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RESIST

a call to resist
illegitimate authority

30 September 1969 - 763 Massachusetts Avenue, #4, Cambridge, Mass., 02139 - Newsletter #33

REFLECTIONS OF A SOLDIER IN VIETNAM

Vietnam
August 29, 1969

Dear Mom and Dad,

As each day passes, I wonder ever more whether I will ever be able to justify to myself my participation in this most heinous of all occupations. Am I being honest with myself when I rationalize my presence on the basis of the discomfort of the alternatives? I often think I would be a better man to refuse further involvement in this, and go to jail if necessary. At least then I would know that I was doing what I feel is right. How strong can my beliefs be if I am willing to sacrifice them for minor advantages in material and physical well-being? I wonder how much longer I will be able to take the easy way out. I keep thinking that I have been doing that for too long already. I'm making some progress though, in that at least this time I'm profoundly disturbed by the situation, where before I never really gave it serious thought. Can the censure of a society I no longer respect bother me? I guess the reason for my remaining indecision is the fact that I still have some last shreds of respect for the society.

Today I "medivacued" a seven-year-old boy who probably will never walk again. . . he had the misfortune to be in the way of someone dedicated to "liberating" him. Does it really matter whether the mortar was ours or theirs? Or that no one really intended for the boy to be there so the shrapnel could neatly sever his spinal cord? It's all so damn senseless! What could possibly matter so much that men, women, and especially children should be mutilated by the hundreds every week?! Will there be anyone left to learn? . . .

I don't know why I am even bothering to write this letter---you know already how I feel. A man alone is very, very small. May you all one day know the love and peace I hold for you.

(Editors' note: This letter was given to the RESIST office staff by Peter's parents, who requested that his full name be withheld.)

Strange Way To Cut Back

We can't read President Nixon's mind and we have long ago given up trying to understand Pentagon arithmetic. But when the October draft calls were announced we checked back and found that draft calls are up more than 70% since Nixon at the beginning of June announced Vietnamese troop cutbacks were to begin. Here are the figures month by month:

	1968	1969
June	20,000	25,900
July	15,000	22,300
August	18,300	29,500
September	12,200	29,000
October	13,800	29,000
Total	79,300	135,700

NIXON'S CON GAME

(The box of data printed above is taken from I.F. Stone's Weekly, September 22, 1969. We definitely agree that it's a strange way to cut back! In the following article Claudette Piper of the National Council to Repeal the Draft presents some other facts about Nixon's draft policy.)

By cancelling November and December draft quotas, Nixon claims to have cut calls by 50,000. This claim is totally fraudulent. In reality, he is attempting to silence dissent. Perhaps he is also testing American gullibility for future deception. If this fraud is not exposed, then anything goes!!

Study of past draft calls indicates that the Defense Department, traditionally reluctant to draft during the Christmas holidays, never intended to draft 50,000 men in November and December. Summer quotas were exceptionally high this year: While 45,500 men were drafted during the period July through September, 1968, 80,800 men were drafted in the same time period in 1969. Total 1969 calls are only 9,100 (less than 2%) below those for 1968. And when a Presidential aide was asked recently if the summer calls had been padded to allow for a pre-planned cut, he answered: "I wouldn't be at all surprised."

(One can also suspect, though not prove, that destruction of draft files encouraged Nixon to cancel November and December draft calls. Redistribution of quotas from Milwaukee, Chicago, New York City, etc. has resulted in considerable dissatisfaction in states receiving noticeably higher draft quotas.)

NIXON'S CON GAME cont'd. . .

The fraudulence of the 50,000 cut only highlights the chicanery surrounding Nixon and the draft. During his Presidential campaign he stated that he wanted to replace the draft with a volunteer army, and he repeated this goal after he was elected. He even appointed the Gates Commission, charged with submitting a plan for a volunteer army. The Commission is relatively broadly constituted and several members privately hoped that the study would provide the opportunity to hold hearings on the whole question of the draft. But hearings have not been held, are not planned, and a staff member has said that he thinks hearings would contribute nothing to the work of the "two or three dozen" staff members: "We are using the best experts - people like the Rand Corporation." The Commission report is to be submitted to the President on November 15, but it will not be made public until February. Considering Nixon's determination since May to institute a lottery, one suspects that the Gates-Rand report will manipulate figures to show a volunteer army to be prohibitively expensive.

Nixon appears to be unreceptive to public opinion, and one of his aides admitted as much. In response to a question about citizen participation in the President's recent decision, James D. Atwater, Special Assistant to the President, said, "As you know, our government just never consults anyone before making major policy decisions. The Secretary of State, for instance, does not hold hearings when he makes a decision on foreign policy affecting thousands of people."

Nixon should indeed be afraid of hearings, for they would expose the lottery for what it is: another attempt to silence dissent while still controlling the lives of all young men. The lottery, by drafting 19-year-olds first, would isolate dissent to a group whose political ideas are still largely unformed and who often are less articulate than their older brothers. Under a lottery, all men would be required to register, and the government still would control to some extent the movement of draft-age men. By leaving the deferment system unchanged, men could still be channelled into occupations which the government considers vital. Many Pentagon officials have always preferred drafting the more malleable 19-year-olds, so Nixon's proposal also satisfies them.

