

Opposition to War in America



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Abstract

War has been a social problem throughout human history, and Americans have seen their fair share of it. Whether in a time of conscription or voluntarism, a significant number of Americans have been opposed to war. Conscription in the United States of America has existed since the 18th century. While alternative service had existed since then, those who refused to serve were jailed and treated as poorly as traitors. The USA ended its policy of conscription in 1973, but the threat of the draft returning is very real. The draft presents a problem for those who oppose war, which is compounded by the issues of corruption and limited access to truthful information. Compounding issues further for many, US law is applied unequally between the powerful and powerless. Many factors of war give cause for opposition, including the greed of those who profit, and the suffering of those who pay the highest costs. For these and more reasons many Americans have formed anti-war coalitions to protest, and to pressure the government to alter policies that support wars. In the event of a war limited solutions are available for people who want to avoid military service or jail. Only in peace can anyone have liberty or justice.

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Introduction

War has been a social problem throughout human history, and Americans have seen their fair share of it. Since before the signing of the US Constitution the legal obligation to fight in war has been imposed on American citizens in various ways. At times soldiers were encouraged to volunteer on the grounds of a moral imperative, and at times they were arrested through the process of conscription. The USA ended its policy of conscription in 1973, but the threat of the draft returning soon is very real. In both times of conscription and voluntarism, a significant number of Americans have consistently been opposed to war.

Opposition to war is a conflict within a conflict driven by information on, and analysis of, violent events. Violent conflict includes acts of mass murder, theft, fraud, coercion, and force. These all occur in war, both between rival states as well as between governments and their constituents. These are all crimes under US and international law, except when authorized or justified by the situation, and protected by governmental legislation, decree, or judgment. These are also crimes in every major system of morality, with even fewer exceptions. The contrast between law and morality fosters the conditions for dissent. When citizens react to a government policy which supports an act of war, opposition to war is born.

There is “a six-stage social problems process from (1) the initial claimsmaking, through (2) media coverage, (3) public reaction, and (4) policymaking, and on to (5) the social problems work that implements the policy, followed by (6) policy outcomes.” (Best, J.) [1]

Joel Best laid out the steps involved in public reaction to public policy in his book *Social Problems*. Every step from claimant to policy outcomes compounds the problem of war further. First, governments consist of parts which can each make conflicting claims. Those claims are portrayed differently through various media outlets and perceived differently by various individuals. Then various individuals and groups make various counterclaims. Since information in society is fragmented at each step, opinions about war are highly varied. When governments enact a policy of war without satisfying the debate on counterclaims made by activists, opposition to war grows.

“People often disagree on what should be considered social problems.” (Best, J.) [1]

Many have tried to solve violent conflicts, for themselves and for society, while others may not see them as a problem. Every US war has been rationalized by politicians, policy experts, lobbyists, and media outlets, who tend to characterize activists as criminals. Activists have made counterclaims that wars have been crimes, and characterize politicians, lobbies, industries, experts, and the media as criminals. The burden of proof is on the person making the claim. While some see no reason to disbelieve what they are told, many doubt the claims of politicians and experts regarding war. They recall their past behavior or recognize their fiscal incentive to lie. Some activists have shown evidence disproving the claims made by experts and politicians, but despite having no fiscal incentive to lie many doubt the claims of people who are not trusted experts. Due to the prevalence of doubt and the lack of resolve, opposition to war is a social problem within a social problem. Regardless of any moral disagreement, the government has taken legal authority and has been allowed the final say on the use of force and coercion.

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Many protesters accuse the wealthy and political classes of profiteering in war or even helping to start it. The accused tend to be too old to be conscripted, with families that are wealthy or well-connected enough to avoid conscription. If those accused are in fact war criminals, their support of war is a matter of expediency. Regardless, the law shields them so long as a war-like emergency has been declared that they are responding to. So long as an official narrative is generally accepted by the public, evidence to the contrary is often downplayed and disregarded by the media. Those who are accused of stoking conflict are often those who are most insulated from it.



Figure 1. 1960s Rock Band Creedence Clearwater Revival's lyrics to their popular anti-Vietnam.

Activists have existed throughout every class. Many activists are of the age to have been drafted and had few resources to help them avoid it. For activists, opposing war may have been a matter of expediency, but may be a matter of morality. Regardless, the law did not protect them before the draft was ended in '73. It made them plea for mercy and prove themselves innocent or exempt. Those forced into conflict were often those who were the least insulated from it. Thus, US law is applied unequally between the powerful and powerless resulting in a systemic issue of inequality. Ironically, now that the draft has ended, propaganda keeps the war machine rolling while those who start the wars no longer have to send one of their own to fight.

The United States experiences another systemic issue, of corruption. The 2022 Corruption Perception Index rated the USA as 22nd in the list of 180 nations in the world, with a ranking score of 69 [2]. To put this in perspective, a grade of 69 in any class in school is barely a passing grade. The index measures indicators of corruption such as bribery, diversion of public funds, officials using their public office for personal gain without facing consequences, state capture by special interests, and access to information on public affairs or government activities [2]. The USA has institutionalized these corrupt practices, through loose laws on the use of money to influence the media and government policy.

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There are people with various viewpoints that attempt to identify the single cause of violent conflict, but perhaps there are multiple causes. Some identify money and class as the issue and blame the wealthy or wealth itself. Others blame corrupt behavior within the political class, or the existence of government. They may both be correct, and there may yet still be more to learn. Unfortunately, there is no time to learn during war- a time of action. As such, many who oppose war are people of action.

