

IF YOU WORK
FOR PEACE



STOP PAYING
FOR WAR.

More than a paycheck

NEWS FROM THE WAR TAX RESISTANCE MOVEMENT

December 2007

War Tax Resistance

“Magnificent Obsession” or Eccentric Blunder?

by Donald D. Kaufman

This text is edited from a talk presented by Don at NWTRCC's 25th Anniversary Gathering in Newton, Kansas, November 2-4, 2007. Don paid tribute to many current resisters in the Midwest, but included here is the more historical portion of his talk. For the full text and source notes, please email nwtrcc@nwtrcc.org or call 800-269-7464.

We are here today to hear about people who have refused to pay for war. We are here because by sharing our stories, our experiences, we might help each other to find the “path to peace” in our time. Also, we are here today because there is a great need to motivate others to join a movement of hope, non-violence, and reconciliation.

It is deeply satisfying to be a part of this community whose members have gathered from so many places in North America, and which includes those who know first-hand the horrible consequences of the pain inflicted by people at war. Do Americans really understand the demonic character of military action? Ashleigh Brilliant has said, “It’s foolish to fear what isn’t dangerous, but it’s even more foolish not to fear what is.”

So what does it take to live peaceably with others? What does it take to be a peacemaker in our world of “principalities and powers,” of military preparedness? What does it take when government regulations are in conflict with the voice of conscience?

It would be presumptuous to claim that I have all the answers to resolve the violence of human behavior. But I do want to identify

signs of hope which it has been my good fortune to discover in the lives of others.

Knowing something of the tragic history of Native exploitation in America, perhaps we ought to begin by reminding ourselves of those who lived here first. Grace Black Elk of Pine Ridge, South Dakota, reminds us that her people are dying of guns. “If the white man wants Peace on Earth, let him stop making his bullets. Let him stop making shotguns. Let him stop making M-1 carbines and worse guns. Then, maybe, we may have peace.” (Stan Steiner, *The Vanishing White Man*, 1976)

To Pay or Not to Pay, That Is the Question

For Mennonites, World War I was a severe test of their Christian faith. As their most profound civic identity crisis in America, it proved to be a turning point in their history. According to James C. Juhnke, a Mennonite historian, the leading issues in the confrontation between non-resistant Mennonites and the crusading Americans were “military service, the war bond drives, and the German language.” They cooperated with patriotic expectations as best

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Tana Hastings, Charles Carney, Clark Hanjian, Daniel Woodham, and Jim Stockwell were among those who came from near and far to NWTRCC's 25th Anniversary gathering and meetings in Newton, Kansas, November 2-4. See the story on page 3. Photo by Ruth Benn.

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More than a paycheck

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More Than a Paycheck is a bimonthly publication of the National War Tax Resistance Coordinating Committee, a clearinghouse and resource center for the conscientious war tax resistance movement in the United States. NWTRCC is a coalition of local, regional and national affiliate groups working on war tax related issues.

NWTRCC sees poverty, racism, sexism, homophobia, economic exploitation, environmental destruction and militarization of law enforcement as integrally linked with the militarism which we abhor. Through the redirection of our tax dollars, NWTRCC members contribute directly to the struggle for peace and justice for all.

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Jenkins Case Refused

The U.S. Supreme Court decided not to hear Daniel Jenkins's appeal of his war tax resistance case. Jenkins had hoped to convince the Court to find that the Religious Freedom Restoration Act or the 9th Amendment to the Constitution guaranteed the legal right to conscientious objection to military taxation. He is now going to appeal to the InterAmerican Commission on Human Rights. You can read documents related to his court efforts (and those of others internationally) at <http://cpti.ws>, click on "Court Cases" at the top of the page.

At the Borders

In the newsletter of the Canadian Tax Foundation, Carol Fitzsimmons reported that the IRS is sharing information with Homeland Security, and that people entering the United States are being asked if they are up-to-date on their taxes. The main catch seems to be U.S. citizens living in Canada who have not been filing U.S. tax returns, however one attorney said, "We've never seen them before asking any types of tax questions at all."

