

Are You a CO, and Can You Prove It?

Lecture Notes to Power Presentation

Slide #1:

Take time to thank the organizers and participants for the opportunity to present on this topic. Refer them and acknowledge the resources provided by AFSC found at www.afsc.org/youthmil.

Mention that the topic of Conscientious Objection (CO), and documenting one's position on that, is not a pressing issue now, because we have no draft. Yet for young people particularly, it is important to lay a foundation, both in developing beliefs and in establishing documentation to prove one's convictions as of this date.

It is suggested that facilitators hand out file folders for each participant to keep all his or her documentation. Let each person label the folder, "CO File."

Make sure you check *Read Me First* word document for important information about this PowerPoint. And, the lecture notes are comprehensive. You may want to review them first and highlight essential points, skipping others.

Slide # 2:

Refer also to the one page word document, *Agenda*. The workshop is intense in both information and participation. A lot is presented, though it can all be referred to later in the reference handouts. But in addition, a full variety of learning styles are employed to encourage thought, reaction, discussion, exploration, and the beginnings of articulating one's beliefs. Some participants may even start documenting their beliefs and creating an action plan.

The *Agenda* shows order and approximate times. The Reference Handouts provide detail. More time can be devoted to exploration of beliefs, role plays, and discussion of responses to forms if time permits. The facilitator can easily extend the sessions depending upon the needs of the group.

Slide # 3:

Read this slide (or have it read). Add that our intent is not to make everyone a CO. Such a conviction is an individual, deeply held belief. Nor are we challenging anyone's faith or commitment in how they serve their country. We are simply creating an awareness of what a CO is and laying a foundation if a person is so inclined. This conviction grows and matures, often gradually and slowly. It is a process that needs nurture along the way. Here are other thoughts to summarize:

1. Being a CO comes from a deep, inner leading. It is not simply a way to get out of the draft or to avoid life-threatening situations. Simply put, a CO refuses to participate in war and/or to kill another human being through the act of war. At the same time, for an 18-year-old, this conviction usually is only blossoming and requires patient nurture.

2. *While we shun violence, we hold in the Light those young men and women who serve in our military and are willing to put themselves in harm's way to protect others and preserve our rights and freedoms.* Many young people fill led to serve their country by serving in the military. Few have ever heard the phrase, conscientious objector.

While the focus of the presentation is on conscientious objection, each person's views and beliefs should be honored.

3. *Currently, SS registration has no place to indicate a CO status.* In fact, CO status is granted ONLY after one gets an induction notice, and files for a CO exemption (within 9 days), and appears before a draft board with supportive testimony, and is accepted by the Board--hopefully. That doesn't mean you have to wait till then to start documenting your claim. That means doing it now!

4. *The process of documentation we suggest you start is NO GUARANTEE for a CO status. It likely will be difficult, and it might force one to decide on jail or other alternatives.* In the end, a local draft board will make a decision on one's CO request, based upon the most current U.S. law and precedent as well the content and sincerity of one's claim. The information in these lesson plans is based upon prior experience and case law (when the draft was in effect) as well as current provisions in the SSS code. A new law may change everything, and today's more conservative U.S. Supreme Court may interpret regulations differently. So these suggestions, while based upon precedent and collective wisdom, are merely a conjecture and guide. In any case, attaining a CO status will be neither easy nor guaranteed.

Slide # 4:

Refer briefly to Handout, p. 1, *Overview of Selective Service and Conscientious Objection*, two thirds of the way down.

Listed here are the three main criteria for being a CO. They will be on your final, and more will be said later in the presentation.

First, we'll do an opening exercise to get you thinking about what a CO is then bring you up to date on the Selective Service System and the draft. Then, we'll review some history and court definitions of conscientious objection followed by some more exercises. At the end of this, you'll have a better understanding of where you fit in as a CO (or, not).

Slide # 5:

See **Handout, pp. 27-31, *Opening Exercises #1, #2, & #3***, for an opening exercise. Note that the alternatives vary in terms of the depth of experience. Consider exploring with the group which exercise they would prefer. Note the dangers and bias that are brought forth in Exercise #3. Set aside time and be willing to de-brief, esp. for Exercise #3. Let anyone whose conscience prevents him or her from participating to be excused.

Slide # 6:

As a transition say, becoming a CO begins officially with Selective Service registration. So let's begin with an overview Selective Service System (SSS).

