

Senator James L. Buckley of New York, seeking to share the publicity being given returning Vietnam P.O.W.'s toured St. Albans Naval Hospital in Queens the other day and used the occasion to issue a pronouncement against the granting of amnesty for draft resisters. To Mr. Buckley, general amnesty would be "morally objectionable and historically unprecedented." He is wrong on both counts.

If general amnesty means total, complete, unconditional forgiveness following a conflict, then historical precedent for it was set by this nation's very first President whose birthday is celebrated this week. In 1795, President Washington granted a "full, free and entire pardon" to everyone who participated in the Whisky Rebellion the previous year. His comment at that time seems relevant to today's debate: "Though I shall always think it a sacred duty to exercise with firmness and energy the constitutional powers with which I am vested, yet my personal feeling is to mingle in the operation of the Government every degree of moderation and tenderness which justice, dignity and safety may permit."

President John Adams, the nation's second Chief Executive, granted "a full free and absolute pardon to all and every person concerned" in the Fries Rebellion of 1799. A more specific and less sweeping form of amnesty was granted by Presidents Jefferson, Madison and Jackson. President Lincoln, who presided over a conflict even more divisive than the Vietnam war, became known as the pardoning President and his words on the amnesty issued at his last Cabinet meeting deserve repetition: "I hope there will be no persecutions, no bloody work after the war is over." His successor, President Andrew Johnson, granted a general amnesty "unconditionally and without reservation." Still other Presidents who granted amnesties were Grant, McKinley, Coolidge, Roosevelt and Truman.

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So, contrary to Mr. Buckley, there is historical precedent for amnesty, even for what he terms a general amnesty. It is true that after this nation's World Wars and after the Korean War, amnesties have been granted more grudgingly and they have been more restricted in scope. But there have been recent amnesties; and Senator Buckley's remarks seem to place him in opposition to all of them. Contrary to New York's junior Senator, it has been widely believed that there should be—in Winston Churchill's phrase—"a blessed act of oblivion" following a war to put the conflict behind a weary people, to unite a nation and to direct its energies and attention on the rebuilding task ahead.

There is an especially strong moral case for amnesty for those who resisted the draft and went to jail in defense of their principles. There is a sharp distinction between them and, for example, deserters from the armed forces. It can be argued, we believe, that the draft resisters help convince the nation it was wrong to pursue the war in Southeast Asia, and that they formed an important part of the anti-war protest movement which drove one President from office and effected changes in policies bringing President Nixon's "peace with honor" and troop withdrawals.

Should not a nation that seeks a "new relationship" with a remote adversary also seek such a relationship with its war resisters at home? Should these young Americans be stripped of certain rights forever? Or will vindictiveness among those in positions of power block the ultimate granting of some form of amnesty?

There are both absolute and conditional amnesty bills pending in Congress. In a calmer hour, after the troops and P.O.W.'s have returned, we believe that compassion and conscience will compel a more reasoned response to the amnesty issue than some war-hawks have so far been willing to allow, Senator Buckley of New York among them.