Please let the NWTRCC office know if you or any war tax resisters you know have had such questions arise at the Canadian border or any entry point to the U.S. The question of whether war tax resistance effects foreign travel comes up often, but thus far we have not heard of any such problems. Your anecdotal experience is important to our knowledge base!

IRS Refunds?

Many readers have been forwarding the NWTRCC office copies of the spam emails they receive that

portend to come from the IRS and offer a refund. This has got to be a huge problem for such a massive government agency, and the IRS has published "Suspicious Emails and Identity Theft." The document focuses on "phishing," which is described as a scam where Internet fraudsters send email messages to trick unsuspecting victims into revealing personal and financial information that can be used to steal the victim's identity. The IRS says if a person receives a suspicious email that claims to come from IRS, the recipient should forward it to a special IRS mailbox, phishing@irs.gov. Find the full document at irs.gov.

Salary Levies

When the IRS seizes your paycheck or your assets, it's supposed to leave you enough to live on. In October, the agency announced major changes to how they calculate how much "enough to live on" is. They have reformed their old policy, under which people with high incomes and high standards of living were allowed to keep more than people living on lower incomes. Under that system, some tax delinquents earning up to \$84,000 (about twice the U.S. median household income) were designated as being in "financial hardship" and therefore were immune from seizures! The new standards are based only on the number of people in the household, and not the standard of living to which they have become accustomed. If the IRS is collecting from you and you're making less than \$1,667 per month, this is probably good news; if you're making more than \$2,500 per month, you may find that they take a bigger bite now.

-Thanks to Dave Gross for contributing to this section.

Many Thanks



Network Updates

We are grateful for recent contributions and dues payments from:

**Sonoma County Taxes for Peace,
California**

And to all of you who have contributed in response to our recent fund appeal. Please let us know if you have ideas to enhance NWTRCC's fundraising as we expand our programs with the 2008 War Tax Boycott Campaign and the video project.

Counselors and contacts are updated on our website fairly regularly. If you find that contact information is not correct, please let the NWTRCC office know.

New area contacts

Central Region: Charles Carney, Kansas City, KS, 913-281-5499, donnacharles_1@sbcglobal.net

Great Lakes Region: Phil Rieman, Indianapolis, IN, 317-546-9675, plbrieman@sbcglobal.net.

New Counselors

Northeast Region: Tom Joyce, Ithaca, NY; Paul Frazier, Syracuse, NY; David Schenck, Prattsburgh, NY; Donna Beckwith, Lodi, NY; Marie Hickey, Webster, NY; Nadine Hoover, Alfred, NY; K Minnix, Ithaca, NY

Mid-Atlantic Region: Jessica Kubiak, Bradford, PA

Full contact information is on the Contacts and Counselors page of the NWTRCC website and in the NWTRCC office. See page 4 for a write-up on our upstate New York counselors training!

A Fine Time Had By All

The Heartland Peace Tax Group, with members from Newton, Kansas, and surrounding cities, hosted NWTRCC's 25th Anniversary gathering over the weekend of November 2-4. More than 40 people gathered at Meadowlark Center, a nascent conference center located on the Kansas prairie, with space for meetings and housing for many of participants. We are grateful to the Platt family for their hospitality, and many of us enjoyed

but solid and persistent. Most groups do not have a strong interest in being part of NWTRCC decision-making, and our next meeting will look at suggestions for structural changes based on the survey results. If you would like a copy of the report, please contact the NWTRCC office.

The group also talked about how everyone can promote the War Tax Boycott and how volunteers can help with the increased burden on our small office. Some tasks may be supported

by endorsing groups, like Voices for Creative Nonviolence. The palm cards were very popular, and everyone thanked Bill Ramsey and the campaign committee for their work on all the campaign materials.