The SSS was established by the Selective Service Act of 1948. Its mission was “to be prepared to supply manpower to the Armed Forces adequate to ensure the security of the U.S. during a time of national emergency” (Selective Service Home page, Library of Congress).

The SSS is already in place. It actually has two different systems ready to go. One provides an inductee force in less than two weeks (called *RIMS*), the other (*RIPS*) in six months. More on *RIMS* and *RIPS* later.

Slide # 7:

See Handout, p. 1, *Overview of Selective Service and Conscientious Objection.*

Hold up a sample SS Registration form from the Post Office (**go to any Post Office and pick up a few**)

From a form, read the column headed, “Who Must Register.” Note that even “Undocumented (illegal) aliens” are included despite the “Privacy Statement” on the back of the form that says it shares information with the U.S. Immigration Dept.

Using the internet, college loan, or driver’s license as a method to register does not give an opportunity to show, upon first contact with Selective Service, that a person is a CO. (Remember it is only a preliminary statement to SSS, not an official claim.) So, use the written form from the post office to use the procedure that will be described later.

Failure to register has not been pursued, but more pressure has been exerted recently.

Now nasty letters are sometimes sent as reminders for those who inadvertently miss the registration deadline. More subtle consequences are on the next slide.

It’s a good idea for young women to document their beliefs also, even though it is not yet called for in the SS registration, as they may be subject to a future draft.

Slide # 8:

Non-registration has more widespread and subtle effects due to the Solomon and Thurmond amendments--riders on legislative appropriation bills during the '90s.

Solomon prevents non-registrants from receiving federal aid to colleges and medical schools and from participating in federal job-training programs. Thurmond prevents them from obtaining employment with any federal executive agency, i.e., most federal jobs. States reflect similar penalties. About 30 states do not issue driver’s licenses or IDs; to non-registrants some refuse admission to state supported educational institutions.

The Fund for Education and Training (FEAT) assists young men who for reasons of conscience do not comply with the law requiring registration (see <http://feat.centeronconscience.org>).

Slide # 9:

As mentioned before, Selective Service actually has two systems in place if a draft becomes necessary. The first, *RIMS*, or ***Registrant Information and Management System***, could be used in a national emergency to have tens of thousands of draftees in boot camp in less than 2 weeks. In it, a potential inductee would be sent an induction

notice and have as little as nine days to contact the local draft board and request a claim for reclassification, if wishing to claim CO status. ***RIPS, Registrant Integrated Processing System***, would take effect in a non-emergency draft and take about 6 months. A type of draft is already happening, called the “back door” draft. This includes stop-loss orders, extensions of contracts, calling up both active and inactive reserves, etc. In essence, military personnel already in service are being “re-drafted” back into the military at the end of the assigned duty they signed up for.

Slide # 10:

Donald Rumsfeld, through his 6-year tenure as Secretary of Defense under President Bush, was adamant about the success of the all-volunteer military, and he refused to consider a draft. Bush agreed. However, for several years, NY representative Rangel tried to introduce bills calling for a draft, but with NO deferments. He wanted to equalize the draft by extending its burden to the “middle class and affluent.” With sons (possibly daughters) drafted, voters would take a more active position against our country’s eagerness for war, presently the one in Iraq. His bill was “anti-war.” Two weeks prior to the 2004 Presidential election, when rumored that Bush and Republicans would reinstate a draft, the bill was quickly brought out of committee to the floor of the house with no debate. It was voted down almost unanimously (only 2 in favor). Rangel himself voted against it. Despite this, Rangel continues to introduce the bill.

Rep. Murtha (D. Pa) is a veteran and believes we need a draft because our forces are depleted and worn out. As of the beginning of 2007, Democrats won control of Congress, which now puts Rangel more a majority position with more authority to introduce legislation. **For more information see the Reference Handout, p. 21, *Will a Draft Be Reinstated?***

Slide # 11:

The Selective Service system still exists. During the 90’s, several in Congress attempted unsuccessfully to eliminate it. Instead, it has an expanded federal budget, performance goals, and a network of volunteers ready to serve on draft boards. Many of the 30 year tenures on local draft board are being replaced. Age limits of 18-25 might be extended to 35, and registration could include women.

