whatever. A second time around the circle, people can respond to previous speakers, offer suggestions, clarify questions, and generally focus on one or more topics. From this process an agenda of sorts will emerge and some consensual decision might even be made--but more importantly, each person will have participated and everyone will have gotten a chance to know each other a little better.



If there are disagreements, fine; that is evidence that more discussion is needed, or perhaps no decision should be made or perhaps both (or several) positions need to be implemented simultaneously even though they seem to conflict. Cooperation comes through working together over time. Be patient.

In our society we have been schooled to reduce life and human interaction to efficient techniques and formal roles--so that all behavior tends to take place in an institutionalized framework. This results in fragmentation and alienation among people as well as a loss of freedom and creativity.

In forming a local resistance group, it is most important to sustain the spirit of camaraderie. So avoid holding long business meetings debating organizational matters. Remember, we don't want to build an organization, we want to build resistance.

The registration law invades the life of a young person at age 18, 19 or 20, at a time when few have experienced war, considered what values in life are primary, understand the nature of law and the political process, and think of themselves as beings capable of acting independently. To say NO to the law, given the possible penalty, requires a high degree of self-confidence, courage, and willingness to act on principle. Few young people feel ready. What can a person do to prepare for becoming a resister? Here are a few suggestions:

1. Write out a personal statement explaining why you have decided not to register.
2. Arrange to live a solitary life for a period of time--such as taking a trip by oneself, hiking alone, meditating privately, and so on.
3. Visit courtrooms and observe legal proceedings. If possible write to and visit an inmate in a federal prison.
4. Try to live consistently, holding to your own personal values.
5. Talk to a variety of older non-cooperators who may be willing to share resistance and/or prison experiences.
6. Become acquainted with others who are considering non-registration.
7. If one has an intimate relationship, it is important to share the decision; both need to be prepared for the strain of forced separation and long incarceration.

Today a young person is subject to enormous pressures from parents, schools and society--pressure to conform, join the rat race, seek gain at another's loss, compromise one's principles, pursue fame, power, wealth and success. Daily situations arise which reinforce the idea of life as a game with the object being to get ahead. Moral values are scorned. Growing up amidst all this, all that a young person has is his/her integrity. It may not seem like much, but it is important to retain this quality of integrity. One cannot determine the quantity--how long--one will live, but one can determine the quality of one's life. By taking a stand for freedom and peace, by refusing to submit to SSS registration, one may continue to live free and true to oneself and avoid becoming bitter and cynical later.

To speak of resistance, then, is to assume that a young person can and will attempt a degree of self-management or self-government, even to the point of breaking the law. But what is the law?

The law is a system whereby the strong impose their will upon the weak. Yet the law itself is a myth and has no power to compel the prescribed behavior. Only as we allow fear of incarceration to dominate our will, does the law have any power over our conduct. Clearly, a law cannot make a person obey, it can only punish the disobedient. Law is only a myth sustained by our fear--fear of jails and prisons, the un-

known. Once we are fully cognizant of this we can begin to confront that fear and break free from the control of the myth. To live free, let not fear be one's master. They may take the body, but one can keep one's own soul.

The myth of law, like that of the military and other violent institutions, is sustained only by our collaboration and complicity. It is our subservience, our abdication of our own will and personal responsibility, that perpetuates totalitarian systems and our own enslavement.

To be reduced to a number on a registration card, like a commodity on an inventory list waiting to be called; to be subject to classification, induction, indoctrination and regimentation; to be made into a killer and destroyer of foreign people and their homes--this is the abomination of conscription. To such compulsory depersonalization we must always say NO! Never submit to registration; RESIST!

7. Guidelines for Post Office Actions.

During the registration weeks, we anticipate a variety of actions, both legal and illegal, at U.S. Post Offices around the country. We suggest that if you engage in any action, you do so only after serious contemplation of why you are doing it and the possible consequences. If you plan to engage in illegal activities during the registration, be aware of the penalties--but do not let fear of imprisonment deter you if you conscientiously feel you must break the law.