Background

In the event of a draft, a person who opposes war and refuses to take up arms may apply to their local board for the status of a Conscientious Objector (CO). People opposed to war come from every walk of life, and their choice to live in peace has not been adequately protected by US law. There have been religious people, who obey the Ten Commandments of The Bible, and are prime examples of those who oppose all war. There have been secular, political, and apolitical people, who oppose war for their own moral reasons. These are prime examples of Selective Objectors (SOs), who might oppose some wars and not others. COs are protected under the law from being jailed so long as they commit to forced labor. SOs are not protected by law or given the option of alternative service and are imprisoned. [3]

Conscription in the United States of America has existed since the 18th century. For colonies under the crown of England, military service was volunteer-only [4]. The first COs in America were from such religious sects as Quakers, Mennonites, the Brethren, Shakers, Christadelphians, and Rogerenes. Traditionally, the CO status was defined by religious pacifism and social quietism. These groups were originally expected to pay a tax for their non-participation or provide a paid substitute to fight in their stead but were rarely made to do so. [3]



Figure 2. Quaker men on the 11th of August 1909.

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Upon the signing of the US Constitution, Americans and every next generation entered a social contract with the government giving Congress the authority to declare war, to fund it, and to call the state militias to federal service. The Constitution also gave the President the authority to lead the military. Some at the Constitutional Convention called the war powers necessary. Others called them dangerous. It was only a matter of time before that new power was used.

During the Civil War the first conscription law took effect, and many pacifists were taken to military camps away from the families and communities that protected them. By the time their letters reached their families, who went to great lengths to petition for their release, they'd likely have been moved to another camp. Many were reported to be tortured for their convictions, including being hanged by their thumbs and pierced by bayonets. At the start of the Civil War, Henry David Thoreau had begun writing his Essay on Civil Disobedience about both ethical and political objection to war. He went beyond pacifism and wrote that people have an obligation to disobey any law that sought to bring him to violate his own conscience. [3]

By 1917 COs increased in diversity to include Molokans and Dukhobors which had come from Russia after 1903 to escape the Czar's army, Jehovah's Witnesses who claimed to be ministers, absolutists who refused to register, and counter-cultural types such as socialists, libertarians, and anarchists. While alternative service had existed since the 1700s, those who refused to serve were jailed in Leavenworth or Alcatraz, chained to the bars of their cells, hosed with cold water and sent to solitary confinement. They were treated about as poorly as traitors. [3]

After World War 1 (WW1) Congress created Civilian Public Service Camps where COs were sent to work, for no pay, under the supervision of church-appointed administrators rather than the military. They had to be supported by their families, who themselves went without their primary provider [4]. Other COs were given non-combatant roles in the military. This new practice was characterized as a liberal application of law compared to the practice of Axis powers, which would execute anyone who refused to fight [5].

By the 1960s many SOs were secular in their beliefs and politically activist in their commitments. Numerous anti-war, peace and civil rights movements overlapped, consisting of such groups as The National Committee for a Sane Nuclear Policy, the War Resisters League, the Committee for Nonviolent Action, the Catholic Peace Fellowship, the Fellowship for Reconciliation, the Teachers Committee to End the Vietnam War, and Youth Against War and Fascism. Many objectors sought to right a social injustice and, by protest and civil disobedience, to turn the state from war. Some such as Benjamin Sherman, a classic example of an SO, didn't oppose all war but opposed wars they considered unjust or illegal [3].

There are many popular celebrities and political figures who have stood accused of improperly avoiding military service. They include George W. Bush, Bill Clinton, Dick Cheney, Chevy Chase, Rush Limbaugh, Mitt Romney, Donald Trump, and Bernie Sanders. George W. Bush's military records leave open questions of his absence during certain years of service. Donald Trump, whose father was a doctor, received a diagnosis of bone spurs in his heels during the Vietnam War. Bernie Sanders went through so many hearings, that by the time they ended he had turned 26 and was no longer eligible for the draft [6].

After WW1 the US military grew from 125,000 men to over 4.8 million [7]. From the start of WW2 to its end the US military grew from 334,473 men to 12,209,238, of which 11,535,000

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were draftees. Over one million of these were of American minority groups including 901,896 African Americans [8]. During the Korean War 1,500,000 were drafted [9], and the number drafted in the Vietnam War was 2,200,000 [10]. By conservative estimates, from WW1 to the Vietnam War over 16,000,000 men were drafted altogether [11].

Years	Total draftees
World War I (1917-18)	2,810,296
World War II (1940-45)	9,837,610
Post-World War II (1946-49)	213,512
Korean War (1950-53)	1,683,862
Post-Korean War (1954-63)	1,327,353
Vietnam War (1964-72)	1,839,994

Figure 3. Conservative estimates of American men conscripted, as per the Selective Service System. [11]

The Cause of Opposition

In war some profit greedily, while others pay with their tax money and lives. Public opinion in favor of war is driven by propaganda campaigns that lie and manufacture fear. American Imperialism has spread across the globe and has passed policies which benefit the special or foreign interest groups that pay the most lobbying money. Many people express that the suffering of soldiers and civilians caused by war is not a worthwhile cost or morally justifiable. Some oppose war on the grounds that war is illegal.

