

Information about Conscientious Objection

What is conscientious objection?

Generally, conscientious objection is a sincere conviction, motivated by conscience that forbids someone from taking part in organized killing. This objection may apply to all forms or to particular aspects of war.

What types of conscientious objectors are recognized by federal law?

The Military Selective Service Act and government regulations recognize two types of conscientious objectors:

1. CONSCIENTIOUS OBJECTORS: These are persons who, by reason of religious, ethical, or moral belief, are "conscientiously opposed to participation in war in any form." These people may be discharged from military service. They are exempt from military service, in the event of a draft. If called up, they may perform alternative service as civilians.

2. NONCOMBATANT CONSCIENTIOUS OBJECTORS: These are persons who, by reason of religious, ethical or moral belief, are conscientiously opposed to killing in war in any form but who do not object to performing noncombatant duties (such as being a medic) in the armed forces. These people are reassigned to non-combatant duties in the Armed Forces or, in the event of a draft, are trained without weapons and assigned to non-combatant service.

What other types of conscientious objectors are there?

3. CONSCIENTIOUS OBJECTORS TO PAYING FOR WAR: These are people whose consciences forbid them to pay the military portion of their taxes because of ethical, moral and religious beliefs. Many impoverish themselves by living below taxable levels, others suffer garnishment, court appearances, property loss, and, in some cases, imprisonment. If provision for conscientious objectors to paying war taxes is enacted, most of them will be able to pay all their taxes without this agonizing moral dilemma.

4. SELECTIVE OBJECTORS: These are persons whose consciences would not permit them to participate in what they believe to be an "unjust" war but do permit them to participate in what they believe to be a "just" war. For example some people who were conscientiously opposed to the Vietnam War because they believed it was unjust said that they would have fought in World War II. Selective objectors may also object to certain weaponry or to particular targeting and therefore request reassignment.

5. NUCLEAR PACIFISTS: These are persons whose consciences would not permit them to participate in a nuclear war, or what they believe would likely become a nuclear war. Some nuclear pacifists are opposed to all war because of their belief that any war fought today could lead to the use of nuclear weapons. At this time federal law does not recognize war tax objectors, selective objectors and nuclear pacifists as conscientious objectors. Unless the law changes, these persons would not be granted conscientious objector exemptions from

military service in a draft situation or from taxes for war. These people might enter CO claims in the hope of expanding the law, asserting their beliefs, or mitigating the penalties for violating the law.

6. NONCOOPERATORS WITH THE DRAFT: These are persons whose consciences forbid them to cooperate with draft law requirements. Many of these conscientious objectors refuse to register for the draft.

Nonregistration is currently illegal. Current law stipulates that young men who fail to register within 30 days of their 18th birthday are subject to possible criminal penalties of up to 5 years in prison and a fine of up to \$250,000. They also forego Federal financial aid for higher education and job training as well as employment in the Federal government. Some states have similar penalties, even prohibiting enrollment in their colleges and universities.

Why is it so important to think about this now?

If a war were declared today, the draft could begin immediately. Or a peacetime draft or compulsory national service might be enacted. A plan to register and conscript health care professionals has been prepared and probably would be implemented in a war emergency before other conscription measures are implemented. Under current regulations, conscientious objectors have a very limited time following an induction order to document their claim for an exemption from military service. Since time would be short, as little as nine days, conscientious objectors should think through the basis of their claim now. In peacetime or war, early documentation of beliefs is one evidence of their sincerity.

Few reservists or active duty personnel ever consider conscientious objection prior to enlistment or commissioning. (They cannot enter the military as conscientious objectors.) When military personnel begin to question their tasks, responsibilities, and mission, they should take a careful look at their beliefs about war. The questions on the worksheet will prepare them for making a claim according to the procedures in each of the armed forces. Military procedure adds questions about when CO beliefs crystallized in the military person's life and the limits the service man or woman would put on the use of force.

About half of Federal income taxes go for military purposes. Many taxpayers object to paying others to go to war or for preparations for war. If provision is made in law for conscientious objectors to paying for war (the U.S. Peace Tax Fund bill), they will have to establish that they are conscientious objectors in order to have the military portion of their Federal income tax redirected for peaceful purposes. They, too, should begin to document their beliefs.

What about women?

Despite the fact that women are not yet required to register for the draft, Congress has the power to include women in a draft and they do pay taxes. Plans for a draft of health care professionals include women, and women already make up ten percent of the U.S. military. It is, therefore, important that women, as well as men, consider what they believe about war.

What obligations would I have as a conscientious objector?

As a result of being classified a conscientious objector, you would be required to give two years of alternative service in some civilian agency or non-combatant service in the Army, if you are drafted. Taxpayers would still have to pay the full amount of taxes due.

What should I do if I am a conscientious objector?

Prepare now. If you think you are a conscientious objector, answer the questions on the worksheet (the Christian Peacemaker Form) as clearly and completely as possible. Make a separate copy and mail it to your own religious body or counseling agency. Keep a copy for your own records. We also recommend that you gather letters of support.

What are letters of support?

Letters of support are letters written by people who know you well and will attest to the sincerity of your conscientious objector claim. These letters can be very important. It is not necessary that the writers agree with your beliefs. Persons who disagree with the conscientious objector but believe in his or her sincerity often write the best letters. Two or three good letters are advisable. The letters, as well as your statement, can be revised if and when you have to apply for CO status. (You will be allowed witnesses at your draft hearing, and the writers might appear on your behalf.)

What happens next?

If the draft begins, or provisions are made in the tax laws, or you decide to apply from within the military, you will have all of the answers to the questions on your worksheet plus letters of support on file with your religious body or counseling agency. You will also have your own copy. (These records will be invaluable in documenting your conscientious objector claim.)

This information is from <http://www.nonviolence.org/nisbco/wdibwar.htm>.