If you intend to break the law, be especially careful not to give the police or the postal authorities an excuse to arrest legal protesters who might be in the vicinity.

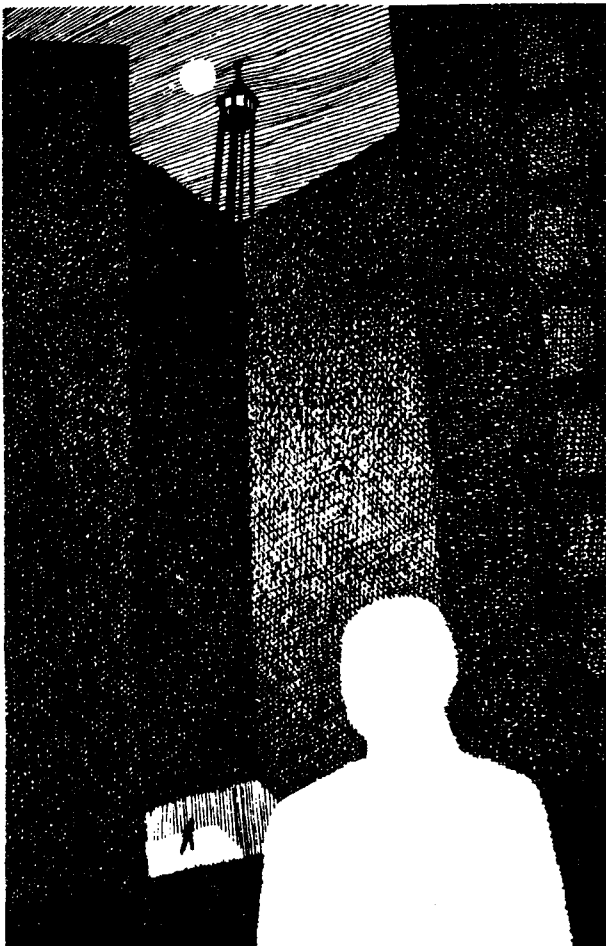
The NRC is committed to a policy of non-violence and does not condone physical violence or the threat of violence toward anyone. We suggest that you respect the government's employes as people, and try to separate them from their official roles as cops, postal inspectors, etc. Our goal is a victory over an unjust law, not over individuals who, for whatever reason, execute those laws. Try to be friendly and open to police and postal employes; if possible, explain to them your reasons for taking up your particular action. Hopefully it will assuage their fears about "us" trying to get "them," and contribute to a more reasonable attitude at the actions.

Avoid verbal abuse. Verbal confrontations have a bad habit of rapidly escalating into physical confrontations. If you are confronted by hecklers or abusive officials please remain calm and keep the tone of your voice at a conversational level. Sometimes sitting down eases the situation since people in a sitting position seem less threatening. Bear in mind that in most cases physical violence stems from fear, and that calm communication and unthreatening body posture will go a long way toward removing the element of fear from an action.

We suggest that individuals get together before an action and discuss their plans in detail with sympathetic friends or members of their group. This type of communication tends

to foster a feeling of trust and solidarity among a group and affects the way in which the action achieves its results.

The American Civil Liberties Union is distributing information about your legal rights at the Post Office. The Committee Against Registration and the Draft, 245 Second St. N.E. Washington, D.C. 20002 also has this information.



8. Arrest, Courts and Prison.

Not every person who fails or refuses to register will be detected by the SSS. In fact, out of the estimated hundreds of thousands who don't register, relatively few will even be discovered. Moreover the SSS itself is unable (without a vastly expanded budget) to track down non-registrants. However, if the SSS obtains information indicating that someone may not have registered, here is the procedure the SSS is expected to follow.

First, they will check the computer tapes to see if there is a record of the person's registration. Finding no record, a letter will be sent to the person, advising him* that SSS has no record of his registration, and requesting him to please inform them as to when and where he registered. Further, if the person has failed to register they will want to know what his excuse was (e.g., didn't know about it, was unable to due to illness, travel, etc.) The letter will state that registration is required of all males and explain what steps he should now take to comply with the law.