Administrative Committee members Pam Allee, Robert Randall, Clark Hanjian, and Donald Kaufman helped to organize another efficient and productive meeting. (See "Nominations," page 6.)

Mark your calendars now for the next meeting, which will be held May 2-4 in Birmingham, Alabama. ▼

—Photos by Ruth Benn



Peace Connections, a storefront peace center in Newton, hosted a Friday evening banquet. Thanks to chef Ted Mueller and all who helped!

beautiful walks and star gazing in the Kansas plains. Stan and Anita Bohn and the whole team of cooks provided us with great food throughout the weekend.

Sunday's Coordinating Committee (CC) meeting passed a balanced budget for the new fiscal year (starting December 1) even as we increased funding for the War Tax Boycott campaign. Everyone's help is needed with fundraising to make sure we end the year in balance too. Rick Bickhart, Jim Stockwell, Daniel Woodham, and Pam Allee volunteered to help with fundraising (please contact the office if you would like to volunteer!). Proposals were passed to set aside 15% of the total budget as an emergency reserve; expanding the travel fund to cover both CC meetings; seeking a volunteer in New York City to audit the books annually while keeping Tana Hastings (OR) on as Treasurer; and making Bill Ramsey the official "war tax boycott clerk" while ending the fundraising clerk position. We set objectives for the coming year that cover day-to-day tasks and special projects.

The group reviewed the results of the Affiliate Survey Project begun at the last meeting. Volunteers contacted almost all 30 affiliates with results indicating a network that is not extensive,



The 25th anniversary of NWTRCC was celebrated with a party on Saturday night. The newest and the longest term resisters, Martin Bates and Joffre Stewart, cut the birthday cake.



Bill Ramsey, St. Louis, led the discussion about organizing ideas for the "Withdraw from War/Pay for Peace 2008 War Tax Boycott Campaign." Photo by Alan Gamble.



Alan Gamble, director of the National Campaign for a Peace Tax Fund, spoke on Friday night.



Mennonite Central Committee staff member Titus Peachey (speaking) brought Bassam Chamoun, Raed Mokaled, Phounsy Phasaveng, and Lasee Phetsavong (l to r) to our meeting to tell their stories of the tragedies caused by cluster bombs dropped by the U.S. on Laos during the Viet Nam War and on Lebanon by Israel in 1996. "I am sure my son Ahmad was not a terrorist," Mokaled said of his five year-old son who was killed when he picked up what looked like a toy in a park in Nabatieh, southern Lebanon.

War Tax Resistance Ideas and Actions

One Thing Leads To the Next

by Tom Joyce

A couple of years ago, we happened to have earned more than the taxable income. As has been our practice over the years, we refused payment of the military portion, not having had any tax withheld during the year.

I shared this with the Peace and Social Action Committee of the Quaker Meeting of which I am a member. We had had military tax witness on our agenda for some time. Friends wondered how they could support us as it seemed a good likelihood that we would eventually be collected by the IRS and have additional penalties and interest to pay.

Someone wondered, what if the Meeting set money aside in its bank account or a separate account to help support the family if we were collected by the IRS. This began our discernment of an escrow account or an alternative fund. Around this same time, three of us on our committee were part of initiating a Conscience and War Committee within our regional network of Friends Meetings. One of our first projects was to create an escrow account to accept resisted military taxes. After some amount of research, meetings, and discussion our region approved the opening of an account in 2006.

Then we started thinking, since we had this account and were encouraging others to consider tax witness, we should have more people who could counsel resisters.

This led us to organize a counselors' training in Rochester, New York on November 10 with Ruth Benn and Ed Hedemann of NWTRCC. The all-day training was a great success, with 14 people attending, 8 of whom agreed to become counselors. We found the facilitators both knowledgeable and very engaging. I think everyone came away from the training either ready to counsel others or ready to grapple with their own tax situation.

So now I am wondering, what comes next? I am going to go out on a limb, being a bit of a gambler, and suggest the following: Someone out there who reads this is going to say, "You know what, we could use more military tax counselors in our area." That someone is going to organize a training! Can you get out there and prove me right?



