

MILITARY SERVICE: A MORAL OBLIGATION

Donald Kagan

The killing of 239 servicemen in Lebanon and the invasion of Grenada have reminded Americans of the military's role in pursuit of the nation's purposes and once again have raised the question of the citizen's obligation to do military service when called upon. This question still is before us because of continuing controversy over a law requiring students seeking federal aid to register for the draft.

It would seem obvious that in a world of independent and sovereign states that come into conflict and threaten one another's vital interests--sometimes even existence itself--citizens who choose to remain in a particular country are morally obliged to serve in its armed forces when the need arises.

Critics of this view appeal to a higher morality in which an individual may refuse to serve if such service violates his conscience. Some assert the right, even the duty, to refuse service when they do not approve of the national policy that leads to the need for military action, even though they do not oppose serving when they approve the cause. To accept such a claim would destroy all governments but especially democracies, which rely on the willingness of the citizens to accept the decisions that duly elected and appointed bodies and officials arrive at, even if they are wrong.

That is not to say that citizens are morally obliged to accept the decisions of any country in which they live, no matter how wicked and despotic--only in legitimate ones. My definition of a legitimate state is one that permits the open advocacy of different opinions, the possibility of changing the laws by peaceful means and, most important, emigration without penalty. A regime that fails to meet these criteria imposes its will by force alone and has no moral claim on the obedience of its subjects.

On the other hand, a nation that meets them has every claim to its citizens' allegiance and especially to the service most vital to its existence. When a citizen has become an adult and has not chosen to leave the country, he tacitly approves of its legitimacy and consents to its laws. He benefits from their protection and has the moral obligation to obey them if he wants to stay. To enjoy the enormous advantages provided by a free society while claiming the right to ignore or disobey the laws selectively, especially those essential to its survival and most demanding of its citizens, is plainly immoral.

Some recusants are pacifists who refuse to fight regardless of the occasion. Their position, though it lacks the absurdity of claiming the right of each citizen to conduct his own foreign policy, is also deficient. Leaving the country would not solve their problem, since wherever they go they will find a state that will be prepared to use force in the national interest when necessary and will ask its citizens to do military service. One solution has been to refuse to serve and accept the legal penalty without complaint. Another has been to accept auxiliary services, such as in the medical corps, which, though dangerous, does not require killing. These responses prove sincerity and courage, but they do not satisfy the moral demands of citizenship. Pacifists in this imperfect world can pursue their beliefs only in free societies and only because

their fellow citizens are willing to fight and protect them. There were no protected pacifists in Hitler's Germany and Stalin's Prussia; there are none in [the Soviet Union today].

Pacifists are not alone in hating the need to kill. Most American soldiers find it impossible to pull the trigger in their first combat experience and find it profoundly painful even later. Yet they do their duty, though there is no way to know if they like killing any less than those refusing to fight. A decent, free society is right to allow concern for personal conscience a place in its considerations and to afford special treatment to those who refuse to fight on plausible grounds of conscience. But those who accept such treatment must realize they are getting a free ride and failing in their moral responsibility as citizens.

ESSAY TOPIC (Write to one)

1. Support Kagan's ideas regarding compulsory military service with your ideas, and offer additional arguments or qualifications to the idea of such service.
2. Rebut or refute Kagan's ideas about compulsory military service with your own views and arguments.