“Civil wars and conflict have taken a horrific toll on civilians throughout the world. Killings, maiming, forced conscription, the use of child soldiers, sexual abuse, and other atrocities characterize numerous past and ongoing conflicts...the financing of conflict through natural resource exploitation has received increased scrutiny over the last few years.” (Human Rights Watch) [12]

Allegedly, many wars have been motivated by greed. National treasuries, oil companies and weapons manufacturers are commonly accused of profiteering from war. One famous critic of war profiteering was a decorated senior US Marine Corps officer who served in the Mexican Revolution and World War I. He revealed an attempt at a coup on the US government in 1933 and is very famous for his 1937 speech and book called *War is a Racket*. He told the US public who profits from war (the few), and who pays (the many). He told people to smash the racket by advocating a position of neutrality and defense-only, and to opt for peace [10].

“It is conducted for the benefit of the very few, at the expense of the very many. Out of war a few people make huge fortunes....Well, the average earnings of the du Ponts for the period 1910 to 1914 was \$6,000,000 a year. It wasn't much, but the du Ponts managed to get along on it. Now let's look at their average yearly profit during the war years, 1914 to 1918. Fifty-eight million dollars a year profit, we find!” (Smedley Butler) [13]

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According to a USA Today review of a 2017 report by the Stockholm International Peace Research Institute, the USA is the largest arms producer in the world and has ten of the world's largest arms manufacturing companies. Lockheed Martin, by far the largest of them all, has certainly benefitted financially from global weapons proliferation and sales to the US Government spurred by war after 2001. The National Defense Authorization Act (NDAA), which allots funding to the military for each next year, has only grown substantially over the last few decades. [14]

Market Summary > Lockheed Martin Corp

472.63 USD

+445.88 (1,666.84%) ↑ all time

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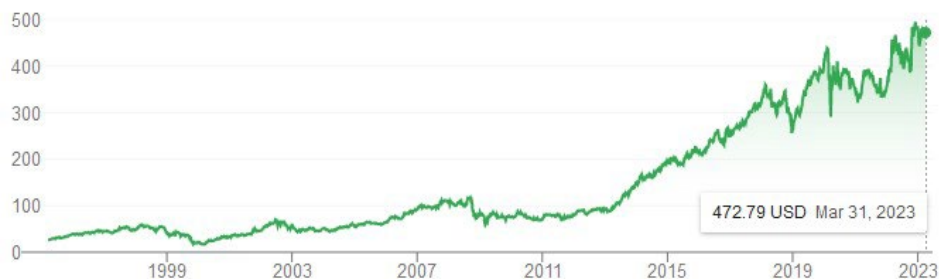


Figure 4. Overview of Lockheed Martin stock prices through history. [15]

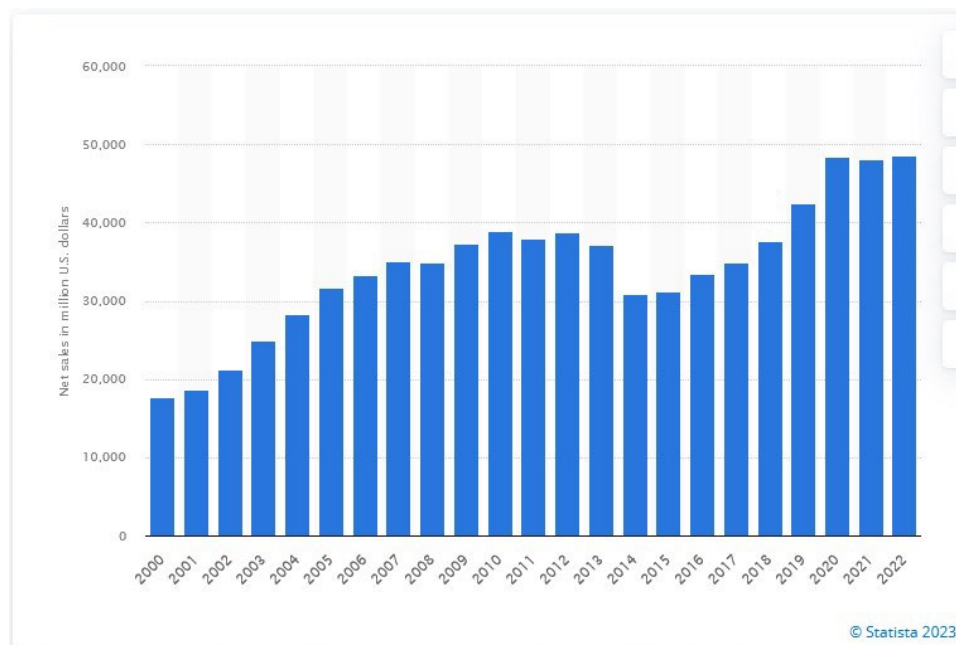


Figure 5. Net sales of Lockheed Martin to the U.S. Government. [16]

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“Military spending is fundamentally a redistribution of wealth. This is why the arms industry spends so much money on things like lobbying, campaign contributions, and think tanks—they’re all useful in helping drive up funding for the Pentagon, and that means more money for them.” [17]