Jessica Kubiak and Tom Joyce practice counseling techniques during the Rochester WTR Counselors' Training. Photo by Ed Hedemann.

Grant Applications Sought

The Nonviolent Action Community of Cascadia (NACC) is seeking grant applications from grassroots groups for activist organizing and education on issues of peace, social justice and community empowerment. Interested groups may download an application form and guidelines from our web site, or contact our office.

- Funding limit is \$2,000 per recipient group.
- Application deadline is January 15, 2008.
- Grants will be awarded March 1, 2008.

For more information and to apply: NACC, 4554 12th Ave. NE Seattle, WA 98105, (206) 547-0952, <http://seanacc.org>, nacc@drizzle.com.

WTR in the News

- Many readers have seen *The Nation* article "Hands Off Iran" by Chris Hedges that begins, "I will not pay my income tax if we go to war with Iran." It appeared in the December 10, 2007, issue and is available online at thenation.com; type "Hands Off Iran" into their search form. Worth reading are the online comments to the article, some favorable and some raising challenges to this form of resistance. Hedges is a former Middle East bureau chief for the *New York Times* and a senior fellow at The Nation Institute.

- *The Albuquerque Tribune* (October 12, 2007) ran a major profile of Don Schrader in their local section. The author met with Don numerous times over 13 months, and the article offers a more in-depth look at the philosophy behind his (very) low income lifestyle. The article is still online at this writing at www.abqtrib.com.
- New Jersey resister Eric Volpe's article "Why I'm a War Tax Resister" appeared in the October 29, 2007, *Independent*, which is also still available online at www.independent.org. Eric has been resisting at what he calls "a token" level of \$100-\$200 for two years. He says, "If the government withholds my taxes, if they take my money out of my bank account, it is very difficult for me to stop them; but then the onus is on them; I will not have voluntarily assisted them."

One of the online (basically anonymous) comments in response to Eric's article says: "My favorite part about this article is that he touches upon something very important that most people (liberals, conservatives, and would-be radicals alike) always seem to overlook: principle. We are so thoroughly convinced by this world that nothing is more important than effectiveness, efficiency, and productivity that it will often seem 'illogical' to us to do what's *right* just for the sake of our own dignity. This is how we've come to devalue our own humanity. It's

RESOURCES

nice to see some of us still have a chunk of it left in us.”

- The 2008 War Tax Boycott was featured in an hour-long talk show on KPFA in Berkeley, California, with Northern California WTR members Susan Quinlan and David Gross. In addition, hundreds of boycott leaflets and palm cards were distributed to participants in the United for Peace and Justice demonstrations across the country on October 27.
- After Elizabeth Boardman and Steve Leeds led an interest group on WTR at the Pacific Yearly Meeting of Friends in Redlands last summer, they have made plans to take their “little dog and pony show” to other California Friends Meetings. They used a display booth featuring Oreo cookies stacked up to represent fractions of the U.S. budget that attracted attention among kids as well as adults (See truemajority.org for more on this). Now they are working on articles and outreach for *Friends Journal* and *Quaker Life*.

Peace Tax Fund Job Opening

Editor's Note: We are sorry to hear that Alan Gamble will be leaving the Peace Tax Fund staff in a few months. Bimonthly commutes between his home and family in Michigan and the Washington, D.C., office have been an insurmountable hurdle for himself and the organization. We expect to continue to work with Alan as an activist in our network for years to come.

