

## The President Gave Himself a Difficult Job

# Limited Amnesty: Not Easy



By **JAMES RESTON Jr.** United Press International

WASHINGTON—While a great deal of attention is now being given to the question of whether conditional amnesty should be offered to Vietnam war resisters, very little attention has been paid to the practical and administrative problems involved. There are several of them, and they do not appear to have simple solutions. Perhaps even more significantly, they raise questions not easily separable from matters of principle.

Here are some of the problems raised by conditional amnesty, no matter what form the government's offer finally takes:

**Alternative service.** President Ford has said that he views alternative service as both literal and symbolic—a way for dissenters to "work their way back" not only into the United States but into good standing in American society. According to this view, it would be a constructive method to pay a debt owed to society, and, as it is usually discussed, would involve work in hospitals, Vista, conservation and similar fields.

To the resisters, alternative service, no matter how it is packaged, is punishment. It is not difficult to imagine the problems of a hospital administrator or Vista supervisor who has a recalcitrant, bitter, former exile on his hands for two years. What will the supervisor do if the resister walks away from his compulsory humanitarian job—call the police? Or does he just forget about it?

Government officials say that alternative service should be aimed only at men who would undertake such work whole-heartedly.

**Regional boards.** It has been suggested by officials that regional boards, perhaps even the existing draft boards, should be given the job of judging the cases of returnees. But resisters feel there would then be no certain way to standardize the treatment of returnees throughout the country if there were "good boards" and "bad boards."

Government officials believe that decentralization means a returnee would be judged by those in the best position to know him and that it is thus worth the attendant problems. They also believe that clear guidelines and a system of review could reduce inequities.

**Case load.** Tens of thousands of cases, involving deserters and draft evaders, may have to be processed. If done with judicial care, a case-by-case analysis could take years. A review board could, however, spend merely a few minutes on each case, as President Truman's pardon board did after World War II.

The Government maintains that a review board need not inquire into the resister's original motivation, so the process would be expeditious.

**Deserters v. draft evaders.** It has been suggested that

those who deserted the military would be treated more harshly than those who evaded the draft. Amnesty proponents, however, argue that the decision to resist war can be made just as honorably after enrolling in the army. They also point out that such a policy favors the sons of higher-income families, who predominate among the evaders and who are already better equipped, with the doctrines of Gandhi and Saint Thomas Aquinas, to defend themselves before a tribunal.

Government officials contend that some distinction should be made, although not very great, because deserters had assumed additional obligations under military law.

**Contrition and morality.** Much may depend on both the form and substance of the declaration by which the Government requires the returnees to signify that, in effect, a bargain has been struck. In their report to the President, the Secretary of Defense and the Attorney General recommended that resisters be required merely to reaffirm their allegiance to the United States. But Attorney General William B. Saxbe had previously spoken of requiring an "act of contrition."

Most resisters are believed not to feel contrite, nor are they believed to feel morally inferior either to those who chose to fight or to the government that is now deciding the terms of return. Such a feeling would be a prerequisite to true contrition, the resisters say. The act of contrition in the Catholic Church, for instance, includes the words "I detest all my sins, most of all, because they have offended Thee, My Lord, who are all good and deserving of all love . . ." Whatever form the declaration finally takes, the resisters predict that the President will get better results if the spirit is closer to the Lord's Prayer: "Forgive us our trespasses, as we forgive those who trespass against us."

*James Reston Jr., author of "The Amnesty of John David Herndon," is a long-time advocate of universal amnesty.*