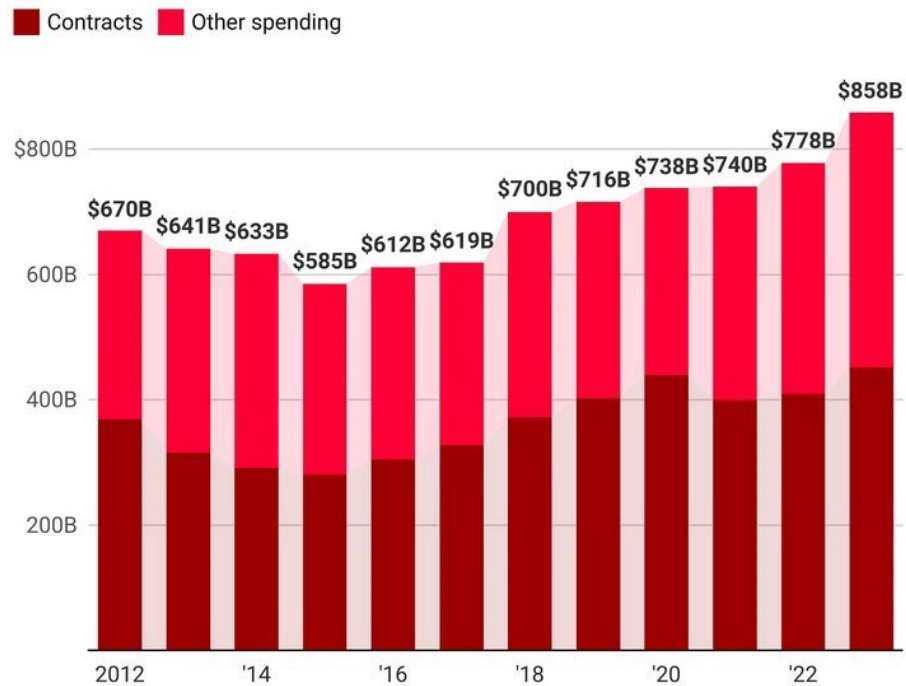


Figure 6. NDAA budgets between 2012 and 2023 with total amounts, and amounts allocated to domestic contractors in dark red. [17]

Historically many lies have been used to deceive the public into fearing something enough that they would condone or at least accept war. The term Yellow Journalism, used for war propaganda that is sensational and given to exaggeration, originated around the time of the Spanish-American War. Its practice by newspapers was credited with the US entering that war [18]. The World run by Joseph Pulitzer and the Journal run by William Randolph Hearst, both in New York, fiercely competed with each other to lower the bar on journalistic integrity.

“According to Michigan State University, “The most significant piece of yellow journalism, and arguably the most influential, was the report of the sinking of the U.S.S. Maine in Havana Harbor. Although there was no evidence suggesting foul play, Hearst’s New York Journal ran the headline ‘Destruction of the War Ship Maine Was the Work of an Enemy.’ Almost every major newspaper in the country ran similar headlines, despite lack of evidence.” [19]

By August 1964 the USA was already engaged in a serious buildup of men and equipment in Vietnam, so the release of classified documents revealing that The Gulf of Tonkin incident was a deception should come as no surprise [20]. Before the Persian Gulf War of 1991, a 15-year old Kuwaiti girl identified as Nayirah sat before the United States Congressional Human Rights

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Caucus and told them that Iraqi soldiers were killing babies in cold blood by removing them from incubators. She was later identified as Nayirah al Sabah, the daughter of the US ambassador to Kuwait. Her claims became known as The Nayirah Testimony and a classic example of atrocity propaganda [21].

In the lead-up to the next Iraq War of 2003 the deadly toxin anthrax was sent in letters to the two members of Congress that were holding up the passage of the Patriot Act. US Intelligence claimed that Iraq had stores of anthrax as well as weapons of mass destruction. The anthrax later turned out to have been engineered at Fort Detrick, Maryland [22], and Iraq was never found to have had any weapons of mass destruction. Every new generation is, inevitably, mostly uninformed of the experiences and convictions of the last, and people must make their own choices about what to believe by weighing the conflicting information given to them about wars, much or all of which may be lies.

“Out of war nations acquire additional territory, if they are victorious. They just take it. This newly acquired territory promptly is exploited by the few—the self-same few who wrung dollars out of blood in the war.” (Smedley Butler) [13]

Wars are directly tied to competition between international industries for domination of new markets and control over resources. In the 1928 Red Line Agreement, French, UK, Dutch and American oil companies made a deal for 23.75% shares in the Iraq Petroleum Company [23]. In the 1930s Standard Oil of California acquired Saudi Arabian oil and the deal resulted in oil being traded in US Dollars. Through entering WW2, the USA was able to reap the spoils of war in the capture of Berlin and protect Saudi Arabian oil. In the 1940s Isaiah Bowman wrote a report for President Roosevelt stating that America is *“interested in any solution anywhere in the world that affects American trade. In a wide sense, commerce is the mother of all wars.”*

By 1942 secret US documents advocated for economic globalism in the concept of the Grand Area, which involved control over every major oil-bearing area in every part of the globe except for mid-south Africa, East Asia and Russia. The Grand Area was enacted under pressure from corporate entities such as the Petroleum Industry War Council and the Foreign Oil Committee and was brought about by military pressure on foreign nations to open trade with America, sometimes exclusively. The post-WW2 vision of the world was planned at the Council on Foreign Relations (CFR) which developed a working relationship with the US State Department and involved the US acting to police the world. This vision was enshrined in the moniker of American Lebensraum, a shift enabled by the 1944 Bretton Woods Agreement, which brought about an international currency system led by the USD and established global central banks the International Monetary Fund and the World Bank [24]. After decades of war in Iraq over control of its resources, the companies that owned Iraqi oil in 1928 are some of the same ones developing oil fields there, operating under a different name [25].

