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Draft Resistance and the Politics of Identity and Status

by Edward Hasbrouck

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< http://secure.pmpress.org/index.php?l=product_detail&p=433>; updated 2016)

The most famous draft resister in American (or world?) history, Muhammed Ali, represented his refusal to submit to induction into the US military in terms of his submission to Allah and his understanding of Islam. What non-Muslims mostly heard and responded to, however -- regardless of whether the quote is apocryphal¹ -- was the explanation for his draft resistance variously attributed to the heavyweight boxing champion and/or to SNCC or other civil rights activists: "No Vietcong ever called me nigger." This was an explicitly anti-racist and anti-imperialist sentiment, but notably not an antiwar, much less a pacifist, one. More than anything else, it framed draft resistance in terms of identity politics.

To the world, it was a statement of self-emancipation: The world's best fighter wouldn't fight for "the Man" or the American empire (or their gods), but would instead make his own choices of what was worth fighting for (and what to believe in). As such, it epitomized victory in the struggle of colonized people and people of color to cast off internalized oppression.

Addendum, 2016: Since this article was first published, I've come across archival film footage of Muhammed Ali saying this. See < https://www.youtube.com/watch?v=HeFMyrWlZ68>.

Despite such historical examples, resistance to military conscription, in the USA and around the world, is typically assumed to be motivated primarily by opposition either to war in general or to a particular war for which soldiers are being drafted in that place and at that time. On the basis of this assumption, draft resistance movements are typically analyzed ideologically in the context primarily of pacifism, and organizationally in the context of antiwar movements.

There is substantial factual and historical basis for these assumptions. While draft resisters and their motives have usually been quite diverse, the basis of unity for most draft resistance movements and organizations has been opposition to a particular war. And with notable exceptions both religious (Jehovah's Witnesses and the traditional peace churches) and secular (the War Resisters International, the War Resisters League in the USA, other Gandhian pacifists, and some other libertarians and anarchists), draft resistance has rarely been able to maintain a sustained large-scale visibility or organizational expression in what is seen as "peacetime".

But as the case of Muhammed Ali makes clear, looking at draft resistance solely in relation to war and antiwar activism leaves important gaps in our understanding of the sources of draft resistance, and of its relationship to other issues and movements. Draft resistance has ideological elements, of course. But it also has connections to the politics of identity and status, in terms of age, gender, sexual preference, race, class, caste, citizenship, and nationality.

Military conscription isn't just about forcing people to fight. It also involves the enforcement of choices about who is conscripted to fight, and against whom they are conscripted to fight.

The labeling of the US government's military conscription bureaucracy as the "Selective Service System" is a euphemistic evasion of any reference to the nature or purpose of military "service". Yet there's a fundamental truth to this terminology. An essential element of conscription is the system and the criteria by which draftees are "selected" and assigned to particular "service".

Around the world, even so-called "universal" service has invariably been limited to members of particular age cohorts. In most countries military conscription or national service is limited to males. In some countries such as the USA (at least during all past military drafts) it has been limited to heterosexuals. In many if not all countries it is limited to those residents holding particular citizenship or nationality. And in most apartheid states (including Israel today, and formerly including South Africa) it has been limited to members of preferred ethnic, racial, caste, or tribal status. Draft resistance thus can be, and has been at various times and places, an expression of opposition to status or identity-based discrimination on the basis of each of these distinctions.

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How has this played out? A full answer would be far beyond the scope of this essay, but let's look at some examples of the relationship of draft resistance to struggles against ageism, patriarchy, sexism, homophobia, racism, and imperialism.

The most universal selection criterion for conscription is age, to the extent that symbols of conscription (such as draft registration or the issuance of a draft card) have often become key political coming-of-age rituals and totems. Draft resistance, as the deliberate rejection of submission to military service -- one of, and often the most important, prerequisites of adult political and legal status -- is thus correctly and literally regarded as "childish". It's a renunciation of adult status by those who have attained the age of eligibility for its privileges.

Draft resisters are commonly dismissed as "having issues" with their parents, especially their fathers. To those who see the claims of the state through the Selective Service System to authority over their newly-adult bodies as resting on the same patriarchal ageist basis as their parents' prior claims over their bodies as children, that's precisely the point.

