

GI CIVIL LIBERTIES DEFENSE COMMITTEE
Box 355, Old Chelsea Station
New York, New York, 10011

Fact Sheet: The Case of Sp/4 John Allen Myers

An antiwar GI at Fort Dix faces court-martial for the "crime" of distributing a leaflet at a base theater. Sp/4 John Allen Myers, formerly a student at the University of Wisconsin, could receive a sentence of a month at hard labor, forfeiture of pay and demotion to lowest grade.

Early in August this year, members of the Philadelphia Student Mobilization Committee began making periodic visits to nearby Fort Dix, in order to distribute leaflets to GIs. On August 19, Allen Myers, a GI stationed at Fort Dix, helped to hand out an S.M.C. leaflet. That evening he was picked up by Military Police, and two days later he was charged under a base regulation prohibiting the distribution of "handbills" which are "in bad taste," "prejudicial to good order," or subversive."

The offending leaflet was entitled "Support our Men in Vietnam -- Not Those Who Send Them There. Bring the GIs Home Now." It read as follows:

"Since the Paris Peace Talks began in May, over 5,000 American GIs and countless Vietnamese have died in Vietnam. We of the Philadelphia Student Mobilization Committee to End the War in Vietnam feel that these deaths are unnecessary -- we support the GIs by demanding that they be brought home now.

"On Labor Day, the national Student Mobilization Committee to End the War in Vietnam is holding a conference in Chicago to organize an international week of solidarity with the American GIs -- to bring them home from Vietnam now.

"We would like to plan activities in Philadelphia for GIs such as parties, open houses, demonstrations or even a coffee house -- the main thing is that we want to do whatever you would like. We feel that the antiwar movement is the only real ally of the GIs -- not those who send you to Vietnam. We want to provide services to you which express this fact. If you would like further information, contact: Philadelphia Student Mobilization Committee, 2006 Walnut St., EV 6-7699.

"(Note: This leaflet is your property. It is legal for you to have this in your possession.)"

On the night of Myers' arrest, August 19th, the Army confiscated most of his personal library, consisting of antiwar and socialist literature. He was told that his books were being taken as "evidence," although he was not charged with distributing any of it, and although his right to have this literature is guaranteed specifically by Army Regulations, as well as, of course,

by the Bill of Rights. At the same time, military officials began to interrogate Myers' roommates and friends.

Since August 19th, Allen Myers has been confined to his company area. He requested that this restriction be lifted, as it hampered his ability to consult with defense counsel and clearly constituted punishment before trial. The request was denied. Myers points out the flagrantly unconstitutional character of the Army's case against him: "The entire affair has an Alice-in-Wonderland quality to it: I am accused of the 'crime' of exercising constitutionally guaranteed rights and punished for this 'crime' before I am tried, while personal property unrelated to the charge is indiscriminately confiscated as 'evidence'."

Because of the clearly unconstitutional nature of the charges and the way in which the prosecution is being handled, the National Emergency Civil Liberties Committee has entered the case. The N.E.C.L.C. has provided Myers with defense counsel, Mr. Michael Kennedy, a noted authority on military law. (Mr. Kennedy is also defending the 38 black GIs at Fort Hood who protested being ordered to Chicago during the Democratic Party Convention.)

The Army has not disputed Myers' satisfactory record as a soldier: he has fulfilled all his duties, obeyed military orders, and had no disciplinary charges brought against him during his sixteen months of service. It is clear that he is on trial for his political beliefs and the open voicing of his ideas to his fellow GIs.

Myers points out that he has never tried to hide the fact that he is a socialist and is against the war in Vietnam. When he was drafted in the spring of 1967, he stated that he was a member of the Young Socialist Alliance and the Socialist Workers Party. Army investigation of him at that time must have revealed that Myers had been active in the Madison Committee to End the War in Vietnam for several years and was for a time an assistant editor of the Committee's newsletter, The Crisis. After induction, Myers continued to receive and read antiwar and socialist literature and to discuss the war and his own political beliefs with his fellow GIs.

A broad defense campaign is now being built by the GI Civil Liberties Defense Committee, to guard the democratic rights of Allen Myers and other GIs. Letters of support and financial contributions can be sent to the GI Civil Liberties Defense Committee, Box 355, Old Chelsea Station, New York, New York, 10011.