New laws link SS registration with driver’s licenses, state and federal college aid, etc. (See **Handout, p. 1, Overview of Selective Service and Conscientious Objection**, top paragraph.)

Military recruitment efforts target minors, especially poor and Hispanic. The promise is college tuition later and a marketable skill. A possible path to citizenship for immigrants or aliens is critical.

Recruiters will even contact parents in an effort to win their support. Recruitment bonuses and market costs are way up.

A specialty draft for doctors and computer technicians is being considered.

The Universal Training and Service Act, requiring all young adults to give two years of service to their country, could convert to a military draft. Would this end up being another “back door” draft? Would COs be part of the military and subject to military laws?

So, that takes care of the Selective Service System. Next is a discussion of the history of Conscientious Objection and how that frames the three criteria that will be on the final.

Slide # 12:

Early debates and amendments never fully codified a precise definition or basis for a CO claim (i.e., the individual conscience vs. peace church membership debate.)

A World War I Supreme Court case on legality of having a draft only briefly mentioned noncombatant COs and their 1st amendment rights (freedom of religious expression).

When asked to comment about a CO’s positions, the Justices scoffed and called it, “Too ridiculous a claim to even comment on.”

If time and interest dictate, see also **extra Handout in Appendix, p. 20, “COs in the History of U.S. Law”** from *Religious Liberty in America*, Louis Fisher, Chapter 4.

Slide # 13:

Between World War II and Korea, the phrase *Supreme Being* was dropped. In the 1955 *Sicurella v. US*, it was ruled in favor of a CO that violence may sometimes be justified in self-defense, or the defense of your family, or to protect a friend from attack. The U.S. Supreme Court ruled on several Vietnam era cases, which are on the next slide. *Moral* and *ethical* were added to *religious* as a basis for a CO claim.

The next slide looks at some of these Supreme Court cases and the precedents they set. Understanding them helps refine what a CO is.

Note that obviously today’s U.S. Supreme Court is more conservative than that of the ’50s, ’60s, and ’70s when many cases were decided.

Slide # 14:

See Handout, p. 2, *U.S. Supreme Court Rulings, Congressional Legislation, and Law.*

If time permits, the whole handout is worth reading. These cases clarify and define what a CO is. They refine, clarify, and articulate beliefs. Particularly read the portions in bold print. How do these rulings narrow the definition of CO?

Mohammad Ali, the greatest heavyweight boxer of all time, claimed, when presented with an induction notice, that he was a CO. It was based upon his religious training and belief (he was a Muslim). His local draft board denied his request (based upon the FBI’s recommendation), but Ali, when called at his induction hearing to take that step forward and become part of the military, refused. The result was denial of his boxing license and possible imprisonment. Several years later, the Supreme Court reviewed his case, overturned the denial, and gave him his CO status. He continued to box and his license was reinstated. Only recently has this case been declassified for public reading.

For those who want to pursue more specific Supreme Court cases, look at these:

Goldman v. Weinberger, 475 U.S. 503 (1986), Roster v. Goldberg, 453 U.S. 57 (1981), Parker, Warden, et al. v. Levy, 417 U.S. 733 (1974), Johnson v. Robinson, 415 U.S. 361 (1974), Gillette v. United States, 401 U.S. 437 (1971), Clay, aka Ali v. United States, 403 U.S. 698 (1971), Welsh v. United States, 398 U.S. 333 (1970), United States v. Seeger, 380 U.S. 163 (1965), Sicurella v. United States, 348 U.S. 385 (1955), Myers v. United States, 272 U.S. 52 (1923, 1925, 1926, Selective Draft Law Cases, 245 U.S. 366 (1917).

Slide # 15:

Go back to Handout, p. 1, *Overview of SS and CO*, and note this was quickly reviewed before.

As a transition, say, “With all this history, let’s go back to the three criteria that define a CO now.”

Read the three requirements from the slide or from their handout. Joke again that this is on their final.

1. *Any war and all war* is pretty clear. It is not just for political or situational reasons. At the same time, one can’t say what one might do in another period. The focus is *any and all war* as we know it now.
2. *Moral, ethical, or religious* gives latitude of expression, but beliefs are hard to prove, put into words, or even crystallize fully. But somehow, it must be done.
3. *Deeply held* means sincere, and, in legal terms, that means documented. That is why starting now is essential. For example, suppose you suddenly got drafted, had no prior documentation to prove it, but decided to claim CO status. The first question the draft board would ask is, “Why are you making a CO claim now? Do you just want to get out of the draft?” Prior documentation is critical. Thus, the reason for this presentation.