Executive Director Search

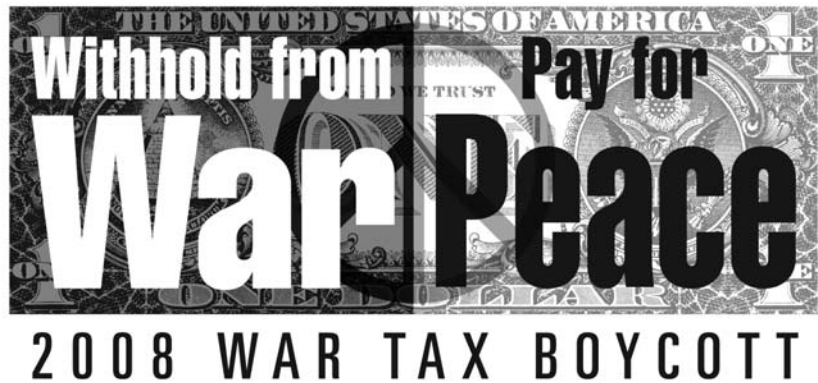
If you have a strong commitment to the Peace Tax Fund and seek a challenge in your professional work, NCPTF would like to hear! Working with a small, dedicated staff in Washington D.C., the new “head of organization” will have experience in lobbying, fundraising and administration.

Job Description Available at: www.peacetaxfund.org or by calling (888) 732-2382

To Apply: Send a letter of inquiry and resume to National Campaign for a Peace Tax Fund, Attn: Search Committee, 2121 Decatur Place NW, Washington, DC 20008-1923, or email searchcommittee@peacetaxfund.org.

Applications Due: February 1, 2008

Start Date: May 1, 2008



War Tax Boycott Materials

We hope that you will regularly check the “Tools” page at wartaxboycott.org to keep up with the latest campaign resources. Please let us know about your organizing activities—what works, what doesn’t—and what other resources would be helpful. Here are a couple:

Public Service Announcement

Look on that “Tools” page and you will find our new public service announcement. It’s a high quality recording for use on radio stations or on your website. If you would like a copy mailed to you on a CD to send to your local radio station, please contact the NWTRCC office.

Palm Cards

Most readers should have received a boycott palm card in NWTRCC’s November fund appeal (or let us know if you would like a sample). The small size makes it easy to carry in your pocket and distribute wherever you go.

Cards are available from the NWTRCC office for postage costs and, if possible, a donation to cover the 2 cents per card printing cost.

100 cards—\$2.00 to produce, \$2.00 postage

250 cards—\$5.00 to produce, \$4.60 postage

500 cards—\$10.00 to produce, \$4.60 postage

For more information or to place orders contact NWTRCC, PO Box 150553, Brooklyn, NY 11215, nwtrcc@nwtrcc.org, 800-269-7464. NWTRCC does not accept credit card payments directly, but payment by Paypal can be made online at www.nwtrcc.org/contactdonate.htm. Click the “make a donation” button. Add details of your order in the space for items or notes.

Nominations Needed!

NWTRCC's Administrative Committee (AdCom) seeks new members to give oversight to day-to-day business operations and plan for the two meetings held each November and May. New members from nominations will be selected at the May 2008 meeting and serve as alternates for one year and full members for two years. Full members have travel paid to the meetings.

The time commitment involves the two weekend meetings each year, and the AdCom meets the full day Friday before the weekend gathering. Between meetings there are occasional emails and phone calls, and we ask some willingness to volunteer for an extra project according to interest and availability. Qualifications include an interest in being part of NWTRCC's decision-making structure and a desire to help promote NWTRCC. Diversity considerations (geographic, gender, ethnic, etc.) are involved in selecting new members. You can expect great people to meet and work

with and the pleasure of contributing to the smooth-running of the organization.

Current members are Clark Hanjian (MA, term ending in May), Robert Randall (GA), Pam Allee (OR), Donald Kaufman (KS), and Mike Butler (NM).

Contact NWTRCC for a job description, or send in nominations and we will follow up with further details. Self nominations are fine, and affiliate groups should make a special effort to offer nominations. Deadline for nominations is March 14, 2008.

Mark Your Calendar

12th International War Tax Resistance and Peace Tax Conference

Conscience, the UK peace tax campaign, will host the biennial international conference in 2008—a meeting-point for war tax resisters from all over the world. The conference is planned for Ashburne Hall, Fallowfield Campus, Manchester University, September 5–7, 2008. ▼



Video Contest

Use your talents to spread the word about a simple tool to help stop war.