The "Solomon Amendments" in the USA, which impose lifetime ineligibility for Federal government jobs and funding for education on those who don't register for the draft by age 26, can be seen as formal legal expression of this permanent "sub-adult" status of draft resisters.

The focus of the draft on just one or a few year-of-birth cohorts at a time, and the extremity of the burden it thus imposes on the basis of age, makes it one of the most overt expressions of ageism in government policy. As Phil Ochs famously sang, the reason why "I ain't marching any more" was the insight that, "It's always the old who lead us to the war; it's always the young who fall". In such circumstances, it's natural that awareness of the injustice of the draft has been central to consciousness-raising among young people about ageism, and that draft resisters have been in the forefront of many other struggles for youth liberation.

This was, of course, more true in the USA during the American War in Vietnam, when in general only the youngest of those deemed "adult" were being drafted. During periods of more total mobilization for war, such as World War II, when even middleaged men were subject to at least some risk of being drafted, perception of the draft was much less closely linked to attitudes toward age and ageism.

The connections between draft resistance and youth liberation were perhaps clearest in the adoption of the 26th Amendment to the Constitution, by which those then of voting age (21 and older in all but four states) extended voting rights to all citizens 18 and older.

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The 26th Amendment was a direct response to the argument that it was unfair to draft people too young to have a vote in whether to go to war or whether or how to conduct a draft.² This was an argument purely about ageism, and quite distinct from any of the arguments against the war itself, or even against the draft *per se*. The argument about age discrimination was so persuasive, even to voters who wanted to continue the war and the draft, that they amended the Constitution with unprecedented rapidity. Purely antiwar and antidraft arguments failed to bring about any policy changes at a level remotely comparable to a Constitutional amendment.

The 26th Amendment was approved overwhelmingly by Congress after minimal debate, and ratified by the necessary three-fourths of the states in less than four months in 1971. That was far quicker than any Constitutional amendment before or since. By comparison, the Equal Rights Amendment for women was approved by Congress only after intense debate in 1972, and failed to get the necessary ratifications even after ten years of debate in state legislatures.

A similar argument to that about the draft and the voting age -- "How can you say we're too young to handle alcohol when we're old enough to be made to handle all manner of weapons and kill or be killed?" -- led many states, during the same period, to lower the drinking age from 21 to 18, 19, or 20. All of those state laws were overridden by a Federal law raising the drinking age in all states to 21 in 1984, almost a decade after the last inductions of draftees into the military. As with the voting age, the drinking age was lowered in an (unsuccessful) attempt to assuage not criticism of the draft in general, but criticism specifically of the ageism of the draft. Unlike the voting age, the drinking age was raised once the draft (and its ageism) was no longer seen as an issue.

The USA was willing amend the Constitutional provisions for eligibility to vote, and to change the drinking age (no small matter, considering the importance placed on alcohol policy in the 20th-century USA) to try to legitimate the draft in the face of public criticism of its ageism. That gives some indication of how closely the draft was linked in the public mind with broader issues of ageism and youth rights -- not just issues of peace and war.

Historians, political scientists, and activists sometimes acknowledge the contribution of the draft to youth consciousness-raising, but less often recognize the converse role that youth liberation plays in draft resistance and through it in broader antiwar movements. So far as I know, a proper history of the relationship between the youth liberation and antiwar movements of the 1960's and 1970's in the USA has yet to

Addendum, 2016: See the questioning of Tom Hayden on this issue by the National Commission on the Causes and Prevention of Violence, 23 October 1968, in *Rebellion and Repression* (Meridian Books/World Publishing Co., Cleveland, 1969), pp. 48-49, excerpted at https://hasbrouck.org/blog/archives/002273.html.

be written, despite their obvious symbiosis and despite extensive study of other ideological, organizational, and identity-based aspects of the antiwar politics of the period. It's taken for granted, I think, that we have a better intuitive understanding of their interplay than we do.

