

University counseling information

Two sources of local counseling report students are seeking help in their offices

At this point in the history of the draft, it is most important to get any deferment for which one qualifies and keep from being drafted."

That's the opinion of University Draft and Military Information Center (DMIC) director Dave Walruth, who is looking forward to possible large-scale reform of the draft or even repeal for the entire Selective Service System.

And in expectation of changes that may make them no longer vulnerable at all, Walruth feels that students should play it safe for now as far as the draft is concerned.

A junior in English and only recently appointed as director of the student-funded counseling center, Walruth believes that even with the lottery, students are still unsure as to their draft status and future, and are still asking for advice on very much the same problems.

"There has been negligible change in draft problems since the lottery was initiated," he commented. "The only real difference is that now you ask an individual who comes in for counseling what his lottery number is first."

"People are trying to get the same deferments, are asking the same questions, and are having the same problems with their boards as before," he continued.

Operated jointly by student government, the Counseling Center, and the University School of Law, and funded by the ASUO, DMIC includes a staff of four paid and about 20 volunteer counselors who serve on a part-time basis.

It is located in facilities in the EMU basement.

Another member of the University community involved in a draft work, Dean of Students Robert Bowlin, expressed a similar view when queried on the subject of student problems with the draft this year.

"In terms of uncertainty," he said, "it depends pretty much upon one's lottery number. I think that (the lottery) has definitely alleviated the pressure for some, but it has not done so for others."

Bowlin's Office of Student Services is in charge of "official contact between the University and draft boards," and also serves students in a counseling capacity.

Bowlin said that there are five individuals in his office authorized by the Selective Service System as "advisors to registrants" on draft matters.

He estimates that each of these five persons sees about five or six students per week about draft problems, and that taking seasonal fluctuation into account this year has not been significantly busier or less busy than most.

Bowlin explained that when an individual comes in to see him for advice on the draft, he will counsel that person on how the system operates, what his legal rights are, will refer him to more specialized authorities where appropriate, and can "establish communication" with his draft board to clear up any University-related problems.

For example, he continued, any student who wishes to provide information to his draft board on a deferment for which he might qualify, must do so through Student Services or the Registrar's Office.

More specifically, he said, his office has handled problems with students involved in special University programs such as HEP, and with students who lack sufficient hours to claim that they are maintaining normal progress toward graduation, and therefore are having problems with student deferments.

He added that draft counseling at Student Services is a declining activity, at least partly because of the growing role of the two-year-old DMIC.

Bowlin, who said that he would personally be against elimination of the draft because of the threat of a professional army to democratic freedoms, does feel that ending student deferments would be a more equitable manner in which to run the draft.

"And much as I'm involved with students," he said, "I'd like to see the draft on a more equitable basis."

And if they were eliminated, Bowlin said that he would expect to see "many more persons trying to get their military service over with before coming to college."



ROBERT BOWLIN

DMIC director Walruth, like each director of that service, seems to have a philosophy of draft counseling that has developed to meet the current demands of student problems.

On the top of his list of concerns, he says, "is helping other people learn of the rights they have under the regulations, telling people how to negotiate the Selective Service System so that they can use it to the fullest extent."

Selective Service, he explains, surrounds itself with "an aura of secrecy," especially evident in the uncertainty surrounding the lottery and the significance of lottery numbers, and under which draft information is hard for a registrant to acquire.

The task, he feels, must therefore fall upon counseling centers such as DMIC. In fact, Walruth says that he got involved in wanting to help others "because of an error I made with my draft board because I didn't know the law."

Another part of this philosophy, he continues, "is a goal of getting in essence 100 per cent deferments for those seeking counseling by means of Selective Service procedures."

Walruth explains that almost everyone can qualify for a deferment of some sort, depending upon how familiar they are with the law.

And if everyone who qualified were to take advantage of the opportunities open to him, "this would have the effect of making them either improve the system or get rid of it."

Walruth feels that draft counseling should be conducted on a non-opinion basis. "We try to keep our personal opin-



DAVE WALRUTH

ions out of our draft counseling," he says. "We have the registrants tell us what problems they have with the draft, and we try to tell them what alternatives they have, and the difficulties and bad points involved in each.

"We believe that if a student receives a deferment he should be well aware of the ramifications of that deferment on his life and future.

"We also try," he continues, "to provide the most recent information we can because in many instances the laws change and the boards change.

"And if we can't answer a question," he concludes, "we try to send them to someone who can — physician, lawyer, clergyman. We don't always succeed in these ends, but we're trying."

Walruth explained that students who come with problems to the DMIC generally fit into two different categories, of equal importance, and which have changed little since the initiation of the lottery.

