Making a Choice: Conscientious Objection or Draft Resistance

Are you thinking about registering for the draft? Do you plan to seek Conscientious Objector (CO) status if you get drafted?

This leaflet was written by people who could probably qualify for CO status if there was a draft. We haven’t registered, and this leaflet explains why we hope you won’t register either, or will refuse to go into the military if you already registered and you are drafted.

But What If I Already Registered?

If you’ve already registered, you have fewer choices, but you can still choose to resist. If you don’t tell the SS where you live, or if you ignore an induction notice, the same legal risks we talked about for nonregistrants would apply. In order to prosecute you, they would have to prove that you actually knew you were breaking the law. That will be very difficult without proof that you got their notices.

What Do You Believe?

Deciding whether to register or to resist isn’t easy. This may be the most difficult than important decision you have faced, and it’s not a choice anybody else can make for you. Talk to a draft counselor, your friends and family, and other people whom you respect. Get as much information as you can before you decide. Don’t be pressured into making a hasty decision.

Remember: you have until you are 26 to make up your mind whether to register.

While there is always a risk when you go against the power of the government, so far the government has not been able to follow through on its threats against nonregistrants. However, the risks of registering are not theoretical, but concrete: registering gives the government one more weapon to force you into killing or dying in a war you didn’t choose.

Whatever you do, you’re not alone.

www.Resisters.info

(Updated March 2021. See Web site for latest info.)

When my claim as a CO was recognized... I found myself thinking that it’s a very good system of conscription that “allows” a man to try to help his fellows to live constructively instead of destructively. I had failed to stop to question by what authority it came to be that a man should have to justify this creative inclination to his draft board. I had failed to realize that my deferment as a CO was a convenient way by which my resistance to conscription and the military (and the resistance of thousands like me) was effectively silenced.

I had failed to acknowledge that my claim as a CO was only begrudgingly given to me because my “credentials” were good, because I was articulate, because my education had made it easy for me to produce a convincing defense of my desire to live peaceably and lovingly: in short, because I fell within a certain small, carefully defined group to whom the government felt it was both wise and safe to give deferments: wise, because otherwise this group might raise some embarrassing questions about the legitimacy of conscription and militarism, and safe because the group is small enough so as to have little influence on the populace at large.

Richard Boardman, from a 1967 letter to his draft board renouncing his CO deferment

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Most people who qualify as COs oppose war and want to prevent the draft. But if you register, people in the government will interpret your registration as a sign that you acknowledge their “right” to draft you, and that you’ll cooperate if the draft returns.

Registering and seeking CO status might seem like the best way to go, but it is not the only way. If you want to stay out of the armed forces and help keep them out of wars, refusing to register or refusing to be drafted might be a better way to put your beliefs into action.

**Then and Now**

During the Vietnam War, at least 250,000 men refused to register. Only 250 of them were ever convicted in court. That’s only one out of 1,000, and back then it was easier to catch nonregistrants because men had to carry draft cards at all times.

It’s pretty hard to get in trouble these days for refusing to register. Lots of people get form letters from Selective Service, but if you ignore them they almost always ignore you! Only 20 out of millions of nonregistrants (and millions more who have violated the registration law in other ways) have been prosecuted since 1980, and no one has been indicted for nonregistration since 1986.

On the other hand, half of all men who applied for CO status during the Vietnam War were turned down. Those men were in a tough spot: they had already registered, so the government knew where to find them if they didn’t show up for induction. If the draft comes back, thousands of legitimate COs won’t get CO status. The safest way to avoid participating in war is to refuse to register.

**Trying for CO status is not an easy way out!**

We’re not trying to say that a CO can’t resist war, or that becoming a CO is wrong. Many people who registered and plan to apply for CO status have been active in the Resistance movement, and COs were an essential part of the Resistance during the Vietnam War. (Many now regret having registered, and found they couldn’t in conscience do the alternative service work they were assigned.

But the illegal resisters — deserters, AWOL’s, nonregistrants, and people who refused induction — brought the draft to its knees. There was a two-year backlog of draft-related court cases when the draft ended in 1973, and resistance to draft registration has prevented a draft since 1980.

**What’s Wrong With “Conscientious Objection?”**

There are many reasons why some people won’t seek “Conscientious Objector” (CO) status:

- Accepting CO status makes you part of the military system. The military gives COs special status inside the military or with approved civilian government agencies or employers to keep them away from ways of resisting that could actually stop the draft.
- By accepting CO status you acknowledge the government’s right to draft you and judge your conscience.
- CO status isn’t available equally to all of us. Poor people, blacks, Hispanics, and anyone who doesn’t belong to a Christian peace church has a much harder time getting CO status than educated, wealthy, white Christian pacifists.
- Every time someone is deferred as a CO, someone else is drafted to fight in his place. (The Selective Service plans to send out 10 induction notices for every soldier they want.)
- Preparing your CO claim doesn’t help prevent war. Refusing to register does. Protesting the draft while cooperating with it doesn’t accomplish much. We want to prevent the draft, not just complain about it.

**Why Refuse to Register?**

The government started draft registration in 1980 to “test the water” and see whether young people would cooperate. Millions of us didn’t: we resisted. Since 1980, many times more of us have refused to register than during the Vietnam War.

Unless the vast majority of us cooperate with the Selective Service System, the draft won’t work.

Some people think that huge numbers of CO applications could clog up Selective Service and stop the draft. But the people running Selective Service aren’t fools. They know there will be lots of applications, and they’ve already made plans and trained volunteers to handle them. No matter how many people register and seek CO status, they can be processed, judged, and neutralized by a big fat bureaucracy. The cost of handling the COs will be trivial compared to the cost of fighting the wars.

**But What If I’m Caught?**

Nobody has been indicted for nonregistration since 1986.

Current and former government officials have admitted that in 1988, after the first 20 test cases, the government suspended all further prosecutions of even the most flagrant and vocal nonregistrants.

Even when the government indicted a token 20 nonregistrants in 1982-1986, they were always given another chance to register before being prosecuted. If you are singled out for prosecution, you’ll probably get a visit from the FBI or a certified letter you have to sign for from the Justice Department offering you that “last chance”. If you’re willing to register then, you can still register without penalty, and you can still apply for CO status if you get called for induction.

You lose nothing by waiting; the government hasn’t prosecuted anyone for late registration. Your initial unwillingness to register may even be evidence you can use to show the sincerity of your CO claim.

However, if you register, you have to gamble that your CO claim will get a fair hearing and get approved. If you gamble and lose, you’ll really be caught!