Rumors abound: Calls will be cancelled;

NIXON'S CON GAME cont'd. . .

Hershey will be fired, the draft will be "reformed". In the end, Tricky Dick gets his way: a huge 1969 draft call, a lottery system which takes 19-year-olds first, a continuance of channelling. But he has miscalculated if he thinks he has ended protest. Youth is less gullible than the mass media, and manipulation infuriates youth. Protest will continue and escalate until Congress repeals the draft entirely.

THE MARIAN DAVIS SCHOLARSHIP FUND

College students who have been denied eligibility for scholarship assistance because of their activities on behalf of human rights should consider applying to the Marian Davis Scholarship Fund. Eight to twelve awards are made each year to individuals who combine scholarship with the desire to be of service to humanity. Inquiries should be sent to: Marian Davis Scholarship Fund, Shawm Hill, Sandwich, Massachusetts 02563.

WESTERN UNION REFUSES!

In the last issue of the Newsletter we reported that the RESIST Steering Committee sent a telegram of condolences to North Vietnamese Premier Pham Van Dong following the death of Ho Chi Minh. We subsequently learned that Western Union did not send the telegram. Though the girl who took the text of the telegram over the phone thought she would have to send it, the office that later handled it decided not to do so because of the state of war between the U.S. and North Vietnam. We do not consider this an acceptable excuse, and encourage anyone who agrees and has occasion to use Western Union's services (after all, how else can you send a telegram?) to let them know that you find their policy unjustifiable.

BASIC RESOURCE MATERIALS ON MILITARY LAW

The Second Edition of Basic Resource Materials on Military Law can be ordered from The Committee for Legal Research on the Draft (Harvard Law School, Cambridge, Massachusetts 02138). The Committee also has other source materials on draft and military law, and is willing to help anyone who is handling military cases or who is interested in learning how to do military counselling.

CIVIL LIBERTIES LEGAL DEFENSE FUND, INC.

An article in the May 5 issue (#27) of the Newsletter described the over-all goals and operations of the Civil Liberties Legal Defense Fund. We would now like to bring you up to date on some of the specific cases aided by CLLDF.

Selective Service. The Fund has aided Selective Service cases throughout the country. The case receiving the most public attention was U.S. vs. Sisson, in which Judge Charles Wyzanski handed down his landmark ruling on non-religious conscientious objection. The case was argued by CLLDF Board member (and staff counsel) John Flynn; CLLDF also provided funds for court costs and out-of-pocket expenses. The Fund is also supporting an action in Minnesota (U.S. vs. Crocker) in which the defense centers around the question of the constitutionality of the draft. Among other cases aided is U.S. vs. St. Clair in New York City, in which the indictment was dismissed by Judge Weinstein in an opinion which recognized the general theological doctrine of pantheism as a bona fide basis for claiming CO status. The Fund is currently aiding two significant CO cases which deal with the Catholic "Just War" theory: U.S. vs. Bowen (not yet tried) and MacFadden vs. SSS Local Board 40 et al. (on appeal to the U.S. Court of Appeals for the Ninth Circuit). The Fund has aided Selective Service Lawyers Panels and efforts to organize panels in Boston, Seattle, San Francisco, Los Angeles, Indianapolis, Madison, Milwaukee, Chicago, Philadelphia (where federal court recognition was just granted to the Panel), and New York.*

Military Cases. The Fund's support of military cases has increased in recent months. CLLDF has provided funds for the defense of the Fort Hood 43, the Fort Jackson 8, the Presidio 27, and many others at bases across the nation. A highlight in this field was the case of Bates vs. Commander, U.S. Coast Guard. The First Circuit Court of Appeals ordered that a writ of habeas corpus be granted in an opinion which broadened the bases for CO claims by individuals in the armed services.*

Other Cases. In recent months the government has chosen to use the conspiracy statutes as a repressive vehicle against the movement. The Fund has provided substantial aid to the defendants in the following cases: Boston 5, Oakland 7, Chicago 8, Catonsville 9, Milwaukee 14, and U.S. vs. Hayes. The Fund has also aided several other cases of political repression and free speech rights.*

CIVIL LIBERTIES LEGAL DEFENSE FUND cont'd. . .