* Because the present law requires only males to register, only male pronouns are used in this chapter.

If there is no response to this letter, the matter will again be reviewed to see if a violation has occurred. A file will be prepared of the evidence and the SSS will refer the matter to the federal prosecuting Attorney whose District Court jurisdiction covers the area where the person lives. There may be some legal questions regarding the proper jurisdiction of people who are constantly traveling, moving, or without a permanent address (e.g. farmworkers).

The F.B.I. may be called in to investigate and interview the non-registrant. You do not have to talk to the F.B.I. Any statements you make can and will be used against you. One may simply state, "I decline to answer any questions" and thereafter remain silent.

The U.S. Attorney will make an independent review of the file. Because the SSS is not issuing draft cards, it will be difficult for the U.S. Attorney to prove that a particular person did not submit to registration, especially if the person claims and insists that he did do so. The absence of a computer tape record is in itself not sufficient evidence to establish the fact that a person did not register--there are many Post Offices and postal employees do lose mail, and computer operators do make mistakes. If the matter were to go to trial, the burden of proof is on the prosecutor to show, by evidence and witnesses, that the defendant never registered. The defendant does not have to prove that he did register, nor does he have to reveal any information, nor even testify, nor reveal in advance what his defense will be. Because the prosecution's file on a quiet non-registrant will be so bare, the U.S. Attorney will very likely want the crime reenacted to establish the existence of facts connecting the lack of a registration record with this young man of registration age.

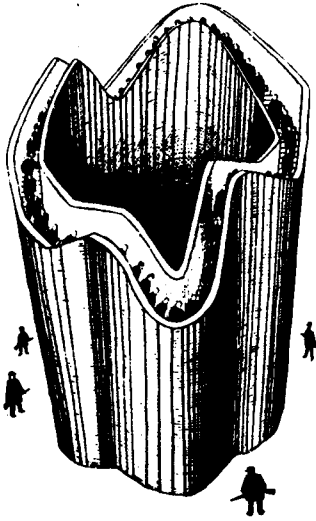
This being the case, the prosecutor will ask him to register and give him an opportunity to do so now (or again, if he maintains he already did register). If the non-registrant intends to maintain his non-cooperation with the SSS he will decline. It will be this act (willful and knowing refusal to register) in the presence of witnesses that will be used as the basis of prosecution.

Even after the grand jury indictment, it is likely that a non-registrant will be given another opportunity to register, and the indictment may be dropped if he does.

The expense of trial, and the adverse publicity it would bring, as well as the long-standing SSS policy of desiring compliance and submission rather than prosecution and punishment, all mean that the government will avoid going to trial if the non-registrant finally does submit to registration. The point here is that the non-registrant (unlike the registrant) always has the option of changing his mind. Late registration does not penalize a registrant as far as SSS classification or procedural matters.

Should the SSS prosecute a stubborn non-registrant, the attendant publicity would be more likely to spread resistance than deter it.

ARREST



The non-registrant who publicly proclaims his stand or persists in refusal may eventually be arrested and presented with an indictment. The indictment is a summons to appear at a U.S. District Court at a specific time and date to answer the charge of violating the Military Selective Service Act. The actual arrest will be done wherever U.S. Marshals with a warrant happen to find a resister, at home or anywhere else. They will

place handcuffs on him, state "you are under arrest," and take him to a lockup at Federal Court. Or, the U.S. Attorney may send a summons by mail, telling the resister when and where to appear for arraignment.

Once in custody, the marshals proceed with the booking. This consists of filling out forms about the non-registrant's identity. He will be asked questions about his full name, birthplace, age, address, and so on. Then comes fingerprinting, a photograph, etc. (Some resisters decline to cooperate with all or part of the booking procedure, because they do not want to assist in imprisoning or depersonalizing themselves.) Normally the resister will be allowed a completed phone call.