War takes a massive toll on the lives of those who fight it. By the end of WW1, 106,000 US soldiers were dead and 204,000 were wounded [7]. In WW2, 407,316 were killed and 671,278 were wounded [8]. The Korean War’s US death toll was 36,576 [26]. The Vietnam War’s toll was 58,220 [27]. These four wars alone have left a total of about 608,112 American men dead,

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1,128,562 wounded, and countless others mentally scarred for life. Since the beginning of the War on Terror, about 15,000 US servicemen and contractors (mercenaries) have been killed [28]. Due to psychological and environmental factors over a dozen US war veterans commit suicide every day in America [29].

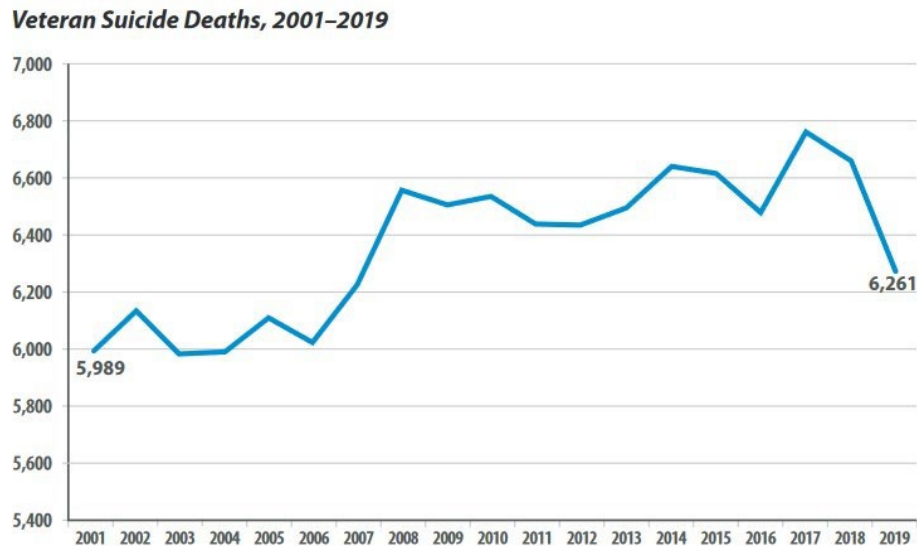


Figure 7. Number of Veteran suicides per year between 2001 and 2019. [29]

War causes untold suffering to civilian populations of the nations where war is fought. In WW1 the number of civilians deaths has been estimated to be higher than the number of soldiers from all participating nations. Over 10,000,000 civilians died from “starvation, exposure, disease, military encounters, and massacres [30].” In WW2 more than double the number of civilians died than soldiers from all sides; over 38,000,000 civilians died [31]. In the three years of the Korean War between 500,000 and 2,000,000 civilians are estimated to have been killed [32]. During the Vietnam War, an estimated 2,000,000 civilians were killed [33]. A new report estimates the number of people killed since the War on Terror began to be 1,000,000 globally, at a cost of \$8,000,000,000 to US taxpayers [28]. The manner in which some civilians were killed could be classified as atrocities and war crimes. Wars have not been just.

The disgrace of the magnitude of the suffering caused by war cannot be ignored by anyone with an ounce of humanism. Take just the Vietnam War for example. Between 1965 and 1975 the US dropped 7.5 million tons of bombs on Vietnam, Laos, and Cambodia [34]. 388,000 tons of napalm was dropped on Vietnam [35]. From 1961 to 1972 under Operation Ranch Hand 3.6 million acres of jungle was sprayed with rainbow herbicides, which has caused lasting health effects to generations of people [36]. Although Vietnam has demanded reparations be paid by the USA for its crimes against humanity, to date not a single dime has been paid [37]. Under the surface of these major figures, a wide array of disturbingly inhuman acts were committed against civilians during the Vietnam War, which caused many anti-war protesters to label returning soldiers as baby killers, among other things. It is no wonder that any given human being would not want to participate in war.

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War is an ugly and immoral act committed by the one getting paid the least in the matter. For many opponents of war, murder is always wrong. For some, murder is wrong except under certain circumstances, such as in defense against a clear and present danger. For war profiteers, it is acceptable when it benefits them economically, politically, or militarily. Due to the stark contrast between these three moral positions, their opinions about war stand staunchly opposed to one another.

War's Opponents

Religious groups such as Quakers and Seventh Day Adventists (SDA) are known for members who opt to become COs. One popular example was an SDA named Desmond Doss, who became a medic in WW2 and refused to carry a weapon. He became the subject of admiration by his fellow soldiers and many after the war for such acts of courage as saving the lives of 75 men the Battle of Okinawa, a battle in which he himself was terribly wounded. He was the first CO in US history to be awarded the Medal of Honor [38]. He stands as a prime example of one who chose alternative service in combat.

“Thou shalt not kill.” (The Bible) [39]

Secular anti-war movements have existed for more than a century in America and are largely represented among libertarians, socialists, and anarchists. These are three counter-culture groups that share a way of life characterized by a humanist morality. Libertarians are individualists and voluntarists. Socialists are collectivists and voluntarists. Anarchists can be individualists or collectivists, are voluntarists, and hold morality above law. Each movement disagrees on many issues. Within each movement are factions and individuals that disagree, but all generally agree on opposing war and have contributed to the anti-war movements of the 20th century and the present.

