

Heritage Prevents Man from Serving

Clarence David Toledo, 23, was cleared Jan. 3 of draft evasion charges after arguing that his heritage prevented him from serving in the military or fighting in a war unless the Navajo Nation were directly threatened.

Toledo, a native of Gallup, N.M., failed to report for induction in 1969 as a conscientious objector. During his trial in Newark, N.J., Toledo told the court his great-grandfather was killed in a battle with U.S. cavalry troopers and that this had affected his attitudes toward the U.S. military.

A court ruling last summer in a related case stated that tribal religions must be treated on a par with the Christian denominational religions as a basis for conscientious objection to military service.