Bail will be set by a U.S. Magistrate. Bail is money which is temporarily held by the court to assure the defendant's appearance at further court hearings. If bail is posted, the defendant can go out of custody. Bail may be in the form of cash, property or bail bond (10% of the fee is paid to a bail bondsman, who puts up the rest. The bondsman makes his profit by keeping the 10%) Some men refuse to post bail because it discriminates against the poor. Often the defendant can be released on his own recognizance (personal promise to appear.)

COURT

At the arraignment the Court (the person acting as Judge) will explain the defendant's rights under the law and inquire as to whether the defendant desires a lawyer. (Some resisters decline to accept a court-appointed lawyer and conduct their own trials pro se.)

The Court will read the formal charge and ask, "How do you plea?" Pleas may be one of these: 1) "Not guilty; 2) stand mute or creative plea (in which case the "not guilty" plea will be entered for the defendant); 3) "guilty" or 4) Nolo Contendere ("no contest"--considered the same as a guilty plea if the judge accepts it.) It may be possible to ask for more time to consider the charge before entering a plea.

The defendant has a right to a trial by jury or, if he waives that right, to a trial by judge. In a jury trial, the jury considers only the facts and must return an unanimous verdict declaring

the defendant "guilty" or "not guilty" of the charge. The judge, in either type of trial, rules on the admissibility of all evidence, all legal matters, and instructs the jury in the law. At the end of the arraignment, the judge will set a date for trial or the next court hearing.

Courtroom strategy varies a lot. Whether to have a lawyer or not depends upon whether a resister desires a legal-technical defense or a human-moral strategy, or one of attempting to put the government and war on trial. It is important for each resister to make his own decisions and be true to himself. And even after making a decision, he should feel free to change it if new circumstances arise.

After the trial, if the defendant is found guilty the judge may impose a sentence immediately or ask for a pre-sentence investigation. Letters of support from friends and relatives may have some influence. Before sentencing the defendant may make a statement to the court.

The judge has a wide range of possible sentences, up to the maximum of five years and a \$10,000 fine. Many factors determine what sentence a particular judge will impose, including: the need to deter others, the political climate, the demeanor of the defendant in court, the mood and attitude of the judge, the recommendation of the U.S. Attorney and U.S. Probation Office, and other factors. A judge does have the authority to reduce any sentence within 120 days of the date of sentencing.

PRISON

The Federal Bureau of Prisons will decide which prison the resister will be assigned to, although the judge may have some influence. Meanwhile, the convicted resister will be held in a local jail. This may be a few days or longer, depending on how many men are awaiting transport.

On arrival at the prison, men will be placed in Admissions and Orientation, a quarantine section of the prison where new inmates are observed, tested, classified, and adjusted to the daily routines. After two weeks or so, he will be given a work assignment and placed in "population" with the rest of the inmates.

There is not enough space in this manual to go into detail about "doing time"--what prison life is all about, how to relate to the other inmates and the guards, visits and mail, transfers, organizing in jail, non-cooperation, administrative segregation (the "hole"), psychological changes while "getting short," etc. Releases from prison are another subject altogether, and could cover parole, mandatory "good time" release, escape, and post-release problems. The NRC plans to conduct workshops where specific questions about prison, court, arrest or any matter relating to resistance can be discussed at length. There are many older resisters who are willing to share their experiences.