Length: 30 seconds to 4 minutes

Exposure: National distribution

Topic: Taxes for Peace, Not for War!

Deadline: Jan. 15, 2008

Prizes: 1st-\$300, 2nd-\$200, 3rd-\$100

For more info:

www.nwtrcc.org/videcontest.htm

Make a film that will make a difference!

Magnificent Obsession

continued from page 1

they could, “developing their own programs of voluntary benevolence and relief to provide a moral equivalent of military service and war bond drives.” At the beginning it was generally agreed among the Mennonite leadership that participation in the war effort through the purchasing of bonds was wrong. But with increased pressure, practically everyone “bought a few bonds.” Bond drives were designed not only to finance the war but also to foster patriotism. Margaret Entz (quoted in *The Tax Dilemma*) described the results of this in Kansas as follows:

“Refusal to buy war bonds was one of the standards by which the American patriotic community judged the Mennonites to be unworthy of their citizenship. Bonds were not only of monetary value, they also symbolized patriotic support of America’s war effort along with her ideals of democracy and liberty. By attaching these values to the Liberty Loans, the Treasury Department succeeded remarkably in selling bonds. In light of the fact that the war economy was not a matter of consumer choice and was imposed upon people involuntarily,

this achievement was even more notable. Necessary war financing was done through voluntary means in order to gain the support of the American people, but with demanding methods that necessitated compliance from all.

To illustrate the consequences of the government’s World War I strategy allow me to mention three peacemaking incidents from that period.

1) John “Krickenhannes” Schrag, a farmer from rural Burrton, Kansas, became the victim of mob violence on November 11, 1918, when he was forced to buy war bonds or bear the consequences. He was beaten, smeared with yellow paint, imprisoned for his own protection, taken to court for disrespect to the U.S. flag, and later taken to trial in Wichita for violation of the Espionage Act. Schrag was acquitted, but the war experience inflicted lasting psychological scars on the Mennonite community. Years later, Charles Gordon, a member of the mob testified to Schrag’s calmness throughout the ordeal: “He exemplified the life of Christ more than any man I ever saw in my life.”

2) Another encounter with zealous patriots took place near Bloomfield, Montana, where

Pastor John Franz and members of the Bethlehem congregation were criticized for their refusal to take part in the war. Specifically, they were asked why they refused to buy war bonds. In responding to this challenge Pastor Franz tried to explain: “Christians really own nothing. We are here to take care of all God’s things. Since our money is God’s money, we can use it only for things that please Him. Using our money to make it possible for others to be killed would be just as wrong as going into the army and killing a man ourselves.” Several years later one of the twelve men who had tried to hang Pastor Franz stopped to ask him a sober question: “Will you forgive me for the great wrong I did to you and to your family?”

3) In keeping with their belief in the necessity of civil government, Hutterites pay all taxes levied against them except war taxes. The latter are refused in obedience to the lordship of Christ. Although willing to contribute money for the relief of war sufferers, the Hutterites in South Dakota refused to purchase Liberty Bonds. “When a local bond committee assigned the Hutterites a quota, and they

continued on next page

refused to buy any bonds, a group of patriotic enthusiasts visited the Jamesville colony and without opposition drove away a hundred steers and a thousand sheep. They were shipped to the livestock market, the proceeds to be invested in war bonds. The packing houses, however, refused to take the stolen cattle, and they had to be sold at auction in Yankton for about half of their value.”

All three of the above accounts remind us of the need for creative imagination in applying the gospel, courage to endure persecution and suffering, and deep commitment to implement faithfully the way of the cross.