Fund Projects and Other Organizations. The Fund has also carried out its work through special projects and by aiding the work of other organizations. CLLDF sponsored a 3-month training program in Selective Service law for attorneys and lay counsellors in Puerto Rico and a training institute in military law in Boston. It is currently considering a Police-Community Relations Conference and a National Military Law Project. Some of the projects the Fund has aided through other organizations include: Lawyers Panel News Service and planning efforts for a Police-Community Relations Law Reporter (both projects of the Public Law Education Institute); 20 selective service, 7 military, 5 peace action, and 10 other cases handled through the Southern Legal Assistance Project; a staff counsel for selective service and military counseling (CCCCO); an organizer to train draft counselors in and for the black community in southern Illinois (Midwest Committee for Draft Counseling); legal research on draft and military cases (Committee for Legal Research on the Draft, Harvard Law School); and legal aid for the black community of Boston (National Lawyers Guild).*

Since CLLDF expects the demands on its resources to increase in the coming year, contributions are urgently needed. They can be sent to: CLLDF, 2 Bow Street, Cambridge, Massachusetts.

* A complete docket (as of 6/20/69) is available from the CLLDF office.

STAFF SINKING FAST. . .



The Newsletter staff, now at an all-time low of two, is in desperate need of new minds and hands. If you live in the Boston area and are willing to help with the writing and/or assembling of the Newsletter, please call the office (491-8076).

It is also very important that those of you involved in projects in communities other than Boston keep us up-to-date on your activities. Occasional reports from areas we wouldn't otherwise hear from are invaluable. In fact, they are absolutely necessary if we are to provide our readers with news of movement activities that can't be found in mass-circulation movement papers.

ACROSS THE NATION. . .

Honolulu, Hawaii: When the bust came on the morning of September 12, the sanctuary which began at the Church of the Crossroads on August 6 with one AWOL airman had been extended to 34 men. Not all the men were seized during the bust. The sanctuary had been extended to four churches, and some of the men had time to depart before the feds arrived. They later explained that they were not "escaping"; they are remaining in underground sanctuary in order to bring to others their concept of sanctuary. A full report on this long and interesting sanctuary is available from the Hawaii Resistance, 1035 University Avenue, Room 203, Honolulu, Hawaii 96814.

San Francisco, California: Erik Whitehorn, sentenced to jail for up to 4 years for failure to register for the draft (because his mother refused to allow him to do so until he was 21), has been released after serving several months of his sentence. Claiming to be the victim of an overzealous mother and a publicity-seeking lawyer, Erik wrote to the judge who had sentenced him asking that he be released and allowed to register. The judge agreed, and Erik is now free and has registered.

Wrightstown, New Jersey: A demonstration in support of the Fort Dix 38 (see "Riot in the Fort Dix Stockade, Newsletter #31) is being planned for October 12 by civilians and GIs associated with Shakedown, the GI paper at Fort Dix, and the coffeehouse in Wrightstown. The demonstrators will gather at the coffeehouse and march to Fort Dix to demand freedom for the 38 and all political prisoners, abolition of the stockade system, and an immediate end to the War in Vietnam. The demonstration is being sponsored by a wide coalition of groups including the Greenwich Village Peace Center, the Young Lords, the Black Panther Party, and A Quaker Action Group. For further information, call Saul Shapiro at 609 - 723-5577.

Buffalo, New York: Just over a year ago the sanctuary of Bruce Beyer and Bruce Cline at the Unitarian Church in Buffalo was ended by a squad of federal agents. Nine people were arrested during the bust, and four of them, charged with assault, went on trial in February, 1969. Of the four, three had hung juries and one, Bruce Beyer, was convicted. On September 23, 1969 the three, Jerry Gross, Ray Malak, and Carl Kronberg, went on trial for the second time. On trial with them are two others also indicted on assault charges stemming from the sanctuary: Bill Berry was one of the original Buffalo Nine; Bill Yates had never previously been charged (there is a rumor that he was indicted because the U.S. Attorney became furious when he heard that Yates had been to Cuba for three months this summer). Preceding the trial, the Buffalo Nine Defense Committee sponsored a National Conference on Political Prisoners at the State University of New York at Buffalo.

Portsmouth, New Hampshire: William Harvey, Jr., 21, and George Daniels, 22, have been imprisoned for the past two years for speaking out against the Vietnam war (they had sentences of 6 and 10 years). In early September they were released from the naval prison at Portsmouth pending appeal. (This procedure was made possible by a recent court ruling which also resulted in the freeing of Captain Howard Levy, who has been imprisoned for two years for refusing to provide medical training for Green Berets going to Vietnam. His case is also on appeal.) The release of the two black Marines came after months of marches in Portsmouth and public pressure by the peace movement across the country. Two days of activities celebrating their release are being planned for October 3 and 4 by the New England-Portsmouth Action Council (Box 1163, Portsmouth, New Hampshire 03801), which is responsible for organizing the many demonstrations in Portsmouth which demanded their release.

We started this issue with an excerpt from I.F. Stone's Weekly. We now end it with another excerpt from the same issue. Many thanks, I.F.

No, But A Little Celebration in Saigon Could Easily Be Arranged

"Would the North Vietnamese and the Viet Cong observe a three-day truce if I were to die?"

—Remark Thieu was reported to have made when U.S. Ambassador Berger and Gen. Abrams pressed him to go along with the 3-day truce for Ho Chi Minh according to Donald Kirk from Saigon, in the Washington Star, Sept. 9.

