

Editorials

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An Amnesty Law Is Sidetracked

AMNESTY FOR DRAFT EVADERS and deserters from the military forces in the Vietnam war will not likely be legislated by Congress this year and almost certainly not proclaimed by President Nixon, who grimly opposes the idea, as does the Pentagon.

Such is the inconclusive result of three days of amnesty hearings before the House Judiciary subcommittee this week. But if the movement toward forgiveness of evaders and deserters is slow in Washington, throughout the country it is apparently more popular. Yesterday's report of the California Poll showed 67 per cent of the public in this state favoring amnesty, complete or conditional, for draft evaders and correspondingly, 51 per cent for deserters.

AFTER ALL OF AMERICA'S wars the issue of wiping the slate clean for evaders and deserters has arisen, and in every instance it has taken some time for passions and resentments to cool and for politicians to sniff forgiveness in the wind. What makes the issue particularly poignant now, after Vietnam, is the bitter revulsion which so many people had for that war. The very mood of rejection of Vietnam tends to make some of the who fought it, or whose sons fought it, all the more opposed to amnesty on the reasoning, "if John went to fight a war he didn't believe in, why should Jack go free after dodging service?"

Still, the farther Vietnam recedes into the distance of history the more insistent, we don't doubt, will grow the demand for amnesty. If the amnesty lobbyists who testified this week are right there are 30,000 to 50,000 American military deserters and draft resisters living abroad, a small city of men without a country. A de facto sentence of exile has been pronounced upon them by the laws and processes of the United States. This ostracism cannot be maintained forever; sooner or later they will be accepted back. The first question is, when? and the second is, on what terms?

ROBERT FROEHLKE, who for two years served in the Nixon administration as secretary of the army, testified for blanket amnesty now for draft evaders, including those who fled the country, provided they agree to serve a period in public service. Deserters he would deal with case by case "in a non-vindictive, generous manner." He would legislate amnesty primarily to "begin healing the hurt that goes far beyond Vietnam itself," and he associated with him in this view his old boss, Melvin Laird, ex-secretary of defense.

There was no one else in the administration who stood up for amnesty this week. Indeed, a defense department general warned that amnesty for draft evaders and deserters would dangerously impair any future military induction and harm national security. But that could be said after any war — and it has been. After all, the U.S. withdrawal from Vietnam was completed just a year ago. Not enough time has passed to detach those who waged the war from their mood of detestation of men who would not willingly wage it with them.