Strong Decisions, Careful Citizens

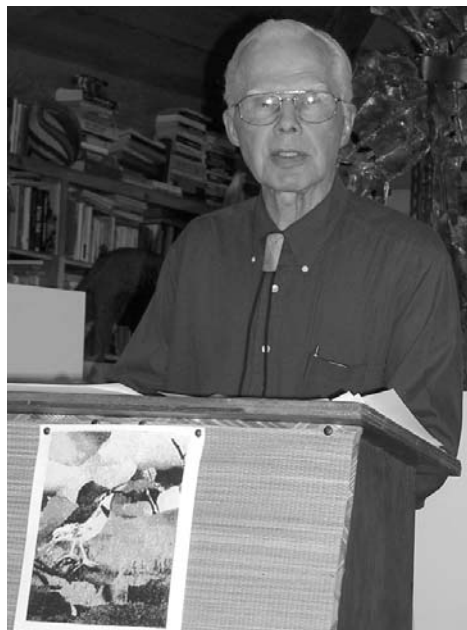
In 1933 a query on protesting against military taxes was brought to the annual Church of the Brethren Conference. It was answered the following year by a report from the Board of Christian Education which listed several methods of protest but not including the refusal of payment. Apparently this possibility did not enter the minds either of those bringing the query, the Board that formulated the answer, or the conference that adopted it. With the exception of the 1781 minute that allows tax refusal as a conscientious possibility, it was not until 1968, the peak of the Vietnam War, that any of the church's many statements on war as much as took note of the matter. In that year the revision of the original 1948 statement on war adds a significant section on “The Church and Taxes for War Purposes.”

For the most part the war tax issue remained dormant during World War II. Among the first of the Mennonites to mention the subject was a nonregistrant, Austin Regier, who was sentenced to one year and one day in federal penitentiary for refusing to comply with the draft. Firmly committed to the way of love and individual responsibility, he believed that “the consistent pacifist should refuse war taxes.”

The costs of World War II included financial resources used for the engines of death and destruction rather than for upbuilding enterprises of cultural creation, education and human welfare. . . . This war changed the nature of the American state. . . . in the direction of a permanent warfare state. . . . The war led to a post-war peacetime militarization which contradicted basic American ideals. (James C. Juhnke and Carol M. Hunter, *The Missing Peace: The Search for Nonviolent Alternatives*)

On April 16, 1953, President Dwight D. Eisenhower, who grew up in Abilene, Kansas, warned the American public: “Every gun that is made, every warship launched, every rocket fired signifies, in the final sense, a theft from those who hunger and are not fed, those who are cold and are not clothed. . . .”

In 1956 President “Ike” rebutted the hawkish notions of the Alsop brothers and Richard L. Simon who advocated a crash military program against the Soviet threat. He stated that the true security problem of the day is not merely man against man or nation against nation. “It is man against war!”



Don Kaufman. Photo by Ruth Benn.

...When we get to the point, as we one day will, that both sides know that in any outbreak of general hostilities, regardless of the element of surprise, destruction will be both reciprocal and complete, possibly we will have sense enough to meet at the conference table with the understanding that the era of armaments has ended and the human race must conform its actions to this truth or die.

John Howard Yoder, known especially for *The Politics of Jesus*, is one Mennonite theologian and ethicist who believed that a substantial number of tax objectors could exercise a significant witness effect, because it would challenge certain functions of government as wrong even for legitimate government. According to him, this strategy would have the further advantage of concentrating first, not on the search for an alternative to war taxes, but of finding an effective way of giving “a testimony to the inappropriateness of what government does with our money.”

... there is something very questionable about the willingness with which the Mennonite Church agencies, by withholding from their employees' income serve as arms of the federal government for tax collection, which thereby relieves the individual of any conscious choice concerning the bulk of his tax money. If we had different convictions concerning the relationship of church and state, or if we had no moral questions about the validity of the nation's expenditures, or if we were not specifically church agencies, the issue would not be as important; the combination of these various factors makes the entire practice really questionable. We would object to the state's collecting taxes to support the church; yet without compunction we let the church agencies collect to support the state.

