

MEMORANDUM TO JEHOVAH'S WITNESSES CONCERNED WITH THE DRAFT

The Director of Selective Service has issued Local Board Memorandum No. 55, which provides for a periodic review of all cases of registrants who have been classified in deferred or exempt classifications other than Class V-A, such as IV-D.

Paragraph No. 2 of that memorandum provides: "(a) At least once a year local boards shall review the file of every registrant who has been classified in an exempt or deferred class other than Class V-A. The information in the registrant's cover sheet concerning his status shall be re-examined to determine whether the registrant currently meets all requirements for the deferred or exempt classification."

If a registrant has continuously met the ministerial quota set for pioneers and has not been engaged in full-time secular work, thus pursuing the ministry as his vocation, he should have little difficulty in satisfying the periodic inquiry of the local boards. Of course, some local boards will be more difficult to deal with than others. However, generally speaking the provisions of the above memorandum by General Hershey will amount to protection for the bona fide registrant as well as the Selective Service System. The responsibility is upon you as a minister of Jehovah God to defend your ministry and to be diligent in giving the local board the full facts when requested.

At the time of the checkup the local board may send you a set of questions for answering, or it may call you before it.

One question the draft boards are concerned with is: How does registrant earn living? To answer the question merely requires the facts. If a registrant is a pioneer he should show the amount of support by way of gifts and contributions he receives. You may live at home with your parents who are in the truth. If you do and your family supports your ministry to the extent of providing room and board, then such information should be mentioned to the local board. If you are invited to homes of people to whom you render ministerial services and are given meals or perhaps transportation, then such information should be given to the board. You are earning your living from the ministry. If part-time work is engaged in to provide the necessary funds to support your ministry, you should give the board the amount of time spent in such work and the amount of your net earnings. Sometimes the local boards also request a description of the secular work performed.

If you are asked whether you regularly teach and preach the principles of religion and you are a regular publisher or a pioneer, show that you do. Give the amount of time spent pursuing all your ministerial activities.

You may desire to describe the exact way in which you spend your time in the ministry. Also, the local board may ask for a specific schedule listing day by day and hour by hour how your time is spent. This is good evidence to have in your file. When preparing

the outline showing the breakdown of the time, follow each day's activities beginning from early morning right through until late at night. You could list time spent in the following activities: (1) time in morning worship, consideration of the morning Scriptural text; (2) time in doing missionary work among your congregation of laymen; (3) time calling upon the spiritually and physically sick ones of your congregation of layman, as well as those associated ministers with the local unit of Jehovah's Witnesses; (4) time preparing for the local unit's congregational meetings; (5) time attending and officiating at the unit's congregational meetings; (6) time counseling and aiding visitors or associates within the local congregation of Jehovah's Witnesses before and after the meetings; and (7) time in officiating at the rites and ceremonies recognized and employed by Jehovah's Witnesses, such as the marriage ceremony, the baptismal ceremony, the burial ceremony, the Memorial, etc.

Show your responsibility with the unit by outlining to the board your duties as a servant assigned to it. If you have not yet filed a photostatic copy of your appointment letter, do so. The letter is kept on file by the congregation servant.

Call the local board's attention to your responsibility as a minister of Jehovah God within the community. Let the draft board know of how many families or of what area of territory your congregation of laymen is made up. Let the board know how many families live within your assigned missionary territory and how many of them you call on each week to provide them with free Bible education and to offer spiritual aid and answers to their Bible questions. Such congregation of laymen is your own congregation.

Your congregation is in your personal missionary territory. It is not the local congregation of Jehovah's Witnesses of which you are a member and an associated missionary or minister. Your congregation is the group of laymen living within your missionary field or territory and with whom you conduct home Bible studies, make back-calls, and regularly visit from house to house in your missionary service. Itemize for the draft board time spent regularly in your ministerial activities to your congregation of laymen.

Keep in mind that your congregation has definite boundaries. You are the spiritual overseer and religious leader of it. You bear the responsibility before the Almighty God, Jehovah, to properly care for those sheep who live in your congregation.—Ezek. 33: 6-9.

If you are a pioneer, emphasize that your regular and customary vocation is caring for the spiritual needs of your congregation of laymen. You perform the duties of the ministry full time. Get affidavits and certificates from those living within your missionary territory who attend your home Bible studies or with whom you regularly visit and give spiritual comfort and guidance. The statements should show

that they are members of your congregation and that they recognize you as their minister. Perhaps a petition could be prepared and those who know you and recognize you as a duly ordained minister of Jehovah's Witnesses and a minister who is qualified to teach and preach could sign it. File such evidence with your draft board.