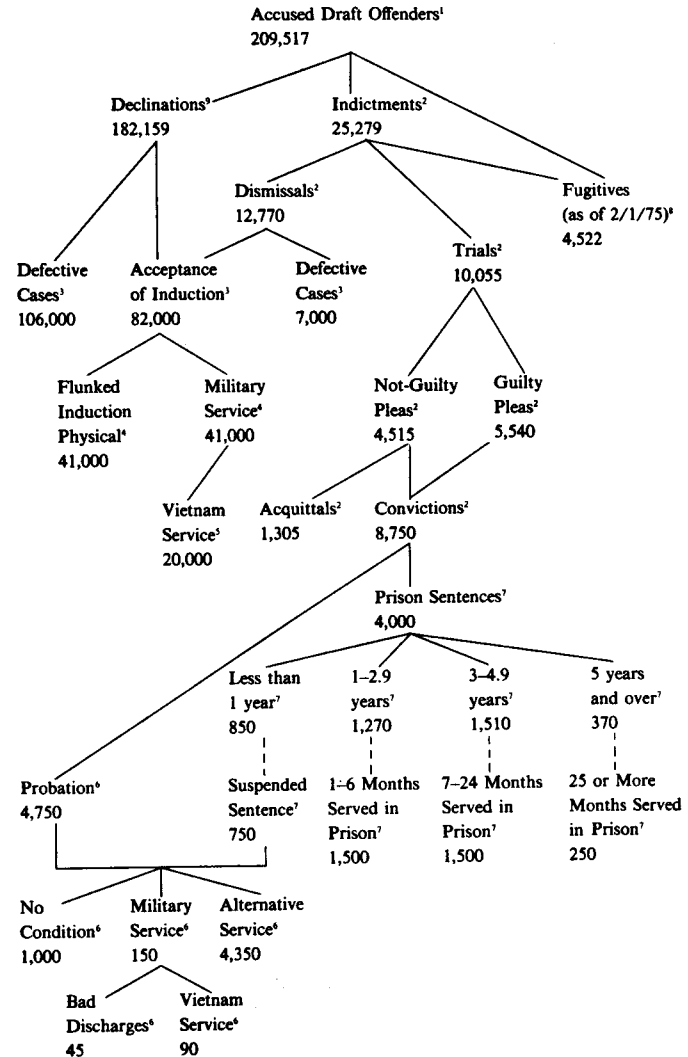
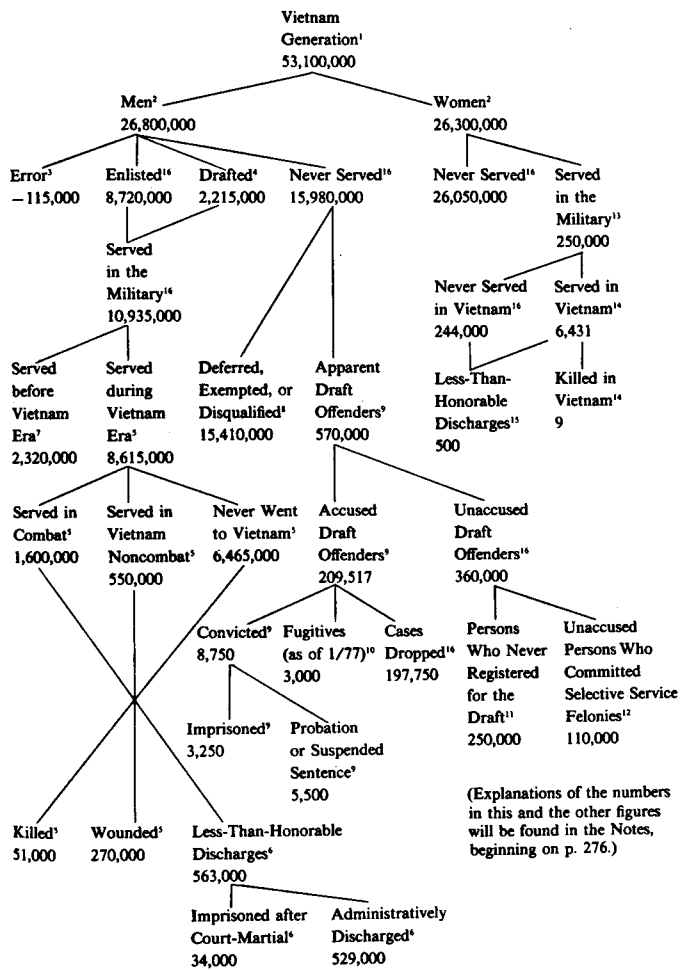
We in the National Resistance Committee want to assure you, as a resister and a friend, that we will stay in contact and support you however we can if you are sent to prison. You will not be alone.