There is in the Midwest “a cloud of witnesses” on redirecting military taxes. One of the earliest in my educational experience was a Bethel College professor. During 1953–1955, Bennie Barga made me aware of the relevance of money if one is to be an objector to war. Of course, this was reinforced by *The Peacemaker* newsletter to which I subscribed. Bennie's son, Eldon Barga, made a significant non-registration witness at age 18 when he was sentenced to serve five months in the Springfield, Missouri, federal prison.

While watching portions of Ken Burn's documentary on World War II, I heard one soldier in the Pacific shouting to a wounded one, “Why don't you die for Christ's sake?!” It was a cry of agony and despair. But that same expression taken in another way could be the beacon of hope and a future—the secret of our lives.

Those of us who are older may remember the novel, *Magnificent Obsession*, written by Lloyd Cassell Douglas (1877–1951), a Lutheran who became a writer in 1933 focusing on religious and moral issues. The novel tells about a playboy who is in part responsible for the death of a man. Tormented by the death, he becomes a surgeon to give back to the world what he had taken. His testimony may have relevance to the movement of resistance against taxes for war. He said: “Once you find the way, you'll be bound. It will obsess you, but believe me, it will be a magnificent obsession.” ▼

Donald Kaufman is an active member of the Mennonite church and author of The Tax Dilemma and What Belongs to Caesar? from which many of the stories and quotes above are taken. The books are available from Wipf and Stock Publishers, Eugene, Oregon, wipfandstock.com, (541) 344-1528, Orders@wipfandstock.com.

Restored Israel of Yahweh

Most of the convictions related to war tax resistance against three members from the Restored Israel of Yahweh were tossed out on appeal at the end of October. The U.S. Court of Appeals for the Third Circuit overturned 12 convictions against Kevin McKee and Joseph Donato and sent those counts back for a new trial. The court also vacated two charges against Inge Donato, ruling that she be acquitted. A single conspiracy count against the three defendants was upheld. The convictions were invalidated on technical grounds. The court did not consider the defendant's religious objections to paying for war, although the opinion considers the necessity of strict care regarding First Amendment implications and guilt and innocence.

Kevin McKee, Joe Donato, and Inge Donato had been convicted by a jury in federal court in Camden, New Jersey, in December 2004 on charges of "conspiring to defraud the United States," attempted evasion of employment taxes, and failure to file personal income tax returns (see *MTAP* June 2004, February 2005). Kevin and Joe, who ran McKee-Donato Construction Company, have been moved from prison camps to halfway houses but are still serving their 24 and 27 month sentences (respectively). Occasional bookkeeper Inge Donato served 6 months in federal prison in 2005-06. In particular they were singled out for failing to withhold and pay over the employment tax on the McKee-Donato employees who were fellow members of the Restored Israel of Yahweh. (They did withhold and pay on nonmember employees.) Restored Israel of Yahweh is a small, unaffiliated Bible study-based religious society in southern New Jersey, which has a long history of refusing to support war and military taxes due to their religious beliefs.

Despite the reversal on many counts, the opinion does not offer much in the way of broader implications for the legal consequences of tax resistance, except that it may prove discouraging to the prosecutors. Peter

Goldberger, who represented the Donatos for the appeal, expects to ask the court to reconsider sentencing issues, and it is unclear if prosecutors will ask for a retrial of Kevin and Joe on any of the counts.

With this reversal, the government apparently owes a refund to the defendants for

fines and penalties that they paid after their convictions. In addition there is the open question of how the government will respond if the defendants choose to continue to refuse to pay for war and not honor the court order to file and pay all delinquent taxes and pay back taxes. ▼



Members of Restored Israel of Yahweh at a DC antiwar demonstration in September 2005.
Photo by Ed Hedemann.



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Sources: Dave Gross, Peter Goldberger, and "Religious society's tax convictions are overturned" by Troy Graham, *Inquirer Staff Writer*, posted on *philly.com*, November 2, 2007. The court issued a 92-page opinion on October 29, which is available online at www.ca3.uscourts.gov/opinarch/053297p.pdf.