Such an analysis would necessarily include the ideology of youth liberation, the objections to the draft as ageist (including the common arguments for the legitimacy of the draft derived from analogies to the presumed legitimacy of patriarchal/parental authority, and the basis for their rejection), and the connections (and divergences) between antiwar, antidraft, and youth organizations. It would need to consider the connections between apologia for the draft and apologia for patriarchy, and how objections to both have coincided or influenced each other. It would need to include the role of the draft in youth consciousness-raising, and the counter-cultural acceptance of overt draft resistance and norm of closeted or semi-closeted draft avoidance (along with the illegality of drugs), in creating a counter-cultural meta-norm of outlawry and in delegitimizing both governmental and patriarchal/parental authority in general. Last but not least, it would need to look at the social dynamics of the antiwar movement in relation to youth culture and community. Starting points for such an inquiry would include Michael Useem's important, but limited, near-contemporaneous, and largely forgotten sociology of the New England Resistance, Conscription, Protest, and Social Conflict: The Dynamics of a Draft Resistance Movement (1973), and David Harris' littlenoticed (because published at exactly the ebb of interest in the topic) but classic memoir of the Resistance community, Dreams Die Hard: Three Men's Journey Through the Sixties (1982). ³ But much remains to be written.

The second-most-universal basis of selection for military conscription has been gender, and there's been at least some recognition of draft resistance as a form of resistance to the sexism and heterosexism embodied by the military (and its choice of draftees). I won't go into this in detail, but will note that, at least in the case of straight men, this is a way in which members of a privileged group are opting out of one of the forms of straight male oppression of other groups. That parallels the ways discussed further below in which draft resistance has been a form of white anti-racist action as well as a form of resistance to imperialism by citizens and nationals of imperialist countries.

³ Addendum, 2016: The general literature of draft resistance is of course much more extensive, and surprisingly little explored by scholars or activists. Among noteworthy works about resistance to the draft during the US war in Vietnam are David Harris' *Our War: What we Did in Vietnam and What It Did to Us*, and John Bach's extraordinary but to date deliberately unpublished collection of letters from prison, *Prison Bits: A Collage*, submitted as his honors thesis in 1973 and held in the Wesleyan University library in Middletown, CT,

The treatment of women within and by the draft resistance movement of the Vietnam War era in the USA is often portrayed in purely sexist terms and equated with slogans of debatable interpretation like "Women say yes to men who say no". It's equally important, though, to realize that draft resistance then and since has also been, for some of its participants, an organized movement (and one of few such) of men opposing sexism and homophobia.

Gay men have been conspicuously overrepresented among draft resisters, especially given that even straight men in the USA could in the past, if they so chose, avoid the draft itself (if not the obligation to register and submit to its structures) by coming out as gay to military medical and psychological examiners – if they were willing to accept the consequences of having that reason for their exemption entered in their permanent military records.

Throughout history and around the world, class has played a key role in who is chosen for what roles in the making of war. The dilemma of sovereign or state has always been that those of the lowest class status, who might be deemed most expendable and thus most suited for front-line combat roles, are often those least trusted not to turn the guns around. The standard solution to this problem has been a complex class-based hierarchy of assignment of military roles, in and out of uniform, that mirrors the class structure of the larger society.

For feudal nobility, the grant from the monarch of a fiefdom of authority and revenue was conditioned on agreement to be on call to fight, at the king's command, whomever the king declared to be his enemy -- at the knight's own expense, furnishing his own arms and equipment. The peasantry below them was subject to compulsory call-up for *corvée* labor, which might serve military purposes but didn't involve combat or carrying arms (or the risk of mutiny that might entail). At the bottom of the hierarchy, galley slaves were forced into some of the most dangerous jobs on the field of battle, but allowed neither weapons to defend themselves (whether against the "enemy" or their overseers) nor much opportunity to rebel or escape. In such a context, subjection to conscription or other forced labor in the service of war could be either an attribute of privileged class status or a symptom of inferior class status, depending on which group you are talking about. The same is true, if less obviously, in the modern world.

From the perspective of modern war-makers, military conscription is best understood as merely one component in a scientific scheme for the mobilization and optimal allocation of human resources for war. In the USA, the infamous 1965 Selective Service System memo entitled "Channeling" made explicit that the function of the SSS

⁴ Addendum, 2016: Available at https://hasbrouck.org/draft/channeling.html, and as a PDF image of a copy published by the Resistance in the 1960s at https://hasbrouck.org/draft/channeling.pdf.

was not solely to select certain people for induction into uniformed military "service". Rather, the deferments, exemptions, and procedures were a deliberate system of carrots and sticks that would channel each young man into making his maximum contribution to the war effort and the other goals defined by the government, whether that could be done in or out of uniform.

