WTR Organizing and Counseling

Criminal Cases and Fear
By Larry Dansinger and Ruth Benn

In this issue we have the cases of Frank Donnelly and Carlos Steward, both sentenced to prison for charges related to their desire not to pay for war. Just a few years ago three religious war tax refusers in New Jersey did prison time when the IRS won their convictions on tax charges, despite reversal of many counts on appeal. What are we to make of this? Are the dangers of criminal prosecution and jail time higher for war tax resistance (WTR) than we previously thought and have been telling people?*

There are things about each of these cases that make them unique and may have led to the kinds of criminal charges that most resisters are still not likely to face. The judge and prosecutor at the Donnelly sentencing made the distinction of “public” resistance versus methods that look like cheating on taxes. In our information and counseling, NWTRCC is clear about the risks involved in various methods of tax refusal and the potential for criminal prosecution when the government might interpret behavior as fraudulent—even if the motivation is sincere. We still believe that the risk of criminal prosecution is enormously lessened when the resistance has been open.

In the case of the religious refusers in New Jersey, running a business and not paying over employment taxes to the employees who shared pacifist principles got the ire of the IRS. That combined with an unhappy associate who asked the IRS to investigate the situation made their case unusual. While NWTRCC does not discourage organizational resistance, our materials define some of the heavier risks related to noncompliance with employment taxes.

Our network has supported Frank Donnelly in recent years, but he is not necessarily a good “poster boy” for the war tax resistance movement. Not knowing about or seeking out others who felt as he did, many years ago Donnelly picked what he thought was a way to not pay for war—underreporting his income to the IRS. He hid his WTR and didn’t give away his resisted money.

It worked for a while, but the strategy, and the IRS, finally caught up with him. After he connected with the WTR movement, he realized that there were other methods that were more effective, but by then it was too late. Carlos Steward is in a similar situation, although he learned about the WTR network after his court case was well underway, and he has not brought up his motivations.
COUNSELING NOTES

Push to Direct Deposit
The federal government will phase out sending paper checks to people who receive Social Security, unemployment insurance, veterans benefits, railroad retirement, and other federal payments by 2013. Anyone signing up for federal benefits payments after March 1, 2011, will either have to give Uncle Sam their bank routing and account numbers for direct deposit of the federal payment or be enrolled in the government’s Direct Express Debit MasterCard program. With the debit card the payment is deposited into the card holder’s account, and payments can be made with the card. Going paperless is being billed as a cost-saving measure, but one suspects it has more to do with being able to keep a closer eye on people’s money so as to narrow the size of the underground economy and make it easier to seize funds from people.

Squeeze on Federal Employees
Many people ask if their IRA or retirement savings is vulnerable to seizure. Generally the IRS can seize any asset in your name and social security number, although they tend to put retirement savings lower on the list for collection. Until recently Federal employees using the public employees “Thrift Savings Plan” (TSP), the equivalent of a 401k-like account, were safe from federal tax levies. The Federal Retirement Thrift Investment Board, which administers the TSPs, had felt that honoring levies would amount to a breach of board members’ fiduciary duty. However, in May the Justice Department announced a new ruling that would force levies on TSPs to be honored. The Board’s director says, “This is a fight we are likely eventually going to lose.” As the government’s opinion stated, “The Internal Revenue Code has long given broad authority to the Treasury Secretary to collect unpaid federal taxes.” Federal employees debt to the government is said to be about $3 billion. Must be some war tax resisters among them.

You Are Not Alone
Peg Morton in Eugene, Oregon, reported an “interesting call” with her telephone company Qw est about the federal excise tax. She called to request that they credit her bill for the resisted excise tax and report the amount to the IRS. The customer service person made the adjustment, and Peg asked “Do you get many calls about war tax resistance.” The agent has 14 states in his group. His reply to Peg: “Hundreds.”

