

## **Rationale for the Military Conscientious Objection (CO) bill**

- ❑ **COs in the military?** The military is an all-volunteer force. Still, after enlistment, many individuals have a change in belief and morals due to experiencing military life and war. They become conscientious objectors to war. These legitimate beliefs need to be recognized.
- ❑ **Religious Freedom:** The First Amendment and Article 12 of the American Convention on Human Rights guarantees that “**everyone has the right to freedom of conscience and of religion.**” This includes the right to “change one’s religion or beliefs.” Conscientious objectors in the military face hardships because their beliefs have changed since enlistment. The Military CO bill will secure their rights.
- ❑ **Current System is Broken:** The regulations in place in the military for a CO discharge are not working. Under military policy, the process can take six months to one year or more. During this time a CO applying for the discharge gets deployed, is ordered to pick up a weapon, or is harassed. The CO is faced with disobeying orders or violating his/her belief. In fact, the policy was suspended during Gulf War I under the stop-loss orders. Reportedly 2,500 COs chose to go to jail rather than violate their belief.
- ❑ **Benefit to the Military:** The Military CO bill will benefit the military. The military will function better if COs are dealt with in a fair and respected manner easing up time and resources that the military can devote to other operations and processes. Moreover, many commanders and soldiers do not want COs serving with them in the battlefield.
- ❑ **Statutory Right:** The right of conscientious objection will be a statutory right rather than military policy. The Pentagon will not be able to suspend the policy at any time. Under the Military CO Act, the person applying for discharge will gain protections against the violation of his/her conscience.
- ❑ **Better Review Process:** If the Investigating officer denies an applicant’s claim, a civilian review board, which includes a theologian and a civilian judge, is convened to review the case. Unlike the current process, where the application can be turned down for any reason, “clear and convincing evidence” must be shown for reason of denial.
- ❑ **Not an Easy Out:** The Military CO Act is not an easy way out of the military. The individual applying for the discharge has to show “clear and convincing evidence” of his/her belief. This includes letters of support, clearly showing change of belief, and proving sincerity in an application and hearings with an investigating officer. Many other discharges will continue to be faster and easier.