Keep in mind, therefore, that you hold jointly two positions, namely: (a) a minister of your own congregation of laymen who live within your missionary territory and to whom you regularly preach and teach, and (2) a minister working with the local congregation of Jehovah's Witnesses and a member of that unit of the organization.

Although time spent traveling to and from such varied ministerial responsibilities is not time spent teaching and preaching, it is certainly associated with the ministry and does consume a part of your day. It should, therefore, be considered by the draft boards as time spent pursuing your vocation, the Christian ministry of Jehovah's Witnesses.

Mention should also be made of the time spent in private Bible research. While private study is not time spent in preaching and teaching the principles of religion, it is a duty and an obligation of every minister of Jehovah's Witnesses. If it becomes necessary for you to defend your need for study and your enrollment in the local Theocratic Ministry School, you may find helpful a reference to the material on page 279 of the book *"Make Sure of All Things"*. ~~It could be pointed out, further, that doctors and lawyers are required to study continually and do research work in order to keep abreast with the progress and changes made in medicine and law. Likewise, ministers are required to keep up with the fulfillment of Bible prophecies and the advancement of the light of truth from God's Word.~~

Sometimes the local boards ask the brothers questions such as this: How many members are there in the congregation? In answering consider the material on page 206 of *"Make Sure of All Things"*. After giving the Scriptural position of Jehovah's Witnesses as to membership rolls, point out the approximate number of people comprising your lay congregation, that is, those people who live in your missionary territory. It would be the number of people that you preach to regularly in your Bible study work and back-call work and those who listen to you each time you call upon them when in their neighborhood. Show that many more people associate with your congregation by attending your religious services. Many more people, therefore, receive direct benefit from your services.

If the local board requests the number of ministers in your congregation, give the Scriptural use of the word. Show that only one minister is assigned to your congregation of laymen and that one is yourself. Perhaps you could give the Scriptural and then the legal definitions of the word "minister." The legal definition of the word is discussed on pages 2 and 3

of the booklet *Procedure of Jehovah's Witnesses Under Selective Service*. See also the material on pages 7 and 8 of the booklet *Excerpts from Selective Service Regulations*. Tell the draft board that you do not keep records of each member. The important thing is that *you* qualified Scripturally and according to the law as a minister and should be so recognized. You are a minister caring for a congregation of laymen.

Occasionally a registrant is asked to give the title or titles which he holds within the congregation. If you are asked such a question, you might explain that Jehovah's Witnesses do not use titles as the clergy of other religions do. (Job 32:21) Tell the draft board that you are known as "minister" among your congregation of laymen. Also it could be mentioned that the religious organization of Jehovah's Witnesses has names for service positions within the local missionary service centers (units or congregations). Inform the board the exact title of your position of service within the local unit. Refer to your official appointment letter as a servant, which may be in your file. Refer to proof of your position as a pioneer with the congregation.

Endeavor to show the draft boards that your own congregation is in the homes of the people living within your missionary assignment. While you perform your missionary work in conjunction with the local missionary center at which Bible education is offered to the people, emphasize that your real mission is to preach to the people in their homes, for there is where your congregation resides. It is for that service for humanity that you should be recognized as a teacher and preacher of religion and therefore fully entitled to Class IV-D.

An issue brought up by some draft officials is that the time spent distributing the literature of Jehovah's Witnesses is merely time spent "selling" books. No time is ever spent selling the Society's literature. As you know the Society's literature is never sold. There is nothing commercial associated with the work of Jehovah's Witnesses. All of the religious literature is simply oral sermons that are conveniently used by the missionaries in their vast work of preaching the good news of the Kingdom. If Jehovah's Witnesses and the householders had the time to discuss the contents of the literature thoroughly there would be little need for leaving the literature. However, the complexity of modern living makes the use of printed sermons and systematic Bible study aids practical. It is another way that you use to properly care for your congregation of laymen.

To be reimbursed for the cost of publishing the literature is a reasonable request to ask of the person who obtains the spiritual comfort and benefit it contains. Such accepted contributions in no way transform the religious work into some commercial enterprise. It should be remembered, too, that it is only because duly ordained ministers devote their time to prepare, print, bind and ship the Society's publications that the cost is so little to the receiver.