On the other hand, individual struggles go on. A caller from North Carolina has been threatened with disconnection of her telephone service if she does not pay up the refused excise taxes. She is trying to reach their legal department with a copy of the IRS regulation that states the company cannot enforce collection of the tax. Tell us if you’ve been able to stop a disconnection warning from your phone company—we need more stories and ideas on this topic. ▼

Thanks to David Gross for some submissions. See his tax resistance blog at: sniggle.net/Experiment.
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Larry Dansinger also did a workshop at the Outreach and Tabling in New York City.

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The 20th anniversary Vigil to Close the Earth First! Rendezvous in Maine and Veterans for Peace 25th Anniversary resistance workshop and table at the Regional Fellowship of Reconciliation, Claremont, California, at the end of July.

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No Money for Nukes

The workshop “1040-Over and Out – Ways and Means of Defunding the War Machine” was one of many offered at the July 4 weekend gathering “Resistance for a Nuclear Free Future” held at Maryville College in Tennessee. Coleman Smith and Clare Hanahan, NWTRCC network activists from Asheville, NC, tabled at the event and facilitated the workshop. Karl Meyer of Nashville Greenslands and Daniel Sicken of Pioneer Valley WTR added their considerable experience to the session. Numerous other war tax resisters were present throughout the weekend, which drew over 200 seasoned activists from throughout the country to commemorate 30 years of nuclear resistance and to honor the work of NukeWatch, The Nuclear Resister, and the Plowshares Movement. The event was hosted by the Oak Ridge Environmental Peace Alliance, a Knoxville-based organization that has been providing education and resistance to the Y-12 nuclear bomb plant in Oak Ridge for 22 years. Thirty-seven were arrested at the July 5 action at the Y-12 bomb plant; 23 on state charges of obstructing a roadway and 14 on federal charges of trespass for crossing over the barbed wire enclosing the bomb plant grounds.

Steward started a show with a friend consisting of juggling, magic, pantomime, European Clowning, and Commedia dell’arte. In an ironic twist they were employed for several years by the USO and the Department of Defense and traveled the world performing for soldiers in the post-Vietnam war era.

Steward resettled in the U.S. with a desire to work in and support the arts and no desire to support the U.S. war and corporate economy. He lived in upstate New York and West Virginia, before settling in Asheville, North Carolina, where he runs the Courtyard Gallery and offers film and design services. Steward practiced a mix of non-filing or underreporting federal taxes; if there was extra money it was funneled into galleries, film projects and festivals, and the arts in general.

It was while he was working on Death and Taxes last fall that Carlos was indicted by a Grand Jury on charges of tax evasion and providing false statements. There is no connection to his work on the NWTRCC film; the case had begun earlier in 2009 out of a complicated case with a former employer in West Virginia.

“There are real pitfalls to doing it the way I did it,” he says. “Not being aware of war tax resistance is a detriment for people trying to do the right thing but not knowing how to do it. I also learned the importance of being transparent about your resistance. The film is very educational for people and shows a better method for doing what you’re doing.”

In February 2010 Steward pleaded guilty to filing false income tax returns for 2002 and 2003 and failing to file returns for 2000 and 2001. On June 30, 2010, he was sentenced in federal court in Charleston, West Virginia, to two years in prison. Steward reports to prison on August 7 (unknown location at the time of this writing). The prosecutor stated clearly that the government is out to make examples of people. Since they can only go after a small percentage of people in court, it’s imperative they get a judgment that is a deterrent for others. The courts usually oblige.

Steward learned about war tax resistance recently, but he’s been clear about what he doesn’t want to pay for: a government that lies about reasons for going to war; government schemes to enrich corporations by using their bogus war to produce military hardware and pay corrupt contractors; the Patriot Act and the Military Commissions Act; secret prisons in Cuba and other places in the world; and torture within those prisons. His travels throughout the world reinforced his belief of the negative impact of U.S.-supported regimes abroad with
Adjusted Prices

When we set up the new website, we added shopping cart buttons for online purchases through PayPal and adjusted some of our pricing. The pricing changes are reflected on the print version of our resource list and order form, which is downloadable from the resources pages on the website, or call the office for a copy, 1-800-269-7464. NWTRCC had previously listed separate prices on some items for Affiliate groups; with the new listings, there is one price for all materials, but Affiliates can take a 20% discount off the total cost of the order before shipping (available by mail order only; we hope to set up the shopping cart discount for online payments soon).