The Channeling memo was widely reprinted by the alternative press and as a draft resistance recruiting tool. It made clear those who avoided induction by pursuing exempt or deferred occupations were not escaping the draft system but complying with its intent that they "serve" the military-industrial complex and the government in other ways that those institutions perceived to be more valuable and more appropriate to their class. That realization led more of those people to choose draft resistance instead, even when that entailed renouncing student, occupational, or other deferments or exemptions.

The leaked Channeling memo had more impact than almost any other involuntarily-disclosed government policy document of the period. It's impact was exceeded only by that of the Pentagon Papers, and that of the documents revealing the existence of the Cointelpro program which were "liberated" by the anonymous heroes of the "Citizens Commission to Investigate the FBI" and published by the WRL and draft-resistance-associated WIN Magazine after mainstream media outlets to which they were sent declined to reprint or report them.⁵

Class has always been one of the great taboos of US political and social discourse. The 1960's and 1970's were a period of greatly expanded exploration of dissident ideas, when class was one of the largest factors in who was, and who wasn't, being sent to die in Vietnam. Class remained, however, a largely *sub rosa* issue even within the counterculture. So it's noteworthy that it was the classism of the draft, as exposed by the Channeling memo, that prompted one of the most open and widespread discussions of class in the USA -- in both mainstream and alternative media and culture -- of that era.

Now a less overtly militarist government channeling is carried out in the USA through a new channeling mechanism largely developed since the early 1980's -- shortly after the draft ceased to play such a channeling role -- when student aid shifted abruptly from primarily grants to primarily loans.

Addendum, 2016: After this article was first published, some, but not all, of the members of the "Citizens Commission to Investigate the FBI" were identified in 2014 by Betty Medsger in *The Burglary: The Discovery of J. Edgar Hoover's Secret FBI.* (I've heard from another member of the Citizens Commission who was, inexplicably, not contacted by Medsger or mentioned in the book.) The influence on Daniel Ellsberg of draft resisters and the Citizens Commission are discussed in Ellsberg's *Secrets: A Memoir of Vietnam and the Pentagon Paper*, in the film *The Most Dangerous Man in America*, and in the forthcoming film *The Boys Who Said No: Draft Resistance and the Vietnam War.*

Through the 1960's, most young people left school or college largely debt-free and thus with a largely free range of life choices. Through the 1970's, average student loan burdens remained a fraction of what's since become typical. Today, the choices available to young people are shaped by the coercive power of the debt most students must incur as the effectively-indenturing condition of higher education or post-secondary vocational training. Cost increases and debt burdens have been a concern for contemporary student activists. But they have been talked about as an entry barrier to higher education, and much less often as "the new channeling" or in terms of the constraints student debt places on post-graduate life choices.

In part because of greater access to the media by white people than people of color, the draft resistance movement has often been perceived as a movement of white people. (Muhammed Ali excepted.) But as an organized movement, draft resistance in the USA has long been multi-racial and often explicitly anti-racist. That's partly due to the explicit anti-racism of the Communist and Gandhian ideologies and some of the religions (including Islam and Quakerism) that have been central to the values of some draft resisters. Perhaps more importantly, the particularly deep bonds of camaraderie felt by draft resisters across ideological, generational, and other lines -- fostered by a sense of shared action, shared risk-taking, and in prison shared suffering, and leading to a sense of "The Resistance" as a community more than as an organization -- have been a powerful counterpoise among draft resisters to the racism of the larger society.

For example, it was draft resisters' insistence on fraternizing across racial lines within their group, as long ago as World War II, even within prisons and against official prohibitions and punishments, that initiated the process of official desegregation of the Federal prison system.

Hawkish mainstream media typically equate draft resisters with "draft dodgers", and presume that most opponents of the draft are privileged white college students. Even many progressives have been misled by this into a recent revisionist interpretation of draft resistance as an implicitly racist movement for the preservation of white skin privilege. If draft resisters are mainly just trying to avoid the risks of combat while people of color are economically coerced to "volunteer", the antidraft movement is partially to blame for the racist poverty draft.

