

Update on Selective Service repeal



Edward Hasbrouck
Resisters.info

July 27, 2022

Resisters.info

**Update on Selective Service repeal
July 27, 2022**

Slide 1 of 16

What is “Selective Service”?



[Slide from presentation by the U.S. Army to the National Commission on Military, National, and Public Service, 2018.]

What is “Selective Service”?

- Ongoing planning and preparation for a military draft (either a general draft or a special draft of health care workers).
- 10,000+ draft board members appointed, covering every U.S. county, to adjudicate applications for deferments and exemptions if/when a draft is activated.
- Military reservists assigned to help administer a draft.
- All males (as assigned at birth) required to register at age 18 and report each change of address until age 26.
- Sole purpose of database is to send military induction notices.

Selective Service registration is intended to prepare for a draft:

“I hope that it will not become necessary to impose a draft. However, we must be prepared for that possibility. For this reason, I have determined that the Selective Service System must now be revitalized.”



[President Jimmy Carter, State of the Union address, January 1980]

Draft registration prompted protest and resistance.





(National mobilization against draft registration, Washington and San Francisco, March 22, 1980.)

“Show trials” of selected nonregistrants were intended to intimidate other resisters:

“The total number of nonregistrants will doubtless remain very high when measured against the Department's prosecutive resources....

“However, an initial round of well-publicized prosecutions... might yield sufficient registrations to maintain the credibility of the system.”

[Justice Department memo to the Assistant Attorney General,
January 11, 1982]

“Show trials” of vocal nonregistrants publicized the resistance:



[Edward Hasbrouck outside the Federal courthouse in Boston,
January 14, 1983. Photo by Tom Landers, Boston Globe.]

Every trial of a nonregistrant was a teach-in for the resistance:

WANTED

for Refusing to Kill

On July 1, 1967, Andy Mager was indicted for selective service violation. He had been drafted for the draft in August of the year. Andy was actually charged with refusing to register. The plea: "that the real grounds of my not going to war is without the threat of being sent off to war." As a result, he and other draft resisters who were not the draft resisters were given the status of peace resisters. Andy Mager and other war resisters were sent to court support. Please join us for the activities around Andy's trial.

Sunday, January 8

1 pm — **Andy Mager's Trial Begins** with participation of the Federal Courtroom in downtown Syracuse, across of Washington and Clinton St. Presided by a federal judge.

5:30 pm — **Candlelight Vigil** and walk, starting at the Syracuse Federal Courthouse.

8 pm — **Community Gathering and Concert** — celebration, food and music by Joyce Kattner, Claudio Barbieri at the Memorial Lutheran Society, 3881 E. Geneva St. Downtown Syracuse.

Wednesday, January 9

9 am — **Support Vigil** at the Federal Courthouse. Trial at 10 am.

Update Resistance: P.O. Box 1621 Syracuse, NY 13217 (315) 472-5478

Local Contact

Resist support group: 48 High St. Middletown Conn. 203-347-3264

TOGETHER WE ARE THE SEEDS OF RESISTANCE

On April 14th Russell Ford of Middletown will be tried by the U.S. government for refusing to register for a military draft. As Francis and family of 1967, and of all draft resisters, let us work and hope for peace which will also be on trial.

LET US SHARE A JOYOUS AFFIRMATION OF PEACE

1 PM APRIL 24th

Wesleyan University
Campus
Middletown
Connecticut

Local Contact

Peace or a time. Outdoors if sunny

Participants listed: Charles King, Mystic Paper Boats, Member of Ploshahore, Sugglers for Social Change, Women from Greenwich Connecticut, Peace Encampment, Childcare, New Games, Food.

PUT THE DRAFT ON TRIAL! ED IS THE 1st NONREGISTRANT IN MASSACHUSETTS TO BE PROSECUTED. COME SUPPORT HIM ON DECEMBER 15th AND SHOW THAT WE ARE ALL DRAFT RESISTERS.