9. Appendix.

* Military Selective Service Act, 50 U.S.C.A.App §453 Registration ". . . it shall be the duty of every male citizen of the United States, and every other male person residing in the United States, who, on the day or days fixed for the first or any subsequent registration, is between the ages of eighteen and twenty-six, to present himself for and submit to registration at such time or times and place or places, and in such manner, as shall be determined by proclamation of the President and by rules and regulations prescribed hereunder."

50 U.S.C.A.App §462 *Offenses and penalties* ". . . any person who . . . evades or refuses registration or service in the armed forces or any of the requirements of this title (said sections), or who knowingly counsels, aids, or abets another to refuse or evade registration or service in the armed forces . . . or any person or persons who shall knowingly hinder or interfere or attempt to do so in any way, by force or violence or otherwise, with the administration of this title (said sections) or the rules or regulations made pursuant thereto, or who conspires to commit any one or more of such offenses, shall upon conviction in any district court of the United States of competent jurisdiction, be punished by imprisonment for not more than five years or a fine of not more than \$10,000, or by both such fine and imprisonment."

FIGURE 1: VIETNAM GENERATION



These charts are from the book *Chance and Circumstance* (see the bibliography). They give an excellent overview of what happened to people who broke the law during the resistance to the Vietnam war. Most notably, of the 360,000 violators who were never even accused, fully 250,000 of them were "persons who never regis-

tered for the draft." Of the 209, 517 who were accused, only 8,750 were ever convicted, and of those, only 3,250 ever went to prison. These statistics, by the way, occurred at a time when draft boards were going full blast in every locality in the U.S.

10. Bibliography.

PHILOSOPHY OF RESISTANCE

Thoreau, Henry David Civil Disobedience

This widely-available essay, written in the 1840s, is the most stirring and trenchant statement of the individual's right to disobey unjust laws ever written.

Muste, A.J. Essays, Edited by Nat Hentoff
Indianapolis, Bobbs-Merrill, 1967.

Includes Muste's famous essay "Of Holy Disobedience," a classic religious statement of resistance.

Tolstoy, Leo The Kingdom of God is Within You.

STATEMENTS AND BIOGRAPHICAL ACCOUNTS OF RESISTERS

Berrigan, Daniel The Trial of the Catonsville 9.
Boston, Beacon Press, 1970.

Hennacy, Ammon. The Book of Ammon. Salt Lake City, 1965. (Order from Joan Thomas, PO Box 25, Phoenix, AZ 85001)

Peck, Jim. We Who Would Not Kill. New York Lyle Stuart, 1958.

Lynd, Alice. We Won't Go. Boston, Beacon 1968.

Mitford, Jessica. The Trial of Dr. Spock. New York: Vintage, 1970.

Important for its treatment of Spock's case. Spock was prosecuted for advocacy, and his case therefore has special relevance today.

HISTORY OF RESISTANCE

Baskir and Strauss, Chance and Circumstance; The Draft, the War and the Vietnam Generation. Vintage, 1978. (Published in hardback by Knopf)

Indispensable analysis of who fought, who resisted, who deserted and what happened to them. Downplays resistance, but the facts speak for themselves.

Ferber, Michael and Lynd, Staughton. The Resistance. Boston, Beacon Press 1971.
The development of the Vietnam resistance.

Ekirch, Arthur. The Civilian and the Military; a History of the American Anti-militarist Tradition. New York, Oxford University Press, 1956.

An account of the anti-militarist tradition that goes back to the colonists' mistrust of a standing Army and the early religious sects' resistance to militarism. Anti-war activity did not begin with Vietnam!

POLITICAL ANALYSIS

Hess, Karl and Reeves, Thomas The End of the Draft.

Analysis of the draft, foreign policy and militarism that wears surprisingly well.

Mueller, Milton. The Draft: The Dynamics of Social Control. Students for a Libertarian Society, 1979. \$1.50

Analysis of the draft, its history and uses from a libertarian standpoint.

The Nation Magazine, Intervention, special issue. June 9, 1979.