Such a view ignores the reality that, while many people have, indeed, "evaded" the draft whenever it has been in operation, draft *resistance* has almost never been the most effective way for an individual to avoid being drafted. Additional motives much be taken into account to explain why people have chosen resistance, with its greater personal risks and costs, rather than more effective methods (from a purely selfish perspective, if that were their sole goal) of reducing the likelihood of personally being drafted.

Not all but some black and white draft resisters alike, both in the USA and other settler-colonial countries in particular, have framed their motives for draft resistance in terms of opposition to racism and imperialism and/or an unwillingness to participate personally in racist and imperialist wars, occupations, and invasions. Draft resistance among white people in such places has been, at times, one of the most visible forms of white anti-racist organizing. In the same vein, draft resistance and war tax resistance have long been (including repeatedly in the USA during a succession of imperial military ventures abroad) key forms of organizing against imperialism within the privileged populations of the imperial powers. Henry David Thoreau's and Mark Twain's opposition to the Spanish-American War and to taxes for it, it should be remembered, was not pacifist but anti-racist and anti-imperialist.

To the extent that wars are being fought to impose, expand, or perpetuate racist social, economic, and political structures, opting out of war by opting out of military conscription, even in ways that might be seen as "dodging" rather than confronting or resisting the draft, can be and often has been considered an inherently anti-racist act. That's been particularly true in Israel, as it used to be in South Africa. In both cases, draft resistance is or was directed primarily or exclusively at racial apartheid and territorial expansionism rather than at war or the draft in general.

Draft resistance is a Jewish movement in Israel, and was a white movement in South Africa. Neither Israeli Arabs nor non-white South Africans are or were drafted. Yet despite being movements organized within the privileged white community, the draft resistance movements in these countries were widely recognized among Palestinian Arabs and non-white South Africans as being movements not just of white consciousness-raising about race, and of renunciation of white-skin privilege, but of use of that privilege to subvert the structures that created and preserved it.

Many, perhaps most, organizers and supporters of groups like the End Conscription Campaign, the Committee on South African War Resistance, and the successive Israeli Jewish organizations of conscientious objectors and draft resisters have explicitly abjured pacifism, and many aren't even "antiwar" or "antidraft" in any general sense. They might support a draft in a fully inclusive, racially egalitarian, non-imperialist polity.

The same has been true, if less widely recognized even among progressives, for significant segments of the draft resistance movement in the USA. Most opponents of the American War in Vietnam weren't pacifists. Many draft resisters of the period said they could imagine other wars in which they would fight. Indeed, many of them were left with no other legal way to avoid being drafted, and ended up in the Resistance rather than doing alternative service as conscientious objectors, precisely because they weren't

pacifists or opposed to war in general, but had more specific objections – often rooted in anti-imperialism and/or anti-racism – to the particular war they were being ordered to fight. "I Don't Fight for Conquerors", the title of a song by Dave Lippman, probably expresses the dominant motives of Vietnam-era and subsequent US opposition to the draft at least as well as, if not better then, any pacifist ode.

Today in the USA, draft resistance has a different racial and class dynamic stemming from the different demographics of its participants. That's a consequence of the measures the US government, unable to enforce draft registration, has taken since the 1980's to suppress the visibility of noncompliance with the draft registration laws.

The brief handful of show trials of publicly self-identified draft resisters in the 1980's taught subsequent cohorts of potential draftees an important and enduring lesson. Because the government must prove actual, individual knowledge of the registration requirement to convict you of "willful refusal to submit" to draft registration, the only real risk is in speaking out about your resistance -- not in quiet noncompliance with draft registration. The result, a quarter of a century later, is that while noncompliance with the draft law is far higher than it ever was during any previous US war, that resistance is almost entirely closeted.⁶

That closeting in turn obscures the extent of the ongoing (albeit largely passive) draft registration resistance and the impossibility (even if a draft were enacted into law) of actually reinstating a draft in the face of such widespread noncompliance. By hiding the faces and voices of nonregistrants, it also obscures the contemporary racial and class demographics of nonregistration for the draft. By

The Solomon Amendments make it impossible for men who haven't registered for

⁶ For more information about the draft, draft registration, and draft resistance in the USA since 1980, see the Web site I maintain at http://www.resisters.info>.