APPEARANCE BEFORE LOCAL BOARDS AND HEARING OFFICERS

Many brothers have been called before the Selective Service officials and hearing officers of the Department of Justice to discuss their conscientious objections to participation in war. Before you appear before such officials it would be well for you to consider thoroughly the information on pages 14-17 and 20-22 of the booklet *Procedure*. Also study the material on pages 126-134 and 263-271 of the book *"Make Sure of All Things"*, in addition to the material presented in *The Watchtower* of February 1, 1951, and in chapters XIX and XX of *"Let God Be True"* (2d Edition).

When asked by an official the extent of his conscientious objection to the use of force the Christian will have to determine his answer according to the facts of his conscience. The Scriptures clearly show that a Christian will defend himself, his ministry and those associated with him in the ministry, but such defense is without carnal weapons. (John 18:10; Matt. 26:52; Acts 7:24; Phil. 1:7, 16; 2 Cor. 10:3-5) It is true that the Scriptural position of Jehovah's witnesses in this matter is clear. Nevertheless, each registrant so concerned will have to search his conscience and determine his own position in harmony with his deep-seated beliefs. Perhaps the material referred to in the above paragraph and particularly that appearing on pages 78-81 of *The Watchtower* of February 1, 1951, will aid you in expressing your beliefs.

It is suggested that you also consider the material on page 237 of *"Let God Be True"* (2d Edition) and in paragraph No. 13 on page 77 of *The Watchtower* of February 1, 1951, as to the exemption of ministers.

Sometimes the boards ask registrants, Jehovah's Witnesses, if the February 1, 1951, issue of *The Watchtower* is the "basis" for their conscientious objections. The basis for the conscientious objections of Jehovah's Witnesses is the conscience as trained by God's Word, the Bible. Of course, it could be mentioned that the material contained in *The Watchtower* well expresses the views of one of Jehovah's Witnesses, hence the reason for filing it.

"Will you participate in any war that you understand is authorized by Jehovah?" That question is commonly asked today. The Scriptural point to remember is that the only future war to be fought by divine authority is the apocalyptic war of Armageddon. The Scriptures show that no human element will be used by God in fighting that war. See pages 24-27 of *"Make Sure of All Things"*. Christians recognize that the only war in which they participate is described by the apostle Paul at Ephesians the 6th chapter.

A duly ordained minister is dedicated to Jehovah God. He must follow in the footsteps of Christ Jesus if he is to receive the approval of the Lord. (Rom. 1:31, 32) Jesus said that his followers would be neutral and no part of this system of things. (John 17:6, 11, 14-18) The apostle Paul said that a Chris-

tian is a minister and ambassador for the Kingdom. (2 Cor. 5:20, NW) The Christian witness of Jehovah recognizes, as did Jesus, that his covenant relationship with Jehovah is far superior to any obligations arising from human relationship. Much benefit will be derived from keeping this material in mind when presenting your case to the officials asking of you the extent of your conscientious objections.—1 Pet. 3:15.

Try to answer questions propounded according to what the questions say. Should a question have an ambiguous appearance then get its meaning clarified before attempting to answer. Otherwise, you may be giving an incorrect answer. For example, this leading question is often asked: Is registrant's conscientious objection based primarily upon his desire to preach or upon his unwillingness to use force? The basis is the *Christian's conscience trained by God's Word*, the Bible. The desire to preach comes as a direct result of such training. However, the unwillingness to use force has no direct application to the position of Jehovah's Witnesses as conscientious objectors. A direct and factual answer to the question, therefore, would be: neither. The basis for the conscientious objection is not given in either answer suggested in the question.

Many more examples could be cited but the above is sufficient to emphasize the need for alertness and advance preparation when presenting your ministerial and conscientious objector claims to the draft boards and hearing officers. By being diligent and asking Jehovah for his spirit and direction you may be able to defend your ministry.

ADDITIONAL EVIDENCE

If you are a full-time pioneer minister who has already filed the Certificate for Pioneer and you have done everything within your known power to get the local board to recognize and classify you as a minister, and still the board refuses to place you in Class IV-D, suggest in writing to the local board that it contact the Society for verification of your active full-time status. This may be of aid to you in proving your claim. Upon receipt of an inquiry from the local board for such information the Society will write a letter disclosing the registrant's activity in the ministry as shown by the current records.