We’re still watching the pricing and shipping costs and making adjustments along the way, so let us know if you think things are out of whack. But please remember that postage costs continue to rise. Shipping is not cheap.

Teaching History Doesn’t Have to Be, Well, Old. With this study kit students will see how Thoreau’s actions and writings have inspired countless people around the world for more than 160 years, including individuals who today are refusing taxes and risking jail to protest war. The kit will include a copy of Thoreau’s essay *Civil Disobedience*, a *Death and Taxes* DVD (30-minutes), study guide questions for students, and a select list of historic civil disobedience actions. Thoreau Study Kits will be available from the NWTRCC office after August 20. $30 for 1 kit includes shipping. Contact NWTRCC for reduced rates for 2+ kits. *Death and Taxes* alone is offered on a sliding scale of $10-$20 each. Make checks payable and send to NWTRCC, PO Box 150553, Brooklyn, NY 11215, or pay online at nwtrcc.org/deathandtaxes.php.

Catholic Workers at A Tea Party

On April 14, Ken Hannaford-Ricardi (left) and Scott Schaeffer-Duffy of the Saints Francis & Therese Catholic Worker in Worcester, Massachusetts, went to the Boston Common where a Tea Party rally addressed by Sarah Palin was held. At the edge of a crowd of about 4,000 Tea Party supporters, the Catholic Workers held signs and distributed almost 500 leaflets. Ken’s sign depicts colonists throwing boxes labeled “WAR” into Boston Harbor. Scott’s tri-corner hat and colonial garb attracted attention as he quoted James Madison and Patrick Henry on the evils of a standing army. Photo by Julia Skjerli ▼

While he’s in Federal Camp information about Steward and his publications and films along with his blogs will be posted at face book.com/people/Carlos-Steward/714611841.
New nwtrcc.org Design Launched!

Thanks to the help of many volunteers including the great design by Rick Bickhart, we launched the new NWTRCC website at the end of July. You’ll find new pages and easier navigation, and for us it will be easier to update and expand the site.

We’ve added profiles of war tax resisters and refusers taken from back issues of our newsletter; how to resist, consequences, redirection, and FAQ pages that are easier to find and follow; a what you can do page; latest news and media pages with links to articles and videos; a shopping cart and other new Paypal buttons on the resources pages to make purchases easier; and lots more!

We’re still working out the kinks, so if you find broken links, typos, problems with online orders, or think something’s missing, please contact the NWTRCC office.

Outreach and Tabling

- Look for Larry Dansinger and a war tax resistance workshop and table at the Veterans for Peace 25th Anniversary Convention, August 25–29, By the Bay Holiday Inn, Portland, Maine. If you’d like to help, contact Larry at rose@south.net or (207) 525-7776. For more information about the conference see vfpnationalconvention.org or call their national office at (314) 725-6005.
- Larry Dansinger also did a workshop at the Earth First! Rendezvous in Maine and joined Think Outside the Bomb when the bus tour hit Portland in May.
- Robin Harper and Paul Sheldon held a workshop at Philadelphia Yearly Meetings Annual Sessions, July 28–August 1, with the title “Redirecting our federal income taxes for peace.”
- Peg Morton showed Death and Taxes to a small group at the Annual Pacific Northwest Regional Fellowship of Reconciliation Conference at Seabeck over the July 4 weekend. “They all liked it and asked many questions,” she reported.
- Elizabeth Boardman, Steve Leeds, and Bob Runyan made sure WTR was among the offerings at the Pacific Yearly Meeting in Claremont, California, at the end of July.
- Ruth Benn tabled at the National Peace Conference in Albany, New York, July 25. She was also a presenter, with Frances Crowe and Max Obuszewski, in a workshop on Nonviolent Resistance, adding war tax resistance to the discussions.
- The 20th anniversary Vigil to Close the School of the Americas at the gates of Fort Benning, Georgia, will be held from November 19–21, 2010. NWTRCC will most certainly have a literature table during the weekend. If you are interested in helping to staff the table or leaflet the crowds, please contact the NWTRCC office.