RESIST DRAFT REGISTRATION COME TO ED HASBROUCKS TRIAL

DEC 15th POST OFFICE SQUARE

9 AM = GATHER OUTSIDE MCCORMICK BLDG
10 AM = TRIAL BEGINS
NOON SPEAKERS
VIGIL DURING TRIAL

SPONSORED BY THE OUTSIDE DRAFT RESISTERS COALITION
MIDDLESEX COUNTY BOARD OF SUPERVISORS
DOWRY JOURNALISM BOARD REGISTRATION AND THE DRAFT RESISTERS
PAUL JONES BUILDING 100 STATE
DRAFTS AGAINST THE DRAFT COLLEGE
DRAFT RESISTERS ALLIANCE 100 STATE

ORGANIZED BY THE OUTSIDE DRAFT RESISTERS COALITION
MIDDLESEX COUNTY BOARD OF SUPERVISORS
DOWRY JOURNALISM BOARD REGISTRATION AND THE DRAFT RESISTERS
PAUL JONES BUILDING 100 STATE
DRAFTS AGAINST THE DRAFT COLLEGE
DRAFT RESISTERS ALLIANCE 100 STATE

Resisters.info

**Update on Selective Service repeal
July 27, 2022**

Slide 9 of 16

Enforcement of criminal penalties for nonregistration was abandoned in failure in 1987 after only 20 out of many millions of nonregistrants were prosecuted.



[Editorial cartoon by Mike Keefe, Denver Post, 1982]

Draft registration has failed:

- Only those who “come out” publicly as nonregistrants can be prosecuted (because the law requires the government to prove that refusal to register is “knowing” in order for it to be a crime).
- No prosecutions or criminal enforcement since 1987.
- No audit of the registration database since 1982.
- Requirement to report address changes “universally ignored” (Rep. Adam Smith, Chair of the House Armed Services Committee, 2021).
- Most young men register only if registration is required or automatic when they get a drivers license, but not all states link drivers licenses to Selective Service registration. (California, Oregon, Pennsylvania, New Jersey, Massachusetts, etc. do not.)

“Less than useless” for a draft

“The current system of registration is ineffective and, frankly, less than useless. It does not provide a comprehensive nor an accurate database upon which to implement conscription.”



[Testimony of Dr. Bernard Rostker, former Director of the Selective Service System and Under Secretary of Defense for Personnel and Readiness, April 24, 2019]

35 years of stalemate:

- Quiet and mostly passive but widespread noncompliance has made draft registration unenforceable, and
- The registration database is so incomplete and inaccurate that it couldn't be used for a draft.

BUT...

- Supporters of a draft don't want to admit that a draft is not a realistic option or that the government's ability to wage wars is constrained by the willingness of the public to fight those wars.

Reasons to end Selective Service:

1. Like it or not, draft registration has failed – it's not fit for purpose.
2. Trying to expand draft registration or activate a draft will prompt visible public protest, legal challenges, and resistance. Young people will resist, and older allies will support them and amplify their voices.
3. War planners rely on the draft as the ultimate “fallback” option. Perceived availability of the draft enables planning for endless, unlimited wars without regard for public willingness to fight. The existence of draft registration encourages military adventurism. Removing the draft from the arsenal would rein in war planning.
4. Ending Selective Service would be a victory for direct action by young people that would empower and inspire more of the same.

Selective Service Repeal Act (H.R. 2509 / S. 1139)

117TH CONGRESS
1ST SESSION

S. 1139

To repeal the Military Selective Service Act.

IN THE SENATE OF THE UNITED STATES

APRIL 15, 2021

Mr. WYDEN (for himself and Mr. PAUL) introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL

To repeal the Military Selective Service Act.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Selective Service Re-
5 peal Act of 2021”.

6 **SEC. 2. REPEAL OF MILITARY SELECTIVE SERVICE ACT.**

7 (a) REPEAL.—The Military Selective Service Act (50
8 U.S.C. 3801 et seq.) is repealed.

Resisters.info

Slide 15 of 16

It's time to end Selective Service!

Edward Hasbrouck

<https://resisters.info>

+1-415-824-0214

edward@hasbrouck.org



Resisters.info

**Update on Selective Service repeal
July 27, 2022**

Slide 16 of 16