“The First World War was America’s first debut as a global military power, and although many Americans were swept up in a patriotic call to arms, a small but vocal minority of socialists, anarchists, pacifists and civil libertarians opposed American militarism.” [40]

Libertarianism at its core is a voluntarist and individualist way of life. Its major tenet is the Non-Aggression Principle which holds that people should not threaten or initiate force or fraud or coerce people with intent to use force, a moral system adapted from John Stuart Mill’s Harm Principle. The Harm Principle says that the actions of individuals should not be limited if they are not harming anyone. Libertarians believe that no individual should be forced to do something against their conscience, so long as they aren’t hurting anyone.

“Don’t threaten or initiate force, or ask politicians to do it for you.” (The Zero Aggression Project) [41]

The libertarian movement has roots in the classical radicals of the 18th and 19th centuries, which branched off into the social democrat and civil libertarian movements [42]. The anti-Federalists were prime examples of civil libertarians. In the 1800s Lysander Spooner inspired circles of

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radical individualists who found his abolitionist views appealing. He claimed a human's right to their own labor is tied to their right to negotiate contracts and opposed "*arbitrary legislation*" [43]. Such anti-statism was foundational to the libertarian movement, which has stood firmly against unjustified uses of force and coercion.

"War is the health of the State." (Randolph Bourne) [44]

The libertarian political movement has been attributed to Ayn Rand and other feminists [45]. It is worth noting that Rand voted Republican and rejected association with libertarianism. It may be more appropriate to just label her an objectivist, though at least some disagree that she counts as one. The movement is equally attributed to Murray Rothbard who was a fan of Frank Chodorov, his Intercollegiate Society of Individualists, Austrian economics, and of the work of Frederic Bastiat. Rothbard considered himself a philosophical anarchist and attended Students for a Democratic Society (SDS) and New Left meetings, then later characterized himself as conservative and quit the Libertarian Party (LP), so it may be most appropriate to just call him an Old Right Revivalist or a Ron Paul Conservative. The first exclusively libertarian activist organization was formed in 1964 at the University of California at Berkeley and was called the Alliance of Libertarian Activists [44]. Since that time, libertarians have been some of the most vocal anti-war activists in America.

"In 19th century France there was a debate between socialists like Louis Blanc, who believed that "the right to work"...meant that the state had the duty and obligation to provide every willing worker with a job at a livable wage, and classical liberal economists like Frédéric Bastiat who believed that everybody had a natural right to engage in whatever work they chose...to freely trade the products of their labor." [43]

Socialism at its core is a collectivist way of life that seeks to eliminate class distinction, and to protest for working groups who feel they have little choice but to volunteer for unfair contracts. Socialism's major tenet is that workers have a right to the product of their own labor. The socialist movement can be traced to Thomas More's 16th century work *Utopia*, which drew inspiration from Plato's *The Republic*. It depicted an island society where money was abolished, and work was done communally. Socialism gained traction during the Industrial Revolution as a response to growing inequalities caused by corporatism [46].

In WW1 and WW2, the US Socialist Party (SP), Socialist Workers Party (SWP) and Industrial Workers of the World (IWW) were heavily oppressed by the government for their activities including the Green Corn Rebellion of 1917. These activities resulted in the arrest of SP leader Eugene Debs, who ran for President in 1920 from prison and managed to garner nearly one million votes. The movement was repressed by President Wilson's use of the Espionage Act. A revival of the anti-war left occurred in the 1960s by socialists and radicals alike, and many coalitions were formed by such organizations as the SDS which allied with the Student

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Nonviolent Coordinating Committee (SNCC) and others [47]. Over time, socialists have engaged in anti-imperialist activities and have been another of the most vocal anti-war activists in America.

“The anarchist ideal: social justice achieved through the free organization of producers: war and militarism eradicated forever, complete freedom won through the utter demolition of the State and its agencies of coercion.” [48]

Anarchism’s highest period of activity existed between 1870 and the 1920s, and consisted of intersections with other movements including syndicalism, worker and student revolts, countercultures, anti-colonialism, pacifism, and marxism. In the 1960s the New Left is credited with the beginning of contemporary anarchism, and fostered the creation of the feminist, environmentalist, and antinuclear movements [49]. Anarchists are commonly believed to have no rules. However, they simply have no rulers. They generally believe humans can govern themselves well without a system of control [50]. In 1916 Kropotkin and fellow anarchists signed the Manifesto of the Sixteen, which signaled their support for war against Germany. While they proclaimed a pro-war stance, the majority of anarchists reacted with “no to war” [51]. Anarchist publications that led the movement through the 20th century include *Mother Earth* (1906-17) [52], *Man!* (1930-38) [53], *Anarchy* (1961-70) [54], And works by AK Press (1990-present) [55]. Contemporary anarchism was exemplified by the civil rights and the black power movements. The movement grew globally in the 1990s and into the 2000s, as a direct result of the fall of Communism. Its influence increased from 808 groups in 1997 to 2,171 in 2005 [49]. For over a century, anarchists have been some of the most active opponents of war in American society.

“Anarchist antimilitarism is always linked to antistatism and pacifism, since it fights against the very existence of the military institution – considered one of the pillars of the modern state.” [51]



Figure 8. Antiwar protesters in New Zealand, February 15, 2003.

