

Air Force Captain Won't Fight Viet War

Fifth Estate Collective

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The American Civil Liberties Union has hailed the recent action of a Federal District Court Judge in Denver temporarily barring the U.S. Air Force from ordering into combat service a Captain who objects to serving in the Viet Nam War.

Judge William E. Doyle, on March 29, ordered a temporary restraining order which would temporarily prohibit the Air Force from assigning Capt. Dale Noyd to any combat, combat training or combat support activities until at least April 19. Judge Doyle set that date for a hearing on the preliminary injunction sought by Capt. Noyd.

The Civil Liberties Union had filed suit in U.S. District Court for the District of Colorado on March 27 to enjoin the U.S. Air Force from ordering Capt. Noyd to report to a Viet Nam training unit and from disciplining him for refusing to report. Beginning last December Capt. Noyd, Assistant Professor of Psychology and Leadership at the Air Force Academy, Colorado Springs, had unsuccessfully applied to the Air Force for release from the service or for any reassignment consistent with his beliefs.

Capt. Noyd's actions are based on his conscientious objection to participation in the Viet Nam War and his denial of due process rights. He said in his application for conscientious objector status that he would support the use of force for defense but that he would "never be used as an instrument of aggression." He called the Viet Nam War "unjust and immoral."

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