CERTIFICATES

When preparing certificates and affidavits to be filed with local boards and hearing officers, it is suggested that the following points be included: (1) complete name and address of the signer of the affidavit; (2) identification of the signer, such as servant position and length of time acquainted with subject; (3) the subject's ministerial training and activities, either known personally or shown by the congregational records, including the ordination date and information on how the subject regularly maintains the high standards of the Christian ministry of Jehovah's Witnesses; and (4) as many of the seven things listed on page 6 of the *Procedure* booklet as the individual is qualified to mention. The statement should be dated.

Also, see paragraph No. 1 on page 7 of the *Procedure* booklet.

LOCAL BOARD MUST POST NOTICE OF ADVISOR

Section 1604.41 of the Selective Service Regulations provides that each local board shall have an "advisor" for its registrants. Notice of such advisor must be posted in the local board's office. Check the local board's bulletin board and see whether the name and address of your advisor are listed. Do not ask the clerk or local board members for the information. Look for yourself. If the information is not posted on the local board's bulletin board, then perhaps the notice will be in some other part of the board's office for you to see. Look for it.

Should the board fail to have a notice of the advisor posted, do not tell the board of that fact. Let the board handle its own business. However, make a notice of the failure to have the notice posted and then keep the note, containing the date and other pertinent facts, in your own file at home.

APPEAL STATEMENT

When preparing and filing with the local board an appeal statement (within ten days after notice of classification; see page 18 of *Procedure*) in a case involving the conscientious objector claim the registrant should request his file to be forwarded to the Department of Justice for investigation, hearing and recommendation. Such request is of special importance in cases where the conscientious objector claim has been accepted by the local board and where the registrant is entering his second appeal due to a reopening of the classification.

Some appeal boards have not been referring to the Department of Justice the files of registrants whose cases involve the conscientious objector claim. Therefore, if your claim has (1) either been accepted (Class I-O) by the local board (2) or if your claim was investigated by the Department of Justice during an appeal within the past six years and now your case is being sent to the appeal board for the second or third time due to a reopening of your classification, you should specifically request in your appeal statement the investigation by the Department of Justice as prescribed in the Universal Military Training and Service Act.

In your appeal statement after you have requested the appeal board to refer your conscientious objector claim to the Department of Justice for investigation and recommendation, ask it to mail to you, before it classifies you, a copy of the Department's report and recommendation. Inform the appeal board that you need the copy of the report before it finally classifies you, in order to correct any misunderstandings and to defend your claim against damaging gossip or hearsay

evidence that may appear in the report. Inform the appeal board that you need at least ten days in which to prepare and file a reply to the report, if such reply is found to be necessary. Emphasize that this should be done before the appeal board finally classifies you, hence the reason for your request.

Every appeal statement to an appeal board, if the case involves a conscientious objector claim, should include a request for a copy of the Department of Justice's report and recommendation prior to the final classification by the appeal board and should request time within which to file a reply to the report for the reasons outlined in the above paragraph. This suggestion applies to every appeal in a case involving a conscientious objector claim. It makes no difference on this point whether the local board has accepted or rejected your claim. This is mentioned now so you may be awake and may include all of these requests in your statement of appeal to the appeal board, which is filed with your local board.

CONCLUSION

Occasionally brothers are asked by officials whether the Society provides advice on draft procedure. It should be remembered that the General Counsel for Jehovah's Witnesses provides you with legal advice as to the most effective way to legally present, safeguard and defend the ministry. The Society is dedicated to but one thing, the preaching of the good news of the Kingdom. From that assignment the Society will never deviate. The advice, therefore, is not from the Society but from a recognized lawyer. By Jehovah's strength I am endeavoring constantly to aid you properly and legally.

Keep in mind, too, that all this information is only for your use and benefit. It is not for the use of those not entitled to it, nor for those outside the organization. Since the material in your file should be your own expressions of your own status, there is no reason for you to place in your draft file any memorandum from my office, such as this one. Use the information that is provided by me when making your notes, formulating your answers, and in preparing your papers and documents that show your status.

I sincerely hope this information will aid you as you endeavor to defend your Christian ministry. Should you have any question on these matters feel free to write me.

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July, 1954

See also July 1957

Counsel:

*I DID THIS IN
NY DEC 11, 1957 lcc.
on status on appeal.*