Slide # 16:

Remain on Handout, p. 1, *Overview of Selective Service and Conscientious Objection*.

Read from the slide, or handout about 2/3 the way down. Joke again that this also is on their final. The difference between being in the military or not is important. One falls under military jurisdiction; the other under civilian. Which one are you? Part of the military or not?

Examples of alternative service include: relief and rehabilitation in war or disaster areas; technical, agricultural, medical, or educational assistance in poor or developing areas; service in mental hospitals, schools for the handicapped, homes for the aged, or similar institutions; or participating in mental or scientific research that might benefit humanity. Then as a transition, say, “Does anyone know who Desmond T. Doss was?”

Slide # 17:

Doss called himself a “Conscientious Cooperator,” not a “Conscientious Objector.” The video tells of his story, includes interviews and recollections of how he influenced his fellow soldiers, shows their emotional scars resulting from war, and highlights the

abuse and misunderstanding he received during training and early combat. Yet soldiers saw his dedication and courage while in combat, and they quickly respected his stance. See *The Conscientious Objector: A True Story of an American Soldier* or www.desmondoss.com.

Slide # 18:

This is a simple, overgeneralized slide, that summarizes two basic conflicts between Scripture--the Hebrew Testament, the Christian or New Testament, and Koran--and the U.S. military. The left side quotes scripture; the right quotes the enlistment contract. Discussion on this slide might be warranted, depending on the group.

#1: Soldiers are trained to dehumanize the enemy so they can kill them. Too many vets, torn between loyalties and values to country and to God, return in emotional turmoil or conflict. How many were taught to love their enemies? Exodus 20:13; Matthew 22:37-39; Mark 12:29-31; Luke 10:27; Koran p. 158 & 220.

#2: Which is greater: your love of God or your love of country? Can you serve two masters? Is the family of God limited to national boundaries? Could you give up all decision making, including how you are guided by God or your own conscience, and put it into the hands of another person? See Exodus 20:3, Matthew 6:24. Koran p. 152 (Longer Matthew quote is *No one can serve two masters, for a slave will either hate the one or love the other, or be devoted to the one and despise the other. You cannot serve God and wealth.*)

Quaker House, a Friends testimony in Fayetteville, NC, home of Fort Bragg, has a handout called Sgt. Abe, the Honest Recruiter, pointing out some of fine print in the Enlistment Contract. It also points out Section 8c, about promises from recruiters, "The agreements in this section and attached annex(es) are all the promises made to me by the Government. ANYTHING ELSE ANYONE HAS PROMISED ME IS NOT VALID AND WILL NOT BE HONORED." Download the Sgt Abe Enlistment Document from www.QuakerHouse.org

For more scriptural references supporting a CO position, see **Handout, pp. 22-26, A Selective Sampling of Scriptural References on Peace and God's Law.**

Slide # 19:

Give everyone a copy of Handout, pp. 31, Exercise #4: Worksheet Form 22, Claim for Conscientious Objector. (Use this one page version, but refer to the longer form with expanded instructions on pp. 3 and 4. Also, use their completed worksheet as an example of TRI-FOLDING, explained under Step #7, of Handout, p. 7, Procedures of 18-Year-Olds...)

Read the instructions on the slide while referring to the Worksheet.

In this exercise, participants are asked to consider whether they have an inclination toward being a CO, and to respond accordingly on the Worksheet Form.

Depending upon the group and their sensitivity to this topic, consider giving longer than 10 minutes, then give a break. Otherwise, go to next slide for the role play.

Slide # 20:

For sample questions, refer to **Handout pp. 5 & 6, *Sample Questions a Draft Review Board Might Ask.***

Set up a role play with a three person mock draft review board. The three might be adults who were past CO's, adults co-facilitating the lesson, or a combination of the presenters and participants.

Explain that the mock draft board is intended to simulate an experience, almost to the extreme. Its purpose is to bring out both dynamics and content. It is NOT meant to embarrass, offend, or discourage, but rather to bring out anxiety, urgency, and the difficulty of expressing deeply personal views to strangers.

