

handling ammunition. They are not trained to use weapons. Noncombatants have usually served in the medical corps.

COs that are opposed to any military service are classified 1-O. They are required to do alternative service as civilians, “work contributing to the maintenance of the national health safety or interest . . .” The regulations specify five areas of work as appropriate: education, health care, social services, agriculture, and environmental protection.

Many alternative service workers find their own jobs for approval by the Selective Service System.

Other helpful literature from CCW:

Free Brochures:

- *Should I Register for the Draft?
- *Basic Information on the Draft and Registration
- *FEAT: Fund for Education And Training

Books:

- *CO and the Draft \$ 2.00
- *Addicted to War \$10.00
- *Words of Conscience \$15.00

Organizations that can help:

Center on Conscience & War
 1830 Connecticut Ave. NW
 Washington, DC 20009
 Tel: (202) 483-2220
 Fax: (202) 483-1246
 Email: ccw@centeronconscience.org
www.CenteronConscience.org

Local Contact:



Who is a Conscientious Objector?

Draft Law



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Who is a Conscientious Objector?

Many people have serious questions about whether it is right to take part in war. Sometimes without knowing the term or concept they may be conscientious objectors.

The Constitution gives the government the power to raise an army, so people can be drafted to fight. But, there is also an established right to conscientious objection dating from before the Constitution—rooted in our cultural value of freedom. Many religious groups came to America specifically because their belief that killing and war are wrong created problems for them in another country.

CO provisions have been a part of US law since colonial times. The government process to be recognized as a conscientious objector is sometimes hard. The rules are fairly specific (and not always fair). However, if COs are properly prepared, generally, the government will recognize them as such.

What Does the Government Say?

Nothing contained in this title shall be construed to require any person to be subject to combatant training and service in the armed forces of the United States who, by reason of religious training and belief, is conscientiously opposed to participation in war in any form. . .

Section 6(j) of the Military Selective Service Act

What Does That Mean?

No person who is “conscientiously opposed to participation in war in any form” can be required to kill or be trained to kill in the military.



Here are the parts of the law spelled out:

“Religious”

In 1965 and in 1970 the Supreme Court ruled that the words “religious training and belief” include moral and ethical beliefs that have the same force in people's lives as traditional religious beliefs. So you don't have to belong to any particular religion to qualify as a CO. In fact, you don't have to belong to any religion at all.

Almost all religions have teachings that support the CO position. If you follow the teachings of a religion, you can use that fact to help show that you qualify for a CO classification. But, remember, merely belonging to a religious body does not qualify; you must show that you personally hold the beliefs.

Whether you follow the teachings of a formal religion or not, you must show the government that your beliefs influence the way you live your life and instill in you a ‘duty of conscience’.

“Training and Belief”

“Training and belief” refers to the source of your conviction including any experience and reflection which led you to be against “participation in war.” For some COs, this comes from a lifetime of being part of an organized religion that teaches nonviolence, active love for the enemy, nonresistance to evil, or “pacifism.”

For others, this comes from a significant event in their life that suddenly causes them to realize they cannot be part of war. Training or other experiences in the military can cause these beliefs to surface. Sometimes books, movies, TV shows, teachers, or speakers make people think about whether or not they could fight in a war.



“Essentially Political, Sociological, or Philosophical Views”

“Religious” as used here “does not include essentially political, sociological, or philosophical views” even though “religious” may include these considerations. If your only objection to participation in war is, for example, that war is an inefficient and expensive way to solve problems, your draft board could deny your claim because it is “essentially political or sociological.”

“Merely Personal Moral Code”

The law does not accept “a merely personal moral code” as the basis for a CO classification. This is intended to exclude from CO status persons who have nothing but a private, personal preference against participating in war, and who do not feel so strongly about war that it can be said they have a genuine moral or religious basis to the objection.

A person who wants to get out of military service because it is inconvenient or for reasons of “personal expediency” (“it interferes with my school, job, or family plans, etc.”) cannot expect to be classified as a CO.