Articles on U.S./Soviet power, intervention in Latin America, South Africa, and the Middle East, and history of intervention, from a left-liberal perspective.

PRISON

Cantine, Holley and Rainer, Dachine Prison Etiquette. Bearsville, NY: Retort Press, 1950.

Hassler, Alfred Diary of a Self-Made Convict. New York: Fellowship Publications, 1958; originally Henry Regnery, 1954.

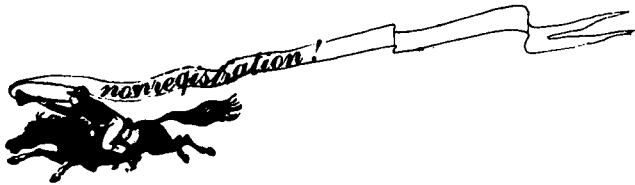
Naevé, Lowell A Field of Broken Stones. Denver: Alan Swallow, 1959; originally Libertarian Press, 1950.

Deming, Barbara Prison Notes. New York: Grossman Press, 1966.

Berrigan, Philip Prison Journals of a Priest Revolutionary. New York: Ballantine, 1971.

Gaylin, Willard, M.D. In the Service of Their Country: War Resisters in Prison. New York: Viking Press, 1970.





11. Other organizations.

The following organizations have all endorsed resistance, and in many cases can put you in touch with non-registration activities in your locality.

American Friends Service Committee.
National Office: 1501 Cherry St.
Philadelphia, PA 19102 (215)241-7000
AFSC has 11 regional offices throughout the U.S.

Catholic Worker
36 East First St.,
New York, NY 10003
(212)254-1640

Peacemakers
P.O. Box 627
Garberville, CA 95440

Students for a Libertarian Society
National Office: 1620 Montgomery
San Francisco, CA 94111 (415)781-5817
SLS has 100 campus chapters across the U.S.

Sojourners
1309 L St. NW
Washington, D.C. 20003

War Resisters League
National Office: 339 Lafayette St.
New York, NY 10012 (212)228-0450
WRL has regional offices in San Francisco and Durham, North Carolina.

The following two organizations have not endorsed resistance, nor do they encourage it. However, they can be of help in finding lawyers and providing legal advice to resistance groups.

American Civil Liberties Union
600 Pennsylvania Avenue, S.E.
Washington, D.C. 20002
(202)544-1681
The ACLU has local chapters practically everywhere.

National Lawyers Guild: Military Law Task Force.
P.O. Box 33544
San Diego, CA 92103
(714)233-1701

The Committee Against Registration & the Draft also does not endorse resistance; however, it is the broadest anti-draft coalition and an excellent clearinghouse for information and plans for national activities. It can be reached at:
CARD 245 2nd Ave. N.E.
Washington, D.C. 20002 (202)547-4334



Rainbow armbands are being worn as a symbol of resistance. We have a quantity of these for which a donation of 50¢ each or more is appreciated. Or, you can order an entire roll of the ribbon from us for \$25. Each roll is 50 yards and makes about 120 armbands which sell very nicely at rallies and demonstrations. (Cut to 13" length and attach a small safety pin or use an anti-draft button).

We also have buttons available: "DON'T REGISTER FOR THE DRAFT" buttons, in red, white and black, sell for \$1 each (including postage) or \$10 for quantities of 25.

The NRC sustains itself through the sale of these items, plus a few donations from our activists.

Resistance pledge cards are still available to anyone 20 years old or younger who is clear in his or her decision to refuse registration.

We want to speak simply.

**We say: No to registration
and no to the draft
because we oppose war.**

**We say: Yes to life and yes to peace
because we want a world where
people are not our enemy.**

**By wearing a rainbow armband
we want to say
our life will not be used to kill others.
We will not register,
nor allow our bodies to be conscripted.**

**By wearing the rainbow
we are saying as gently as we can
we decline to take part in war.**

**By wearing rainbow colors
we are asking you to take time
to consider some questions:**

Is the law always supreme,

and if not, why not?