Save the Dates! November 5-6, 2010

NWTRCC meets in conjunction with the 25th Annual New England Gathering of War Tax Resisters and Supporters this fall in Cambridge and Boston, Massachusetts. Please plan to join us for a weekend of workshops, stimulating conversation, good food, and fun.

The gathering begins with dinner Friday evening at Cambridge Friends Meeting, 9 Longfellow Park, Cambridge, and continues at the Friends Meeting all day Saturday. The Sunday morning NWTRCC meeting and concurrent discussions will be held in Boston at Encuentro 5, 33 Harrison Ave, 5th Floor. A counselors’ training will be held Sunday afternoon from about 1-5 at Encuentro 5. Brochures will be mailed to the region and NWTRCC network later in August. Information and the registration form will be posted at nwtrcc.org/Boston_Nov2010.php.

New Home page

Ruth Benn tabling at the May 2 “Disarm Now” rally in New York City. Photo by Ed Hemann
In the afternoon, a lecture by Nils Butenschon, a Norwegian scholar of human rights, setting out a human rights perspective for thinking about peace tax legislation. Later a presentation by the Norwegian delegation of a study of peace tax legislation they plan to send to their parliamentarians to gain support of such legislation. Then a showing, to great applause and admiration, of NWTRCC’s exhilarating video, Death and Taxes. Finally a workshop given by Derek Brett, the CPTI representative in Geneva, on recent developments regarding the right of conscientious objection to military service rather than to military taxation.

The evening’s entertainment consisted chiefly and poignantly of our singing, under the leadership of the Danish singer and activist Odd Georg Murud, some of the best-known American political songs of 40-50 years ago, from “Strangest Dream” at the beginning to “We Shall Overcome” at the end. Everyone, from every country, seemed to know these songs.

**Day 3:** General approval of the Norwegian letter to their parliamentarians. Then a vote, 19-18, to hold the 2012 international conference in Buenos Aires, with Canada as a possible alternative. [The close vote reflected in part the lack of an inviting group in Argentina, though other Latin American activists will work on the organizing.]

In the afternoon, after the conference was over, a lengthy and thoughtful meeting of the CPTI legal committee, led by Daniel Jenkins.

**Reflections**

1) As is no doubt clear, despite its being called a conference on war tax resistance and peace tax campaigns, this was largely a conference on the latter, and only secondarily on the former. WTR as civil disobedience came up only three times: in my own country report, in English war tax resistor Roy Prockter’s account of his upcoming trial in Magistrates’ Court, and in the screening of Death and Taxes.

2) For the most part it’s only Americans and some in the U.K. who are doing WTR as civil disobedience. Almost everyone else there was working on peace tax legislation. That’s largely a consequence not of national character but of national tax systems. The admiration many Europeans expressed about Death and Taxes was accompanied by the melancholy recognition that they would not be able, given their tax systems, to do what the Americans on the film are doing with such joy and nerve. It would be interesting to do a demographic study of American war tax resisters and European supporters of peace tax legislation. My intuition is that such a study would reveal significant differences in income, vocation, stability in vocation, degree to which vocational choice is influenced by political considerations, degree and duration of religious affiliation.

3) There was close to no discussion of that other American mode of WTR, namely, living below taxable level, voluntary simplicity and poverty. Not sure why, except that—to judge from surface impressions and biographical self-presentations—very few of the Europeans seem to be seeking that mode of life.

