

June 8, 1967

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* BLACK MEN AND THE DRAFT          CLEVELAND SELLERS          *
*                                     FORMER PROGRAM          *
*                                     SECRETARY              *
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On February 24, 1967, Cleveland Sellers, former Program Secretary of the Student Nonviolent Coordinating Committee, filed suit against Robert McNamara, the Governors of Georgia and South Carolina, and the entire Selective Service System on behalf of himself and all others similarly situated, which includes all black men, men from minority groups, and poverty stricken men in general. The civil action, filed, declares the Universal Military Training and Service Act unconstitutional as applied to Plaintiff Sellers and those others similarly situated, and asked for a preliminary and permanent injunction to prevent the South Carolina and Georgia draft boards from inducting him on March 2, 1967 the date Sellers was ordered to report for induction. The courts granted him a stay of induction until March 13th, but on that date he was granted an indefinite extension of time pending the outcome and verdict of the lawsuit which went to the 5th Circuit Court of Appeals in New Orleans.

In stating his reasons for filing suit against the defendants, Sellers charged the following in the briefs:

1. that he was ordered for induction out of turn because he has been a civil rights activist and is and has been a member of the Student Nonviolent Coordinating Committee, in clear violation of the Universal Military Training and Service Act which prohibits classifying registrants according to race, creed, color or membership in any labor, political or religious organization. His activities in the movement are well known to the local draft boards of South Carolina and Georgia since the South Carolina board gave permission to the FBI to review his draft records.
  2. that he and all others similarly situated declare that all local draft boards and all appeal boards in those two states were invalidly appointed and illegally constituted due to the systematic exclusion of black citizens, which is well documented in the briefs filed by the plaintiffs.
  3. that he had filed medical documents with the South Carolina draft board proving electrocardiomatic abnormalities which make him physically unfit for military service and which were absolutely ignored by his draft board.
- and 4. that the actions of these draft boards deprived him and all others similarly situated of rights, privileges and immunities which are supposedly secured by the Constitution and laws of the United States ---specifically the right of due process of law and equal protection under the law granted in the Civil Rights Act of 1964 and the Voting Rights Act of 1965.

Mr. Sellers suit in the U.S. District Court to enjoin his induction was thrown out and Mr. Sellers was called for induction on May 1, 1967.

STATEMENT BY CLEVELAND SELLERS, UPON HIS ATTEMPTED INDUCTION, MAY 1, 1967

The central question for us is not whether we allow ourselves to be drafted for we have resolved that this shall not happen by any means. But rather the central question for us is how do we stop the exploitation of our brothers' territories and goods by a wealthy, hungry nation such as this. I am committed to give support to my brothers in Vietnam as they fight to keep America from taking her tungsten, tin and rubber. I shall be prepared to support my brothers in Iran when they move to overthrow their puppet regime which gives that country's rich oil deposits to the U.S. I shall be prepared to back my brothers in the Congo when they tell the U.S. Hell, no this copper belongs to me. I shall stand ready when my brothers in South Africa move to overthrow that apartheid regime and say to the U.S. -- this gold, these diamonds and this uranium is ours. I shall stand with my brothers in Latin America when they throw out the American neocolonialist forces who would take the natural resources of Latin America for themselves and leave my brothers in utter starvation and poverty.

I shall not serve in this Army or any others that seek by force to use the resources of my black brothers here at the expense of my brothers in Asia, Africa and Latin America.

America is but 6% of the world population. Yet she controls 60% of the world's wealth. America does, through the infamous CIA, overthrows governments, as was the case of the coup against Dr. Kwame Nkrumah of Ghana. The CIA kills heads of state as was the case with Mr. Patrice Lumumba of the Congo. She replaces these governments time and time again with the most extreme right wing elements of these countries. Note the succession of military governments in Vietnam, in Ghana, in Iran and in Latin America. My brothers around the world are learning that the U.S. with her other western counterparts understand one thing and one thing only - force - the force to move these exploiters out of Asia, Africa, and Latin America.

I shall never be a part of the armies which the rubber industry in America sends to Liberia, Indonesia and Vietnam to hold and defend my brothers' goods for America. I shall never be a part of an army sent by the Rockefellers to hold and protect the oil which they steal from Iran and parts of Africa. I shall never be a part of Charles Englehard's army to hold and protect the diamonds which he gets because of the South African apartheid government which America supports with military and economic aid.

I believe, as my brothers around the world, that the resources of Africa are for the Africans first, the resources of Asia are for the Asians first, and the resources of Latin America are for Latin Americans first.



I also take this stand knowing that black people have been systematically excluded from the Selective Service System which attempted to induct me. This is inspite of the fact that the national percentage of blacks in the total population is 11%, and their percentage in army units in Vietnam is 23%. Their percentage in Army combat units is, according to the Defense Department, "appreciably higher than that". A Washington Post Correspondent in late 1965 reported that "Negroes seem to make up 60 to 70 per cent of the strength in the smaller combat units. Twenty-six and nine-tenths of all Negroes were assigned to combat arms units, platoons and squads. It is the rifle toting soldier who does most of the fighting in Vietnam and suffers most of the fighting in Vietnam and suffers most of the casualties. During the first 11 months of 1966, black soldiers comprised 30% of all army troops killed in action.

It is this same segregated Selective Service System which attempted to induct me despite a cardiological defect which renders me physically unfit for U.S. military service. My all-white draft board allowed FBI agents to examine my Selective Service records in violation of Selective Service regulations. These factors, coupled with rights guaranteed by the First Amendment of the United States Constitution forms the basis and essence of my appeal pending in the United States Court of Appeals.

Cleveland Sellers, former Program Director of the Student Nonviolent Coordinating Committee surrendered to the United States Marshall at 3:00p.m. May 1, 1967. Sellers was indicted by the Federal Grand Jury in Atlanta for violation of the Selective Service Act. On May 1st, he refused to submit to induction, claiming that Negroes were excluded from the Draft Boards in South Carolina and Georgia, that he was inducted out of turn because he is a Negro, and because he is a militant civil rights worker. Sellers also claimed that due to a bad heart he is physically unfit to serve. Immediately after his surrender he was released on \$1,000 bond by the United States Commissioner. No date has been set for his trial.

Sellers brought suit in the U.S. District Court to enjoin his induction, but it was thrown out. An appeal is now pending in the U.S. Court of Appeals, 5th Circuit. He will be represented by SNCC's General Counsel, Atty. Howard Moore Jr., who successfully defended Julian Bond before the U.S. Supreme Court. Sellers is the 16th member of SNCC to be called for induction by segregated Selective Service Boards, since SNCC came out against the War in Vietnam in January, 1966. These charges are part of the continuing efforts of a racist, hysterical Johnson Administration to stifle Black Opposition and dissent to the murder and burning of peasants in Vietnam and his double-cross of black people in the United States.

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