Ask for volunteers to be the CO applicant (or in the hot seat). Tell them they will have 10 minutes to explain their case. Then immediately start drilling them with questions, starting with perhaps, "Why do you want to be a CO?" As they respond, look for holes (inconsistencies, hesitations, uncertainties, or other possible weaknesses) and then interrupt them with a challenging question to that effect. To be true to the role play, some members of the board can be rude and disrespectful, others seemingly nice. The simulation is to challenge, prod, and trick to illustrate how others might have completely different and biased views that might keep you from expressing who you are.

Slide # 21:

Refer to **Handout, pp. 7 & 8, *A Procedure for 18-Year-Olds Who Want to Indicate CO Status at the Time of Registration for Selective Service and Handout, p. 9, *Selective Service System Registration Form.****

The sample form shows how to add CO documentation. The procedures outlined in steps #3 & #4, page 7 describe what to do.

Then, refer to point #7 on p. 8 of the ***Procedures section of the Handout.*** Illustrate tri-folding by using a sample paper. NOTE: "Tri-folding will be your final!"

Slide # 22:

Here are several suggested procedures to document a CO position. Point out on this slide that the first two steps are covered already in the presentation (registration and worksheet).

Sending a *letter to others* is on **Handout p. 10, *Sample Letter to CC&W (Center on Conscience and War) and/or CCCO (Central Committee for Conscientious Objectors).***

NOTE: A new registry for COs has been set up in North Carolina at www.CORegistry.org. They accept letters from anyone regardless of home state, religious affiliation (or not), and gender.

The *Letter to Ones Support or Faith Community* and *Letters of Support* will be addressed in the next slides.

Point out that ones faith community also has obligations, some of which are listed in **Handout, p. 8, *A Procedure for 18-Year-Olds Who Want to Indicate CO Status at the Time of Registration for Selective Service.***

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Slide # 23:

Refer to **Handout, pp. 11 & 12, *Sample Letters to One's Support or Faith Community Requesting Support.***

Point out the three bulleted items on Sample #1 and note that it parallels the three criteria or definitions of a CO. If time permits, read some excerpts from the other sample letters.

Slide # 24:

See **Handout, pp. 13 & 14, *Letters of Support.***

Emphasize the last point. Some young adults tend not to ask older adults, like teachers, for help such as writing a Letter of Support. But because of transitions from high school to college or job, young adults often relocate and lose touch with these adults who might have known them well and could have spoken on their behalf.

Slide # 25:

Refer to **Handout, p. 15 & 16, *Suggestions on How to Build Documentation.***

If not done at the outset, give all the participants manila folders and label them as their CO folders. They can add future documentation in these folders.

Bullet #3, "Let Selective Service help you..." is described on point #8, page 8 of the Procedure Handout. Read this. Someone may have a copy of how they used this this already and might share it. An example of a change of information card, way to reply and reply letter appears on **Handout, p. 19, *Sample Reply To Change of Address Form.*** Remind them again: document, document, document. Sounds like a final exam question.

Slide # 26:

This curriculum can be found at the FGC (Friends General Conference) website as noted on slide. Their bookstore has many excellent selections on peace building, nonviolence, and Conscientious Objection. Other materials can be found at the AFSC (American Friends Service Committee) youth and militarism website at www.afsc.org/youthmil.

Other handouts are:

Handout, p. 17, *Selective Service System Western Mailgram Order to Report for Induction*, (You could use this as another role play by randomly assigning numbers, 1-366, for participants and see who falls in the top hundred, a cut off number for those drafted and those not. Does it make a different sense of urgency to have documentation in place?

Handout, p. 32, *Contact and Internet Resources*.

Handout, pp. 33-35, *A Selected Bibliography on War & Peace, Conscientious Objection, and Peace Building*.

Slide # 27:

Here's the promised final exam. Ask the first four questions to the group as a whole. Optional for the presenters:

Ask participants to answer the three feedback questions on a blank piece of paper and return to you. Names on the feedback sheets are not necessary.

Another option is to reflect on the introductory exercise. Has this workshop changed your reaction or comments to the beginning exercise?

Slide # 28:

Thank everybody for their participation.

In some cases, make specific arrangements for follow-up help, through one's faith or support community and especially for those approaching (or even past) their 18th birthday.

You may wish to give your email address for future contact. If you have further questions, input, and suggestions, please contact Curt Torell at curtnpatty@aol.com.