

# ***LAWFULLY AVOIDING THE MILITARY DRAFT***

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## REVISION HISTORY

<i>Date</i>	<i>Version</i>	<i>Description</i>
1/27/07	1.00	1. Initial version.
7/2/07	1.01	1. Added cover diagram. 2. Expanded document.
2/18/08	1.02	1. Updated section 1. 2. Added FORMS section at the end. 3. Added Revision History at the beginning of the document.

1 **1 Introduction**

2 Most Americans do not read the Constitution or the law and the public schools don't teach them. This leads them to be  
3 exploited unlawfully by criminal public servants. One area in which this exploitation is rampant is the enforcement by the  
4 Selective Service System of the military draft against persons and within jurisdictions that they have no authority to  
5 operate. If you carefully read and apply what is in this pamphlet, you will be able to lawfully avoid both registering for the  
6 draft and being inducted during the draft process if you did register.

7 This article was written with the help of a former active duty member of the military who has over 26 years of service, and  
8 so it is therefore well worth your time to read and consider. We encourage you to refer your friends and loved ones who are  
9 draft-age eligible to our website to obtain this article. The only purpose of this article is to:

- 10 1. Ensure that those who do enter the military do so based on FULLY INFORMED consent and the knowledge that they  
11 can choose NOT to enter without any adverse repercussions.  
12 2. Ensure that public servants obey the law and respect all of the implications it imposes upon their conduct.  
13 3. Prevent any fellow Americans from being injured or put in harm's way by public servants who are violating the  
14 Constitution and the law.

15 If you wish to apply the lessons learned in this document to an actual draft situation, Section 5 describes how to handle the  
16 situation and the Forms section at the end contains a Declaration of Religious Objection by Sword Affidavit that you can  
17 use to document your lawful status.

18 **2 Constitutional authority for the draft**

19 Authority for the creating and maintaining a military is found in Article 1, Section 8, clauses 11 through 16 as follows:

20 [Constitution of the United States](#)  
21 [Article 1, Section 8](#)

22 *The Congress shall have Power. . .*

23 *11 To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and*  
24 *Water;*

25 *12 To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two*  
26 *Years;*

27 *13 To provide and maintain a Navy;*

28 *14 To make Rules for the Government and Regulation of the land and naval Forces;*

29 *15 To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel*  
30 *Invasions;*

31 *16 To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may*  
32 *be employed in the Service of the United States, reserving to the States respectively, the Appointment of the*  
33 *Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;*

34 **3 Supreme Court authorities on the power of Congress to institute a Draft**

35 Of the government's authority to institute military draft, the U.S. Supreme Court has said the following:

36 *Few interests can be more compelling than a nation's need to ensure its own security. [470 U.S. 612] It is well*  
37 *to remember that freedom as we know it has been suppressed in many countries. Unless a society has the*  
38 *capability and will to defend itself from the aggressions of others, constitutional protections of any sort have*  
39 *little meaning. Recognizing this fact, the Framers listed "provid[ing] for the common defence," U.S.Const.,*  
40 *Preamble, as a motivating purpose for the Constitution, and granted Congress the power to "provide for the*  
41 *common Defence and general Welfare of the United States," Art. I, § 8, cl. 1. See also The Federalist Nos. 4,*