These, he says, are the student whose deferment had just ended or is about to end "and isn't sure in which direction he wants to move," and an individual desiring information about conscientious objector status.

"Many students come in unsure as to what a CO is and whether or not they are themselves a CO," he says. "We define what a CO is for the individual, and talk to him to see if he is willing to go through the difficulties of a CO claim."

AND what of efforts to change the draft system?

Walruth says that he sees little chance of success for efforts to eliminate student deferments. And if the move succeeds, despite its obstacles, he predicts that "there are going to be a large number of students on this campus forced to confront the system immediately. This means problems for the Selective Service System."

Specifically, he says that the campus would experience a "strong re-emergence of resistance," among students who would otherwise be sitting back with I-I-S deferments.

But Walruth says that his experience has led him to believe that "the draft unquestionably should be repealed. I am very afraid," he continued, "that they are going to reform the draft; it doesn't need reform—it needs repeal."

But in the interim, while students await possible but uncertain changes in the draft system from the federal government in Washington, the work of the DMIC, the Office of Student Services, and others involved in draft-related matters continues.

Alternatives...

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EMIGRATION

The majority of American emigrants are already in violation of Selective Service regulations. Leaving the country is, in itself, not illegal. The illegality follows as a matter of course—from extended residence in Canada. A man is in violation of SSS regulations if he fails to inform his local board of changes in his address, if he fails to report for examination or induction, or if he procures his SSS "Permit for Resident to Depart from the U.S." and decides to stay in Canada. Upon indictment, there is warrant for his arrest should he return and the threat of multiples of both five years imprisonment and \$10,000 in fines.

Canada offers few restrictions for entrance. In general, anyone failing to qualify for immigrant status in Canada would have, for the same reasons, failed to qualify for the draft in the U.S. Most emigrants try to establish permanent residence in Canada, which, if the emigrant stays within certain legal boundaries—pays taxes, procures certain Canadian documents and doesn't commit any serious crimes—is relatively easy to establish.

Extradition treaties between the U.S. and Canada have stipulated that the crime for which a man is extradited must be a crime in both countries. Thus, a draft refuser, although he may be subject to prosecution whenever he returns to the U.S. whether he re-

nounces U.S. citizenship or not, can never be extradited. Even a man who commits two crimes in the U.S., e.g. drug abuse and draft refusal, although he could be extradited for drug abuse, could not be prosecuted for draft refusal.

Any emigrant to Canada can be deported only if he gains entrance by false statements, violates the terms of his entry, commits certain crimes or goes on welfare. Deportation, however does not necessarily involve a trip back to the U.S. Legally, the emigrant should have few problems in Canada. The Canadian government has announced publicly that it will accept emigrants, draft refusers, draft resisters and deserters.

INDUCTION REFUSAL

Most men who are tried for Selective Service violations are divided into two distinct groups. There are the resisters or non-cooperators, those who conscientiously object to military service and conscription. The second group, the unsuccessful cooperators, are those who do not believe that they have been lawfully ordered for induction. The first group, the resisters, are conscientiously outside of the law, usually organized into diverse resistance groups practicing and professing an certain philosophy of social change. Their refusal of induction is usually ceremonial.

The unsuccessful cooperator are those who—simply to be able to take their case to court—have used every available appeal and cooperated in each step which precedes the point of induction.

Refusal of induction is the final step unsuccessful cooperators take within the law before they are prosecuted. The refusal enacted "courteously and quietly" usually takes the form of a final appeal. Upon refusal, the draftee may or may not be prosecuted by the state or national director. Should either choose not to prosecute, the decision becomes the responsibility of the U.S. attorney to determine whether the draftee will be prosecuted. Not every refusal leads to prosecution.

Because, in theory, a man might be rejected by the armed forces for physical, mental or administrative reasons at any point short of the brink of induction, the refusal should be enacted "courteously and quietly" within the law. And to insure that one is not inadvertently inducted, the draftee should be careful not to take the symbolic step forward which makes him subject to the Uniform Code of Military Justice.

The draftee should report as ordered by the local board. It would probably be prudent to prepare a written statement of one's intention to refuse induction (as a precautionary measure against inadvertent induction). Preceding the ceremony, there is a cursory physical examination at which, even then, a draftee could be reclassified I-Y or IV-F. After his refusal, the draftee will be taken to another room for reenactment, where he is warned of criminal penalties and the induction speech is read. After twice declining to step forward, he will be asked to sign an induction refusal statement which he may refuse. After an interview with an F.B.I. agent, with whom it is inadvisable to discuss matters of refusal, the draftee is usually sent home. From this point he is at the mercy of the state and national director, the U.S. attorney and finally the federal courts.