

PRESBYTERIANS AND MILITARY SERVICE



Conscientious Objection—Q and A

What is conscientious objection?

In general terms, 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. Under U.S. law, this conviction must be based on religious training and belief, which the Supreme Court has ruled includes deeply held moral and ethical beliefs as well. Conscientious objection is not a matter of fear, cowardice, or a lack of patriotism. It is the result of deeply held beliefs. Such beliefs may lead people to put their lives on the line by going unarmed into dangerous places as acts of witness.

What does the Presbyterian Church (U.S.A.) say about conscientious objectors?

The Presbyterian Church (U.S.A.) recognizes that based on faith in Jesus Christ, individuals may be conscientious objectors in a variety of ways, including individuals who oppose participating in war of any form, individuals who oppose a particular war or wars, individuals who refuse to cooperate with the Selective Service System (SSS) and individuals who refuse to pay federal taxes to support war.

Does U.S. law recognize conscientious objectors?

U.S. law related to a military draft recognizes two categories of conscientious objection:

1. Conscientious objectors opposed to their own personal use of weapons in war but who are willing to serve in the armed forces. Such individuals would be inducted and assigned to a noncombatant role such as the medical corps.
2. Conscientious objectors opposed to any military service. Such individuals would not be inducted, but would be ordered to alternative service, such as church-sponsored programs that meet legal requirements in the "national health, safety, or interest." Under current regulations, alternative service workers must serve as long as those drafted into the armed forces. There are no special benefits upon completion of alternative service.

In the event that a draft is reinstated, individuals would apply for status as one category of conscientious objector or the other, depending upon their conviction.

What happens if I am a conscientious objector and a draft is reinstated?

If a draft is reinstated, it is likely that there will be only a short time to demonstrate your status as a conscientious objector. Therefore, it is important to begin documenting your position now.

Some important suggestions:

- Talk with your family, pastor, church community, and friends about your beliefs and feelings.
- Contact a counseling organization such as the Center on Conscience & War (www.centeronconscience.org) or the Central Committee for Conscientious Objectors (www.objector.org) for the latest materials on qualifying as a conscientious objector.
- Start a file of your thoughts and beliefs about peace and nonviolence. It is helpful to show that your beliefs are long-standing, but the recent development of understanding or beliefs is not necessarily a barrier to the acceptance of a claim.
- Keep a record of turning points, life transitions, significant events and personal decisions that have helped shape and support your beliefs about peace and nonviolence.
- Record reflections about activities in which you lived out your beliefs.
- Keep copies of papers documenting your beliefs and your actions based on those beliefs. If possible, place a set where someone else may access them.
- Gather letters of support from family members, pastors, church leaders, teachers, classmates, and friends who can support your beliefs and actions. Many claims have been strengthened by such support. Sometimes a letter from a person who disagrees with you but can attest to your beliefs is convincing to the draft board. You will be required to substantiate your claim, and these records will be important.

- REGISTER WITH THE CHURCH! Individuals seeking status as a conscientious objector are strongly urged to register with the Stated Clerk of the General Assembly of the PC(USA). The Clerk's office will officially validate the date of your decision and will send certified copies of your entire file to your draft board, federal officials of the Selective Service, and any others upon your request. The Stated Clerk may also interpret the Presbyterian Church's position regarding war and military service.

How do I register with the Stated Clerk?

The following documents are needed:

1. A letter from the pastor, associate pastor, or the clerk of session stating that you are an active member in good standing of your congregation.
2. A letter from you signed and dated in your handwriting, that you are conscientiously opposed to participation in war. You may use one of the following statements:
 - a. I, _____, because of my Christian understanding of the love of God as shown in Jesus Christ and my belief in basic principles that guide my life, am conscientiously opposed to participation in war in any form.
 - b. I, _____, because of my Christian understanding of the love of God as shown in Jesus Christ and my belief in basic principles that guide my life, am conscientiously opposed to participation in war in any form, but am willing to perform noncombatant service.

When these two documents arrive at the Stated Clerk's office, a file will be created where they will be kept along with any other letters of support received. A certificate stating your registration as a conscientious objector will be sent to your home church for delivery to you, as will a certificate for the church records.

What happens if I am drafted?

If a draft is reinstated and your lottery number is chosen to be drafted:

1. You will have a short time to file an official claim for a status as a conscientious objector by submitting written answers to these questions:
 - a. What do you believe?
 - b. How did your beliefs develop?
 - c. How do they influence your life?
2. You will then be given an appointment to appear before your draft board.

3. PLEASE send the address of that draft board and the name of its chairperson to the Office of the General Assembly.
4. The Stated Clerk will notify the draft board of your admission to the Registry of Conscientious Objectors of the Presbyterian Church (U.S.A.) and will send copies of the documentation that supports your claim to conscientious objector status.
5. The draft board will ask you questions to understand more fully your written answers. You should be given the opportunity to draw their attention to the strength of your claim and why they should grant you conscientious objector status. This is not a time to persuade draft board members to change their views. It is a time to demonstrate that you are sincere in your convictions.
6. The draft board can deny your request if they believe you are not sincere, if your beliefs do not meet the legal definition in U.S. law, or if your motivation is "expediency," that is, you are trying to get out of serving for selfish reasons. Therefore, you must be CLEAR in your own mind what it means to be a conscientious objector and be READY to present your reasons for being one.

What if I object to a particular war that I believe to be unjust?

"Selective conscientious objection" is the objection to participation in a particular war or wars. Current U.S. law prohibits those who want to "choose their wars" from obtaining status as conscientious objectors. However, "selective objectors" may qualify as legal conscientious objectors under present law if they can demonstrate that based on sincerely held religious, moral, or ethical beliefs, they have reached the conclusion that in the real world of today they could foresee no just war. The Just War Principles may provide a framework to reach such a conclusion.

