

National Drive Seeks Amnesty For Deserters and Draft Evaders

By BILL KOVACH

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BOSTON, Dec. 21 — A national debate is growing around the issue of amnesty for thousands of young men who have avoided or deserted from service in the Vietnam war.

Already, several political leaders, including Presidential contenders, have urged some form of amnesty, and at least three amnesty bills have been introduced in Congress by both liberal and conservative members.

The governing bodies of four major religious denominations have endorsed various amnesty proposals and the American Civil Liberties Union will open an office Jan. 1 to help co-

ordinate organizations around the country now urging amnesty.

Although President Nixon has rejected any suggestions of action on amnesty, the Administration has acceded to a study of the problem.

Opponents of amnesty have not been so vocal as proponents, but there are many, including some antiwar activists, who reject the concept for various reasons, including the feeling that amnesty to deserters would be unfair to those who fought and died.

The issue has gained import-

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ance because of the large numbers of men involved. No war fought by the United States has generated the organized opposition Vietnam has. Influenced by education, the church antiwar organizations, personal convictions and political leaders who denounce the war, young men by the tens of thousands found means of escaping service.

In an effort to remove the threat of criminal prosecution and the possibility of wholesale imprisonment of those who refuse to serve in an unpopular war, the movement for amnesty is beginning its campaign.

Charles O. Porter, a former Representative from Oregon who opposed the war in the early nineteen-sixties, has formed Amnesty Now, a national organization whose sole purpose is to gain a general amnesty. As Mr. Porter sees the issue, these young men are the victims of the national debate over the war.

'A Cruel Dilemma'

"Myself and other liberals like me unwittingly forced a cruel dilemma for these young men," Mr. Porter said from his law office in Eugene, Ore.

"We opposed the war and generated resistance. Idealistic young men caught in the middle of that debate had to make a decision, and some of them chose not to become involved in what has been considered an illegal and immoral war.

"We have felt for some time that amnesty is important, for it goes to the heart of the moral issue of this war. No man should be punished for refusal to participate in an immoral war."

Amnesty Now is preparing a draft of a bill for introduction in Congress that would offer amnesty to both draft resisters and deserters. It plans to develop an organization to lobby

for the bill. Among the goals of the organization are to get amnesty planks in both national party platforms next summer, to obtain such commitments from Presidential and Congressional candidates and a petition campaign to support the bill.

Unlike bills currently in Congress—sponsored by Representative Edward I. Koch, Democrat of Manhattan and Senator Robert Taft Jr., Republican of Ohio—the bill called for by Amnesty Now would require no "alternative service." Under both the Koch and Taft bills, draft evaders could avoid prosecution by volunteering for two or three years of alternative service in some Federal social program. Neither bill deals with deserters but leaves their disposition up to the military.

"I am totally opposed to alternate service," Mr. Porter said. "It is based on the need to punish, and to my mind these men have already paid a high price in exile or hiding."

Mr. Porter's arguments represent the range of views developing among the supporters of amnesty. Major differences have developed over the question of whether or not deserters should be included and whether alternate service should be required.

Those who oppose any form of amnesty offer various arguments. One of the major ones is that to offer amnesty now could lead to the breakdown of the entire draft structure.

Another is that to grant amnesty to those who fled battle would be manifestly unfair to those who stayed and fought and died.

Even those who strongly oppose the war have a dilemma. If amnesty is offered to the "victims" of the draft who fled it, they ask, what is to be done with others, such a Lieutenant Calley, who have been found

guilty of other crimes while in uniform?

From their communities in exile, spokesmen for the thousands who will be affected by the final decision have entered the debate. One of these exiles, a draft resister now living in Toronto, Jack Colhoun, discussed the alternative service proposal in a published open letter to Representative Koch.

Change in Feeling

What Mr. Koch failed to comprehend, Mr. Colhoun wrote, "is that many of us would have been quick, willing and anxious to accept such a proposal five years ago. Indeed, many of us are exiles today precisely because such an alternative was denied to us in the past.

"We left the states because we did not want to become criminals of the heart and now feel that a Government which has the stain of Indo-China on its conscience has no business passing judgment on our 'crimes' and meting out punishment, no matter how seemingly tolerant and liberal it may be dressed up."

These young men denounced suggestions of amnesty for draft resisters and not for deserters as class legislation. Draft resisters, they point out, are largely college-educated middle-class young men who discussed the war and made a firm decision to avoid service. Deserters, on the other hand, tend to be less well-educated and less articulate men who are caught up by the draft and who turn against the military only after first-hand experience.

And so the developing debate goes, with more and more individuals and groups announcing support for one or the other position but the most vocal favoring some form of amnesty.

Participating in the developing pro-amnesty movement are a number of members of Congress and organizations such

as the National Council of Catholic Bishops; the Presbyterian and Methodist churches and the Church of Christ; the Committee of Southern Churchmen; the Americans for Democratic Action; the National Student Association; the War Resisters League, and Clergy and Laymen Concerned.

Harry Schwarzchild, who will

head the A.C.L.U. Amnesty Project office, which is to open next month in New York, is encouraged by the potential for commitment to the issue.

"We must overcome the divisions, hatred and bitterness built by this war," Mr. Schwarzchild said. "We must overcome the development for the first time in history of a group

of American refugees made up of some of the most promising young men in our society. The first step in turning away from guilt-finding is to put Vietnam behind us. Obviously the question of definition is going to be very difficult, but our work in coordinating the existing efforts should help clarify the issue."