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In the USA today there is a growing revival of anti-war activism due to the Ukraine conflict, with socialists and libertarians leading the way yet again. Protests for peaceful negotiations have taken place in Washington DC by a socialist coalition including groups such as the ANSWER Coalition, CODEPINK, the People's Forum, Veterans for Peace, Black Alliance for Peace, Roger Waters, the Palestinian Youth Movement, DSA International Committee, Leonard Peltier, and Samidoun Palestinian Prisoner Solidarity Network [56] Also in Washington DC, libertarians have held a Rage Against the War Machine rally with a coalition consisting of such groups as the People's Party, Veterans for Peace, Milwaukee End The Wars, Liberty Speaks, Occupy Peace, World Beyond War, and many more [57].

All opponents of war, whether religious or secular, red, blue, white, gold, or black, can agree that people following their conscience should be treated with human dignity. While the socialist, anarchist, and libertarian coalitions disagree on their goals for a future society, each are truth movements that oppose greed, lies, imperialism, and warfare. All value human life and oppose the unjustified use of force or coercion, although they may disagree on what force is justified. Many would be denied CO status based on the partial or political nature of their objections to war, despite any validity to their perspectives.

Legality

In 1917 US President Woodrow Wilson called for a national draft and signed the passage of the Selective Services Act of 1917, which created the Selective Service System (SSS), and the bill was amended in 1940. In its text, the act is “to provide for the common defense” and ensure security of the nation while remaining a process that “is fair and just.” It mandated that with few exceptions, all US resident males must register for the SSS and to report for military service if called upon. It authorized the President to periodically select and induct men for training with, and service in, the military even in peacetime. Although some federal law allows for conscription of older men, the SSS does not draft men after their 26th birthday [58]. Failure to register for the draft is, to this day, a felony punishable by a maximum of \$250,000 and/or 5 years in prison [59].

Although the draft was stopped in 1973, registration with SSS was reinstated in 1980, and in the event of a future large war a draft could be snapped back into place to conscript every registered person [60]. Numerous legal challenges have gone before US courts over the 20th Century, but the courts have upheld the authority of the federal government to conscript men in wartime or peacetime, even in the absence of a proper declaration of war by Congress. It is therefore important for anyone wanting to apply for CO status in the event of war to know their rights under the current law.

The SSS website has instructions for people who wish to apply for CO status, in the event of a renewed draft. In the event of a draft hundreds of local boards will be formed around the US. A person who registers as per the law may receive a draft notice. He may choose to appear before a local board and claim CO status and may provide written documentation and call personal appearances of friends or family, to explain how he arrived at his beliefs, and the influence his beliefs have on his life. The local board will decide whether to grant CO status. If the person is denied, they may appeal. If the appeal board denies his appeal but is not unanimous, he may

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appeal to the national appeal board. He will be denied if his reasons for opposing war are political in nature, or based on self-interest or convenience, and his lifestyle must reflect his claims. A man who is granted CO status will be inducted into the military in a non-combatant role. He who is found to be opposed to service altogether may take part in the Alternative Service Program which would place him in a job that benefits the nation, such as education or healthcare [61].

The SSS website lists four relevant cases in law which may be relevant to a CO's claim. Firstly, they can be granted CO status if they oppose all real war, and not just a particular war or a spiritual one. Secondly, they must oppose all war on the basis of religious training or belief, or from a purely moral, ethical, or philosophical belief. Thirdly, they can profess willingness to protect themselves, their homes and families, or a member of their community from aggressive violence and still be considered for the status of CO. Lastly, they who opposes all wars while admitting their conviction may change can still be considered for the status [62].

In 1968 The Supreme Court of the United States (SCOTUS) decided on an appeal of a Jehovah's Witness minister whose appeal was on the basis that the war in Vietnam was not declared by Congress and amounted to involuntary servitude. Holmes refused to participate in even alternative service. His appeal was denied by two of three judges [3]. One dissenting judge, Justice Douglas wrote the following:

“Putting down an internal insurrection, like defending our shores against an aggressor, is certainly quite different from launching hostilities against a nation or a people overseas. I express no opinion on the merits...But there is a weighty view that what has transpired respecting Vietnam is unconstitutional, absent a declaration of war; that the Tonkin Gulf Resolution is no constitutional substitute for a declaration of war; that the making of appropriations was not an adequate substitute; and that 'executive war-making is illegal.'” [3]

Justice Douglas demonstrated why a man should not be conscripted to fight an illegal war of aggression, and that the constitution intended for militias to be all-volunteer. Douglas was the only dissenting vote, and in 1968 Mr. Holmes was sentenced to three years in prison [3]. The case appears to have set a precedent, that American men would be conscripted even if the war they'd fight in were illegal and aggressive. The law in practice has not met the standard of the need for “common defense” or a process that is “fair and just.”

Discussion

In civil society murder is one of the most heinous crimes imaginable, and to commit murder is punishable by jail and in some cases, execution. However, in a time of war, governments tell people that to refuse to commit murder is punishable in the same manner. In peacetime, people are free to believe anything so long as they don't hurt anyone. In war, people are free to believe anything so long as they hurt someone. War is the civilized world turned upside down. Only in peace can the wrong of war be righted.