Persons who are selective objectors should keep a record of their beliefs and activities and should file a copy with the Stated Clerk in the Office of the General Assembly. Even if one is denied classification as a conscientious objector by a local draft board and loses all appeals, the evidence of conscience and sincerity might be a mitigating factor in any subsequent court case.

CONSCIENTIOUS OBJECTION AND DRAFT REGISTRATION

Do I register for the draft if I am a conscientious objector to war?

The law requires men to register at age 18. You may choose to register. If you do, consider registering by paper. Write on the front of the registration form that you are a conscientious objector. Make a copy of the form for yourself and a copy of the form for the church. This is a first step in establishing your beliefs even though the SSS will not recognize your statement. Classification as a conscientious objector by the SSS would occur only after a draft is reinstated and your lottery number is chosen. Should that occur, there likely will only be a short time to demonstrate your status as a conscientious objector. This makes it important to begin documenting your position now. Noting that position on your registration form is a step in that process. If you live in a state where registration takes place upon receiving a driver's license, consider registering for the draft before you receive your driver's license so you can make your statement as a conscientious objector.

What if in good conscience I decide not to register?

The law requires men to register at age 18. Failure to comply with the law and regulations of the Selective Service System is a felony. Nevertheless, some young men opposed to the act of and/or preparation for war have refused to register. There are some potential consequences of refusing to register. Prosecution with a penalty of up to five years in prison and/or a fine up to \$250,000 is possible. No one has been prosecuted for doing this since 1985. Federal law also requires that young men be registered for the draft before they can be eligible for federal financial aid for higher education or job training programs. Failure to register may also result in denial of federal employment and, in some states, denial of state employment and a driver's license.

If this is your stance:

- Check with the Center on Conscience & War at 800-379-2679 to make sure you are aware of all possible consequences.
- Begin to prepare spiritually and psychologically for possible trial and imprisonment.
- Talk with your family, pastor, and session.
- Contact the Center on Conscience & War (www.centeronconscience.org) or the Central

Committee for Conscientious Objectors (www.objector.org) for referral to an attorney knowledgeable about current draft law.

- Keep records of your conscientious conviction and behavior.
- Send a copy of your beliefs to the Stated Clerk in the Office of the General Assembly as described an earlier question about registering as a conscientious objector.

What special circumstances may be taken into account if a draft occurs under current U.S. law?

1. Postponements, deferments, and exemptions are allowed for physical and mental health conditions, extreme hardship to dependents, ministerial students and ministers, and those whose father, brother, or sister were killed in action or died as a result of injury or illness incurred while on active duty.
2. A special service category of conscientious objector is provided for persons with moral, ethical, or religious objections to participation in war.
3. If you are the only child in your family, you can still be drafted.
4. There are no student deferments, but induction can be postponed until you complete the term or graduate if you are in the last year of school.
5. This classification system does not go into effect until a draft is authorized.

Once induction orders are issued there will be the opportunity to claim classifications. As it stands, draftees would have 10 days (or less) to return SSS Form 8 or Form 9, making their initial classification claims for deferment, exemption, or conscientious objector status. The rules and regulations for the Selective Service System are published in the Code of Federal Regulations at Title 32—National Defense, Chapter XVI—Selective Service System, Parts 1600-1699.

PC(USA) POLICY

142ND GENERAL ASSEMBLY (1930)

PRESBYTERIAN CHURCH IN THE UNITED STATES OF AMERICA

"The Assembly declares its belief that the right and duty of citizenship should not be conditioned upon the test of ability or willingness, contrary to conscience, to bear arms or to take part as a combatant of war."

■ Minutes, 1930, p. 72

Subsequent General Assemblies have reaffirmed this position, with the 215th General Assembly (2003) of the Presbyterian Church (U.S.A.) being the most recent to do so.

FOR MORE INFORMATION

PRESBYTERIAN CHURCH (U.S.A.)

www.pcusa.org

Stated Clerk

Office of General Assembly
Room 4406
100 Witherspoon Street
Louisville, KY 40202
Tel: (888) 728-7228, ext. 5424

Presbyterian Peacemaking Program

Room 1626
100 Witherspoon Street
Louisville, KY 40202
Tel: (888) 728-7228, ext. 5784
www.pcusa.org/peacemaking

PRESBYTERIAN COUNCIL FOR CHAPLAINS AND MILITARY PERSONNEL

4124 Van Ness Street, NW
Washington, DC 20016-2120
Tel: (202) 244-4177
E-mail: info@pccmp.org
www.pccmp.org

SELECTIVE SERVICE SYSTEM

www.sss.gov

CENTER ON CONSCIENCE & WAR

1830 Connecticut Avenue NW
Washington DC 20009
Tel: (800) 379-2679
E-mail: ccw@centeronconscience.org
www.centeronconscience.org

CENTRAL COMMITTEE FOR CONSCIENTIOUS OBJECTORS

405 14th St. #205
Oakland, CA 94612
Tel: (510) 465-1617
E-mail: info@objector.org

1515 Cherry St.
Philadelphia, PA 19102
Tel: (215) 563-8787
E-mail: info@objector.org
www.objector.org

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Office of the General Assembly
100 Witherspoon Street, Room 4408
Louisville, KY 40202-1396
Tel: (888) 728-7228, ext. 5424
E-mail: jevans@ctr.pcusa.org

and the

Presbyterian Peacemaking Program
100 Witherspoon Street, Room 1626
Louisville, KY 40202-1396
Tel: (888) 728-7228, ext. 5624
Email: acraft@ctr.pcusa.org

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