4) In the public discussions at any rate, I was the only person at the conference who self-identified as a member of a Jewish congregation. There’s no coalition-building, for the moment at least, with Jewish religious or secular organizations, or for that matter with Muslim ones. There are powerful allegiances, personal and institutional, with Quaker and Christian institutions, and there is an intense interest in Middle East politics and sympathy and solidarity with Palestinians. But that doesn’t account for the apparently minimal Jewish presence, especially as compared with the Jewish presence in American WTR circles. I kept thinking that the movement would be stronger and more diverse if it were linked in its conscientious objection and human rights work to the Palestinian Center for Rapprochement Between Peoples; to the Israeli group Rabbis for Human Rights; and to the Israeli Shministim, the group of young Israeli conscientious objectors to military service.

5) I myself have sometimes criticized peace tax legislation on the ground that it’s not a forthright enough rejection of the war system. What I found myself thinking at and after this particular conference, though, was about the necessity for synergy between the two movements and groups. As Clark Hanjian’s excellent report makes clear (nwcc.org/AffiliateReport.pdf), our own movement is not strong. The peace tax movements have some energy, but they too don’t look to be in a state of robust health; Holland, as noted above, has withdrawn from the effort altogether, and activities in Belgium and Spain were summarized in a single sentence.

The connection that all of us sense between the war system and the tax system is a crucial connection; we have in common our sense of that truth, and our commitment to working to change the situation. In spite of our differences, because of our differences, we need each other. The Europeans need our contrariness, our playfulness, our willingness to break the law. We need their success in linking themselves to established institutions, their patience and persistence in working with the powers that be. Even together, we’re a small movement; separated, we’re still smaller and less likely to be able to resist the momentum moving us towards a more militarized, more war-obsessed world.

Lawrence Rosenwald represented NWTRCC at the conference. He teaches at Wellesley College in Massachusetts and is active with New England War Tax Resistance.
Facts, Opinions, Reflections

By Lawrence Rosenwald

First some facts; afterwards, some reflections. Facts first, because as an opinionated commentator, I want readers to have materials on the basis of which to disagree with me!

**Place:** The conference was held in Sandefjord, Norway, once a noted whaling town, at the beautiful, precisely ordered Skiringsal People’s High School. The School was an inspiration to Myles Horton, who later founded the Highlander School in the U.S, where Rosa Parks was a student before her action of conscientious objection to discrimination—a connection of great emotional and intellectual significance to many participants.

**People:** Sixty or so altogether. Twenty from Norway, fifteen from Germany, eight from the U.S., five from the UK. Other countries represented by smaller contingents or by individuals: Denmark, Sweden, Switzerland, Canada, India, Italy, Spain, Belgium. The Dutch group, which had been a significant presence in previous conferences, sent a letter saying they were no longer doing peace tax work.

**Events:** Diverse, but focused on the whole on peace tax legislation—on the law-abiding attempt to establish in law the right of conscientious objection to military taxation—rather than on war tax resistance as civil disobedience.

**Day 1:** In the morning, a meeting of the general assembly of Conscience and Peace Tax International (CPTI), an organization based in Belgium that functions as a clearinghouse and public voice in Europe and at the UN for those working on peace tax legislation. A new board was elected, reports were given, changes to the by-laws were considered and deferred.

In the afternoon, the first official conference event: a lecture on conscience, in a church, by the “ecosoph” (ecological philosopher) Per Ingvar Haukeland, preceded and followed by expressive dance, performed by women dancers costumed in white.

In the evening, a discussion of the lecture, focused on the question of how to talk about conscience and the tax system to young people. Much discussion of what we mean by “peace,” of “being the change we seek.” Then an official consultation with CPTI; much of the focus here was on possibilities for coalition-building.

**Day 2:** In the morning, individual country reports from all countries represented at the conference; two reports from the USA, one on war tax resistance and one on the National Campaign for a Peace Tax Fund.

*continued on page 7*