Since each person has a head and heart
may not each person make decisions
and act conscientiously
if he/she so chooses?

May not each person take personal responsibility
for her/his own actions
and not excuse them away by saying,
"I was just obeying orders"?

Does life, **my life**, have a meaning
or are we just existing?

Do you have a vision of a better world?

Do you have a question or opinion
you would like to express?

**Let the rainbow speak in silence
of our hope that more people
will decline draft registration.
And when enough of us do that,
wars will cease.**



**"The first step in the procurement
of military manpower is registration."**

DRAFT REGISTRATION: Don't sign your life away.

If you are 18, 19 or 20 years old, then you are headed for a difficult choice: whether or not to register for the draft this summer.

The Government doesn't want you to think of draft registration as a matter of choice. They want you to think of it as an order, to be obediently carried out with no questions asked.

But it is a choice. Registering for the draft is not a simple, painless act without any consequences. It can disrupt the course of your life forever. It can separate you from loved ones. It could even mean that you won't be alive in a few years. Don't sign the draft registration form without *thinking* about your options.

What does draft registration mean?

Registration means: the military has your name, your Social Security number, your address and your phone number in their computers. Once they've got that information there's no way to get it back from them; you are in their records and they can track you down.

Registration means: the draft itself is probably on the way back. There has never been draft registration without the draft following closely behind. And, we might add, there has never been a draft without a war.

Registration means: a pledge to the American government — you've signed your life over to their control, when and if they need you. Whenever they decide they don't have enough soldiers, whenever they want to send troops into another country, whenever they want to use violence and murder to handle foreign relations, the computer will go clicking through the Selective Service System's list of names. And if you register, your name will be on that list.

That's what draft registration means. Weigh the consequences. Whatever you do, make your OWN decision.

Don't go register just because the government tells you to. The same government lied about Vietnam, lied about Watergate, and lied about Three Mile Island.

Don't go register just because your parents or friends say you're "chicken" or "unpatriotic" if you don't. The real cowards are those who are afraid to think for themselves.

Don't go register just because you're afraid the government will find you and jail you if you don't. Yes, refusal to register is against the law, and the maximum penalty is 5 years in jail and/or a \$10,000 fine (although NO ONE has ever received that penalty for failure to register). But there's a good chance you will never be noticed, and if you are, there are still several options that make going to jail a remote possibility. Of those who failed to register during the Vietnam war, only 1 in 1,000 was ever convicted. Selective Service today has far less people and money for enforcement than it did then. And don't forget — the more people who refuse to register, the safer non-registrants are. If only 2% refuse to register this summer, that means 80,000 "criminals" — three times more people than the capacity of the entire federal prison system. They can't even begin to find, much less arrest, all of us.

Many young people have thought about these issues, and have decided to *refuse to register*. Several thousand have signed pledge cards putting their choice in writing; others have spoken out publicly; still others plan to disobey the law as quietly and safely as possible. Their reasons for this act vary.

Refusing to register can mean that you want to stay in control of your own life; that you refuse to let the government dictate where you can go, where you will live, and what you can do.

Refusing to register can mean that you don't want to participate in military life, which is often brutal, regimented and violent.

Refusing to register can also mean that you recognize conscription as a profoundly un-American institution. True patriotism means that we must act to defend the freedoms of the Bill of Rights and the U.S. Constitution from attacks by our own government as well as from foreign powers. By refusing to register, you are fighting for what you believe in.

Refusing to register can mean that you don't want to see another Vietnam; that you want to keep this country out of war by refusing to give the government a guaranteed pool of soldiers to use in foreign wars as they please.

Refusing to register can mean that you want to stop the draft, not sidestep or evade it. Refusing to register means that you deny the very legitimacy of conscription and will not cooperate with the system in any way.

What are you going to do about draft registration? If you need advice, call 781-5839 between 10 a.m. and 7 p.m. We can counsel you about your options, and put you in touch with local support groups of registration-age people.

National Resistance Committee **781-5839**
P.O. Box 42488 San Francisco, CA 94101