

Who Is a Conscientious Objector?

We keep hearing from young men who say that they are opposed to any participation in war and military service, but they are uncertain as to whether they can qualify for classification as conscientious objectors. Some are in doubt because they have been told that the law provides that only Quakers, Mennonites, or Brethren can obtain recognition. Some think that the law requires membership in some church if not in a "peace church." Some think that the "religious training and belief" requirement in the law implies a certain orthodoxy which they are not able to affirm. So, though they are utterly unable to submit to induction for military service, they do not use the available procedures for getting their convictions on record with Selective Service, thinking that there is no value in the effort. Or they give up after having made a few feeble efforts with only negative results.

This is unfortunate because the procedures for making a conscientious objector claim are available to all conscientious objectors to war.

The draft law exempts from military service all those whose consciences, spurred by deeply held moral, ethical, or religious beliefs, would give them no rest or peace if they allowed themselves to become a part of an instrument of war. (United States v. Welsh, 1970)

These are the words of the Supreme Court interpreting the conscientious objector provision of the draft law. According to that provision, a CO is any person "who, by reason of religious training and belief, is conscientiously opposed to participation in war in any form."

Membership in a religious organization is not a requirement, though many conscientious objectors are church members. Young men from more than one hundred religious groups

have obtained recognition in recent years - including Mennonites, Brethren, Friends, Methodists, Presbyterians, Episcopalians, Baptists, Catholics and Jews. However, a growing number are not members of any organized religion.

There is a little doubt that the man who is a member of an organized religious group has some advantage in bringing together convincing evidence in support of his claim. However, the law requires a CO only to establish that he himself is convinced of and committed to the position which he claims. Membership in a dozen "peace churches" will not qualify a man for classification as a CO if he cannot show that he is personally committed to this position.

Who is Religious?

For many people, the word "religious" brings to mind ceremonies and ritual, and implies an orthodoxy which they are unable to accept or affirm. As a result, many young men who probably would qualify as conscientious objectors, assume they would not, and end up making decisions which they later regret.

The term "religious training and belief" as used in the conscientious objector provision has a very broad meaning. It is not necessary for a conscientious objector to believe in a Supreme Being, nor is it necessary for him to adhere to orthodox or traditional teachings or creeds. He need not be a regular churchgoer. While these outward signs are often an important part of a man's religion, it is the inner belief and the role it plays in his life which determines whether or not he is "religious."

The Supreme Court has clarified the definition of "religious training and belief" in this way:

Within that phrase, ("religious training and belief") would come all sincere religious beliefs which are based on a power or being, or upon a faith, to which all else is subordinate or upon which all else is ultimately dependent. The test might be stated in these words: A sincere and meaningful belief which occupies in the life of its possessor a place parallel to that filled by the God of those admittedly qualifying for the exemption comes within the statutory definition . . . In such an intensely personal area, of course, the claim of the registrant that his belief is an essential part of a religious faith must be given great weight. (United States v. Seeger, 1965).

The Director of Selective Service has further clarified the term in the following excerpt from Local Board Memorandum No. 107:

The term "religious training and belief" as used in the law may include solely moral or ethical beliefs, even though the registrant himself may not characterize these beliefs as "religious" in the traditional sense, or may expressly characterize them as not "religious."

Some potential conscientious objectors feel that they could not qualify because they have strong feelings based on sociological, political, or philosophical views. It is true that the law states that the term "religious training and belief" excludes "essentially political, sociological, or philosophical views, or a merely personal moral code." But the key words here are "essentially" and "merely". Conscientious objectors can have strong beliefs and opinions about our domestic and foreign affairs. In fact, it is likely that a person who has strong religious, moral, or ethical beliefs against participation in war would also have strong feelings about the political and socio-

minister or other religious leader. An increasing number of churches provide counseling services for their members who are COs.

Most colleges and universities, and even some high schools, now have some sort of draft counseling service. Often their services extend to everyone in the community: non-students, servicemen, etc. A school's student activities council should know about available draft counselors.

Other draft counseling organizations are available in many cities and towns throughout the country. The American Friends Service Committee has regional offices which can be found listed in telephone directories. Another source for referrals is the CCCO: 2016 Walnut Street, Philadelphia, Pennsylvania, 19103; (215) 568-7971. West Coast Office: 437 Market Street, San Francisco, California, 94105; (415) 397-6917. Midwest Office: Midwest Committee for Draft Counseling (MDCD), 711 South Dearborn Street, Room 542, Chicago, Illinois, 60605; (213) 427-3350.

Literature

NISBCO offers a carefully selected list of literature of interest to conscientious objectors facing conscription. A current complete list will be sent free on request. The following is a partial list. Please send payment with your order. Literature orders under \$5.00 should be prepaid.

Questions and Answers on the Classification and Assignment of Conscientious Objectors (36 pp.; 50¢)

Selective Service Criteria for Classification as a Conscientious Objector (2pp.; 8¢)

How to Fill in Form 150 (4pp.; 10¢)

Letters of Support (1 page; 5¢)

Religious Statements on Conscientious Objection (72 pp.; 75¢)

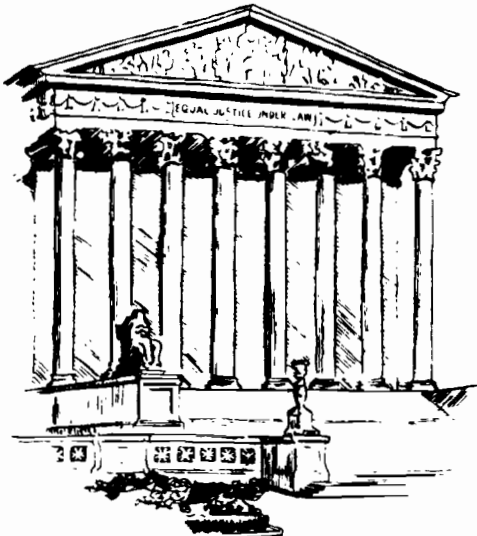
The Seeger Decision (20 pp.; 25¢)
The Welsh Decision - Majority opinion (6pp.; 15¢)

Newsletter

The Reporter for Conscience's Sake, monthly newsletter of NISBCO, gives coverage to classification problems, the alternative service work program, court cases, and other developments affecting COs. Subscription: 1 year \$2.50; 2 years \$4.00; 3 years \$6.00.

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