
Defense Report

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Selective Disobedience of Our Laws—It Could Bring the End of Our Society

In the original draft of the Massachusetts Constitution, John Adams wrote that it should establish “. . . a government of laws, and not of men.” This principle has been applied many times to interpretations of the U.S. Constitution and, over the course of the past 200 years, we have come to accept the precept that the law applies equally to all citizens. Each of us is charged to obey the laws passed by our elected legislators and we expect that in the hands of our Executive and Judiciary branches the laws will be applied uniformly.

To be sure, there have been times when it seemed one man stood more strongly before the law than another; when one man, because of personal influence or wealth, could take more complete advantage of the law than his less well-known or poorer peer. There have been times when people claimed they would not pay whatever share of their taxes went to support activities they did not approve, whether that activity might have been animal experimentation or national defense. More recently we have had the example of thousands of draft resisters who broke the law but were pardoned by the President.

Now that President is reaping the crop he sowed. Unable to meet military manpower needs quickly in a crisis, the commander in chief has decided that, at the very least, we must be ready to use a draft on short notice. Now he is hearing renewed cries of “Hell, no. We won’t go!” The cries come largely from those who claim any law that requires a person to do something he doesn’t want to do is an invasion of his or her personal freedom.

The Military Selective Service Act is the law of the land. The only way it provides for citizens to bend its provisions to their philosophical differences is to allow for the non-combat service of those conscientious objectors who can establish genuine adherence to religious beliefs against violence. But true conscientious objectors do not seek to disobey the law, merely to have it applied in a way that does not force them to violate religious principles.

Those who would not serve their country because that service is demanded by a law they do not like have only a narrow legitimate path open to them. They can seek to have the law repealed, its implementation left dormant or its functionaries unfunded. But once the people’s representatives have wrought their will there is no room left for libertarian maneuvering. If disobedience of one law is permitted—even applauded as was defiance of the selective service law in the Vietnam era—the door is wide open for disobedience on a broader scale that could drag our society down to its permissive knees.