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Law regarding CO status through US history is based on a framed narrative. Law forces men into conflict on the pretense that they are defending their neighbors, families, and themselves in the defense of a nation under attack. However, the law has been used in recent history to attack foreign nations that were not a clear and present danger to the US. Evidence suggests at least some wars are waged with economic, political, and military motives. However, no US leader has gone on trial for war crimes, ever. American law owes a duty to American liberty, and should remedy injustice by relaxing CO laws to protect Americans from being enslaved by their own industries and government.

In 1814 Daniel Webster spoke in the House of Representatives against President Madison's proposal for compulsory military service. He said:

“Who will show me any Constitutional injunction which makes it the duty of the American people to surrender everything valuable in life, and even life itself, not when the safety of their country and its liberties may demand the sacrifice, but whenever the purposes of an ambitious and mischievous government may require it?” [63]

In President Eisenhower's farewell speech on January 17, 1961, he warned about the dangers of allowing a collection of weapons manufacturers, lobbyists, foreign interests, and the military from circumventing the will of our Republic. He said:

“In the councils of government, we must guard against the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex. The potential for the disastrous rise of misplaced power exists and will persist.” [64]

Today the protest of Webster and warning of Eisenhower bring clarity to, and confirmation of, an indomitable reality, that Americans have become enslaved to an endless cycle of warfare in the interest of a small group of globalist, ultra-rich business owners. The legislature, the judiciary and the executive branches of government have been captured by the Military Industrial Complex.

“Civil disobedience and conscientious objection, at least philosophically, represent the citizen's right to judicial review...The voice of dissent in any nation is often the measure of its social health and stamina.” [4]

Some believe they can solve the problem of violent conflict by banning money or abolishing all government, but are they trading one violent conflict for another? Problems are things that have no known solutions, so it is natural for people to want to try potential solutions, but the problem may be much bigger than most imagine. To break down a problem, lay it out, and understand it, requires a person living in a time of peace. During war there are too many pressing issues to find time for figuring out problems, and people resort to avoiding them. In times of war, people have a hard enough time sorting out issues or just trying to stay alive.

There is a real chance for a draft to be enacted in America. Americans today may soon be faced with a choice between slavery or prison, both of which may result in death. To inflict such

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suffering on people for refusing to commit murder renders the promise of liberty and justice for all absurd. Regardless of any religious, political, legal, or moral rule or authority, nobody owes anybody else their life.

Recommended Solutions

Opponents to war come from all positions in society. Solving the compounded issues of corruption and inequality under law can be done by individuals for themselves in the short run, and for the progress of society in the long run. Different solutions apply in peacetime than in wartime.

During peacetime individuals opposed to war enjoy free-ranged liberties but should:

1. Remain vigilant against the threat of war.
2. Have a plan for what to do in case war breaks out.

Those who can and want to assist in the progress of society should:

1. Influence Congress through direct and indirect lobbying.
2. Fund cases in law that might support the cause of peace.
3. Vote only for leaders that promise not to send Americans to war.
4. Hold leaders accountable to the law through the free press and judiciary, and to their promises through future votes.
5. Support investigations into war crimes.
6. Judicially punish corrupt people who conspire to start wars for their expedience, given that sufficient evidence exists to support such claims.
7. Tell the story truthfully and clearly to every next generation, so that a solution to social problems can be found and known solutions to issues can be consistently applied.

If war seems to be coming, but has not yet arrived, it may be too late to employ the above strategy.

During wartime different individuals have different solutions afforded to them.

COs or religious and moral objectors to all war should:

1. Have a plan for applying to be a CO.
2. Retain witnesses who will speak in favor of your peaceful lifestyle.
3. Save money to hire a lawyer.
4. Launch legal challenges that might broaden legal protections for yourself, as well as others in the future.
5. Consider fleeing the country.

The cause of the individual CO goes hand in hand with the progress of society.

SOs without affluence and other forms of powerful influence could:

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1. Avoid being jailed by fleeing to a neutral country.
 - a. There are intense drawbacks to this approach since this makes a person a criminal and means they may never see their home again.
2. Go to jail.
 - a. This has drawbacks as well. If a global war between major powers began and dragged on for several years or even decades, how long until someone must decide between feeding a prisoner or feeding soldiers and their families? If war dragged on, how easy would it become to justify killing all prisoners, especially those who resist service during war?
3. Some might be tempted by peaceful armed resistance.
 - a. This is likely an ineffective solution because the government may choose to treat them as enemy combatants.

SOs with some form of power or influence may choose to instead:

1. Use bribery.
2. Call in a favor.
3. Pay (a) lawyer(s).

While this may not help the progress of society, it is an effective method for powerful individuals who oppose participation in war.

For all other opponents of war including mothers, sisters, daughters, sons, or any man too old or unable to be drafted into war:

4. Do what you must to survive.

Once full-scale war begins, it can be like a fire that must burn itself out.

Further Action

Due to competition and predation, human society experiences an ebb and flow of conflict. This cycle of violence is perpetuated by those who fail to recognize the game being played, and those desperate enough to repeat the mistakes of the past. Many humans throughout history have felt a strong desire to live peaceful lives. Following the simple solutions suggested herein humans will be armed with options to explore lives at peace with their own choices, even under conflict, and in a place of corruption with unequal protection under the law.

Only in peace do people have time and space to lay problems out, understand them, and work to find an effective approach or solution. Only in peace can anyone have liberty or justice. Diplomats who represent citizens whose taxes pay their wage should commit themselves constructively to the process of negotiating peace, and to bringing an end to war. Through negotiating war's end, opposition to war can finally rest.

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