“Participation”

Your CO claim is not an abstract, critique of war. It is a personal statement of what you believe and what you can or cannot do because of those beliefs. You must specifically address why your beliefs do not allow you to participate in war.



“In War”

Although many COs hold absolutely to the principle of nonviolence, you don't have to be committed to nonviolence or nonresistance in every situation to qualify as a CO. The law does not require a conscientious objector to be opposed to

all forms of violence, the use of force, police powers, or even to all taking of human life, only that a person be conscientiously opposed to the planned and organized killing that take place in warfare. Willingness to use violence against another individual in order to protect yourself or your friends is not in itself legitimate grounds for denial of a CO claim.



“In Any Form”

Under US law, you cannot qualify for CO status if you say that you would participate in a particular war, but not others. Those who feel that they would fight in some wars but would refuse to fight wars that they think are wrong are “selective conscientious objectors.”

Some selective COs believe that the conditions for a “just war” can not be met today. By a process of elimination they might qualify as COs under current law by showing that they believe a “just war” is impossible in our time. The only conflicts you must refuse to fight in are wars which you might reasonably be called upon to fight in today's world. Many people believe that they should only fight in a war for a just cause.

Draft boards have asked hypothetical questions of COs. They could ask, for example, What would you do about Saddam Hussein? You don't have to know what you would have done in a past war or in some hard-to-imagine future circumstance. You just don't know--and that is an honest, and acceptable answer under the law for a CO!

Non-cooperators: Registration for the draft was begun in 1980 to “send a message” to the Soviet Union for invading Afghanistan. The Director of Selective Service has called it a “weapon in our arsenal like a bomber or missile;” some believe it helps “deter” the “enemy” from attacking us.

Some people will not cooperate with the

Selective Service System. They are conscientiously opposed to participation in war and they conclude that the draft, itself, serves the purposes of war.

Many of them refuse to register for the draft.

Since 1980 when draft registration resumed, millions of people have violated the law, but only twenty nonregistrants were brought to court, the most recent in 1984.

What does happen is that nonregistrants are denied federal aid for education and job training, and are barred from most employment with the federal government. It can also interfere with citizenship. Some states have enacted additional penalties, and even link draft registration with getting a drivers license or photo ID.

A few colleges and religious bodies have arranged to provide assistance to make up for the loss of student financial aid. A national Fund for Education And Training (FEAT) has been initiated to supplement these programs.

Dealing with Selective Service

Until a draft begins Selective Service gives no opportunity for COs to be classified.

The draft would begin after Congress authorized it and the President ordered it to start. A draft “lottery” would be held in which everyone born in a particular year would have their birthday matched up with a “lottery number.”

Those who are turning twenty during the calendar year when inductions resume would be called first, beginning with those who have the lowest lottery numbers. The first draftees could have less than ten days before they must appear for a physical examination and induction.

Those who want CO or other



classifications must notify the Selective Service area office by submitting the claims form (SSS form 8 or 9) during the narrow window of time Selective Service provides (probably 7 to 10 days). COs will then have 10 days to document their claim.

COs are required to appear at a local board hearing which could be scheduled with only ten days notice. If the claim is denied, the local board must tell you why, but “any basis in fact” can be used to deny. A denial of the claim can be appealed.

The classification rights for COs are protected by the statute and court decisions. COs whose claims are rejected by draft boards must go to court to be recognized. A well documented CO claim should ultimately be recognized by the government.

COs can prepare their claims by using the written materials supplied by CCW. We recommend that COs also get individual help from local draft counselors, their religious organization, or from counselors at CCW.

Those planning to claim CO status should keep records of their actions and writings which show what they believe about war. Keep a file of everything you send to and receive from the Selective Service System, including notes of conversations, and copies of all forms and information submitted, including the original registration card.

Keeping a second set of this information with a trusted advisor may also make sure the file is available when it is needed. (CCW keeps such files, as do churches, draft counselors and religious advisors.)

Alternative Service/Noncombatant Service

Even though COs are not drafted to kill in the military, they still must serve the country if there is a draft.

Noncombatants (classified I-A-O) serve in the military without using weapons or