

## SELECTIVE OBJECTION AND THE DRAFT

*The February and March issues of worldview, which contained a discussion of selective conscientious objection, went to press before the report of the President's National Advisory Commission on Selective Service was made public. On March 5 the New York Times printed excerpts of that report, and those which deal with conscientious objector status are reprinted below. Since the present Selective Service Act expires in June, the coming months should see heightened debate of these issues. Not only the views of the advisory panel but those expressed by the contributors to the discussion in the pages of this journal and elsewhere form the basis for that debate. (Those wishing copies of the February and March issues of worldview may still obtain them at 40c apiece.)*

"The Congress of the United States considered it to be both wise and right, as a matter of legislative policy, not to impose military service on those who feel that they cannot in conscience participate in the killing of other men. Therefore, the statute concedes the special position of the conscientious objector.

"The statute lays down three criteria to determine eligibility for this status. First, the objection must be based on religious training and belief. Second, the objection must be conscientious, that is, sincerely held as binding in conscience. Third, the objection must be against war in any form. The statute recognizes two types of conscientious objectors: those who are opposed to combatant service but who would accept noncombatant service, and those who are opposed both to combatant and to non-combatant service. The latter group are obliged to perform two years of civilian work contributing to the maintenance of national health, safety, or interest, in place of induction into the armed forces.

"A majority of the commission voted to retain the present requirement of the statute, that conscientious objection must be based on moral opposition to war in all forms.

"The majority of the commission did not agree with either the premises or the conclusions of the minority.

"First of all, the majority believes that the status of conscientious objection can properly be applied only to those who are opposed to all killing of human beings under any circumstances. It is one thing to deal in law

with a person who believes he is responding to a moral imperative outside of himself when he opposes all killing. It is another to accord a special status to a person who believes that there is a moral imperative which tells him he can kill under some circumstances and not kill under others. Moreover, the question of 'classical Christian doctrine' on the subject of just and unjust wars is one which would be interpreted in different ways by different Christian denominations and therefore not a matter upon which the commission could pass judgment.

"Secondly, the majority holds that so-called selective pacifism is essentially a political question of support or nonsupport of a war and cannot be judged in terms of special moral imperatives. Political opposition to a particular war would be expressed through recognized democratic processes and should claim no special right of exemption from democratic decisions.

"Third, in the majority view, the legal recognition of selective pacifism could open the doors to a general theory of selective disobedience to law, which could quickly tear down the fabric of government. The distinction is dim between a person conscientiously opposed to participation in a particular war and one conscientiously opposed to payment of a particular tax.

"Fourth, the majority of the commission was unable to see the morality of a proposition which would permit the selective pacifist to avoid combat service by performing noncombatant service in support of a war which he has theoretically concluded to be unjust.

"Finally, the majority felt that a legal recognition of selective pacifism could be disruptive to the morale and effectiveness of the armed forces. A determination of the justness or unjustness of any war could only be made within the context of that war itself. Forcing upon the individual the necessity of making that distinction—which would be the practical effect of taking away the Government's obligation of making it for him—could put a burden heretofore unknown on the man in uniform and even on the brink of combat, with results that could well be disastrous to him, to his unit and to the entire military tradition.

"No such problem arises for the conscientious objector, even in uniform, who bases his moral stand on killing in all forms, simply because he is never trained or not assigned to combat duty."