Addendum 2016: In interviews with U.S. News & World Report in May 2016, current and former Selective Service officials admitted that since 1988 the Department of Justice has refused to investigate or prosecute any more draft registration resisters. See Steven Nelson, "Gender-Neutral Draft Registration Would Create Millions of Female Felons", U.S. News & World Report, 3 May 2016, http://www.usnews.com/news/articles/2016-05-03/gender-neutral-draft-registration-would-create-millions-of-female-felons>, and the analysis in my blog, "Government admits resistance made draft registration unenforceable", 3 May 2016, at https://hasbrouck.org/blog/archives/002234.html>.

Addendum, 2016: "Much of the active political life of subordinate groups has been ignored because it takes place at a level we rarely recognize as political. To emphasize the enormity of what has been, by and large, disregarded, I want to distinguish between the open, declared forms of resistance, which attract most attention, and the disguised, low-profile undeclared resistance.... For many of the least privileged minorities and marginalized poor, open political action will hardly capture the bulk of political action.... The luxury of relatively safe, open political opposition is rare... So long as we confine our conception of *the political* to activity that is openly declared we are driven to conclude that subordinate groups essentially lack a political life.... To do so is to miss the immense terrain that lies

the draft to get Federal money for post-secondary schooling or job training. That's widely but erroneously assumed to mean that only those whose families can afford to send them to college without financial aid can afford not to register for the draft, and thus that nonregistration is a tactic only available to rich college kids.

In reality, the pyramid of privilege is much larger at the bottom than at the top. There are far more people who can't afford, aren't academically or otherwise qualified for, or weren't brought up to consider college as an option than who can afford higher education without financial help from outside their families. As a result, nonregistration for the draft is concentrated, as the SSS itself has found, not among the rich but among the larger numbers of poor people, mostly people of color, who see no personal downside to nonregistration or the Solomon Amendments because they don't see college as a possibility regardless of whether they were eligible for Federal loan guarantees. That includes most obviously, but isn't limited to, undocumented US residents who are supposed to register for the draft (and would be subject to induction were a draft reinstated) but who have nothing to lose from the Solomon Amendments because their undocumented status already disqualifies them from Federal jobs, grants, loan guarantees, or other funding.

Ironically, it's at a time when nonregistration for the draft has come to be predominantly a phenomenon of the underclass and of people of color that it is coming to be assumed in many circles, even some otherwise progressive ones, to be a movement of white racist privilege.

(All that's necessary to qualify for Federal student aid is to register once and be able to provide confirmation of having done so. Despite the legal requirement to keep a valid current address on file with the SSS until age 26, registrants can still get Federal grants and loans if, as most registrants do, they effectively "unregister" by changing their address without notifying the SSS. But because this is currently the most widespread form of noncompliance with the Military Selective Service Act, the SSS publishes no estimates and has for decades avoided any investigation or audit of compliance with the address change notification law.)

between quiescence and [open] revolt and that, for better or worse, is the political environment of subject classes.... Each of the forms of disguised resistance... is the silent partner of a loud form of public resistance." (James C. Scott, *Domination and the Arts of Resistance*, Yale Univ. Press, 1990.) "Desertion is quite different from an open mutiny that directly challenges military commanders. It makes no public claims, it issues no manifestos, it is exit rather than voice. And yet, once the extent of desertion becomes known, it constrains the ambitions of commanders, who know they may not be able to count on their conscripts.... Quiet, anonymous,... lawbreaking and disobedience may well be the historically preferred mode of political action for... subaltern classes, for whom open defiance is too dangerous." (James C. Scott, *Two Cheers for Anarchism*, Princeton Univ. Press, 2012.)

I'm not trying to question the primacy of attitudes toward war in shaping attitudes toward, and motivating resistance to, military conscription. Draft resistance is *primarily* an antiwar phenomenon. Rather, my point is that other attitudes shaped not just by ideology (Marxism, anarchism, etc.) but also by identity and status, and linked to other forms of oppression on the basis of those distinctions -- ageism, sexism, racism, and so forth -- have been important influences on the politics and praxis of draft resistance, and have themselves been influenced -- to a greater degree than is generally recognized -- by antidraft thought and action.

As long as any draft remains inevitably selective – on the basis of age, if nothing else, even when people blind to their own ageism call it "universal" national service – the criteria for that selection will continue to anchor the draft and the resistance to it firmly within the domains of identity and status-based politics.

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