Episode 517: Two Conscientious Objectors from the Air Force Tell Their Story

Guest: Justin and Jessica Pavoni

WOODS: This is an interesting subject. I did an episode on conscientious objectors and a guy named Bill Galvin from the Center on Conscience and War, but I haven't spoken to anybody who has been involved in this in recent years. I mean, I know he was outspoken against the Vietnam War many years ago, but in terms of people who have been involved in the military since 9/11, I haven't talked to anybody who has gone through the process. I don't know what it's like, and I want to talk about all this stuff with you guys. Now, we met briefly at the Ron Paul birthday party a few months ago in Texas, and then I talked to Scott Horton who knows you folks also, so I thought let's talk this through, but I don't want to ask you before we go on all the details of your story. I want the listeners and I to discover it together. So let's start with, one detail I notice is the two of you were married in 2008, and you both graduated from the Air Force Academy in 2006. Is it safe to assume that that's where you met?

JESSICA PAVONI: Yes, that's a pretty good assumption, Tom.

WOODS: Okay, so you both met in those circumstances, and it's interesting that you both had the same type of experience at some point. But first of all, before you went into the military, what was your reason for doing it? Was it some of the post-9/11 patriotism? Was it that it just seemed like a good career choice? What was the motivating factor for the both of you?

JUSTIN PAVONI: It was a little bit different probably for each of us, but nothing too crazy. You know, you're a standard 18-year-old going to college; the Air Force Academy is a free education, and so that was obviously a big draw versus going into debt to pay for school. I had military in my background. My dad was a pilot in the Navy. And I think we both went for sports as well. But yeah, the 9/11 incident was a big deal as well, so that definitely was a draw as far as feeling like you'd gotten attacked and wanting to be a part of defending the country.

JESSICA PAVONI: And I'd say for me, Tom, it was a really big factor. Justin's right; we both were recruited to play sports there, which it was obviously very attractive to play at a D1 school. But I have no military background in my family, had never considered joining the military at all, and 9/11 happened when we were both seniors in high school, and that was a very impactful experience. That was enough to get me interested and motivated to join.

WOODS: Can each of you tell me exactly what you did in the Air Force? I've got the information here in front of me, but I'd rather have you guys tell it.

JUSTIN PAVONI: I was an F-15E pilot, and Jessica was a Special Operations pilot. We did it for about nine years or so.

WOODS: How often — this seems like a strange question, but would the two of you see each other at work, so to speak?

JESSICA PAVONI: (laughing) That's a funny question. The long story short is that because we were flying different airplanes, we were actually stationed separately. Actually the most time we've actually spent together in the last seven or eight years was in Afghanistan. We happened to be deployed at the same time, so we had about seven years of separation before we ended up living together.

WOODS: Wow, well, that must have been challenging.

JESSICA PAVONI: Yeah, you know, you pick who you want, and you make it happen.

WOODS: Yeah, sure, sure. Okay, so I see under Justin's credentials here, total flying time, 1,750 hours. Is that a lot? It sounds like a lot.

JUSTIN PAVONI: Yeah, it's a lot in a fighter aircraft. You go up for one-hour sorties, so it's quite a bit, and you get a little bit more of that from doing combat sorties, which tend to be a little bit longer than your stateside flights. But yeah, it's a decent amount. For sure, a lot of guys previous to kind of the 21st century would have a tough time getting above 1,500 in their whole career, and I think all the wars kind of bulked up a lot of people's flight time, for sure.

WOODS: Now, I have here that you have been collectively on 10 deployments. Now, does collectively mean between the two of you?

JUSTIN PAVONI: It means that Jess has done most of the work. She was eight different deployments; most of hers were shorter, and I did a couple myself, both to Afghanistan, and mine were a little bit longer. So it kind of depends on how much time Jess' deployments were, about two to three months apiece, and mine were about four to six months.

WOODS: Okay, so I've got here, one tour to Southeast Asia, two tours to the Horn of Africa, seven tours in Afghanistan. Now, this seemed — this is very interesting to me, that if the two of you weren't side by side all the time, and yet, independently apparently of one another, you were coming to some of the same conclusions. And here, I guess, now I really want to jump into what is going to be most interesting to the audience. How does that process begin? Were there particular things you saw or participated in that just struck you a certain way? And this would have had to happen to both of you. So why don't each one of you take this one at a time here, because here's the heart of the matter.

JESSICA PAVONI: All right. You're right; we were separate, and I think one of the things that is very apparent to both of us, that even though we were living apart, we're reading the same books, we're talking a lot on the phone, and we have some shared experience by being in Afghanistan at the same time. That really gave us the foundation to start discussing things like non-aggression and foreign policy and non-intervention. But I think, even though we had separate but parallel paths, kind of the truth of what we were reading and learning about stands out on its own. I mean, if you're open to a logical, consistent discussion of philosophy, then I think no matter your experience, you'll eventually come to the same place, which happened in our case. And thank goodness, because I can't imagine being married to somebody who would not believe the same way I do about foreign policy now, especially having been there.

WOODS: But what would be the precipitating thing that would even get you — most people don't sit back and think about first principles and their fundamental beliefs and reexamine everything they're doing. Most people don't. They have a routine. They live their lives. They don't really engage in much reflection. What was it that made you do it?

JUSTIN PAVONI: Yeah, Tom, I think for me, to be completely honest, I didn't think about first principles until probably after the fact. The thing that made me change my mind is, to just put it in layman's terms, the wars are really, ridiculously stupid. The narrative is completely out of tune with the reality on the ground and in general. I was in Afghanistan twice, and all I could think of the whole time is this is an incredible waste of money; it's a stupid waste of life; there are a lot of innocent people dying on both sides; there's no real mission here; the whole concept of keeping this not a safe-haven for terrorism is a ridiculous point that's not even possible and wouldn't be relevant anyway. And they just are very blatantly stupid and wasteful, and a lot of innocent people get killed in the middle. So that was the, like, my going in understanding after having experienced it, and combining that with then first principles it makes it a lot more difficult to stomach, participating in something that you now think is ridiculous in practice and immoral in philosophy.

JESSICA PAVONI: Tom, if I could chip in too; I think what Justin is saying is true for a lot of people I know. It wasn't really until my seventh deployment, where, up until that time you look at what you're doing and you see that it's ineffective; it's counterproductive; it's likely to result in some sort of blowback, which I think we're seeing around the world. But that's a very easy place to stop the discussion. Say, well, this isn't working, but I'm not in charge; I'm a cog in the wheel; I don't have the big picture situational awareness, and I think I know a lot of peers that would agree with me and say what we're doing is unnecessary and counterproductive, but it doesn't really become a moral issue.

And for me, that happened when we learned about the non-aggression principle and began to study that a little bit more, and when you realize that it's applicable for your personal life, your professional life, we both had a desire to live consistently with

what we believed in, and for me and for Justin, executing these military missions wasn't really consistent with this non-aggression principle.

WOODS: Where did you learn about that principle?

JESSICA PAVONI: I think it started with Ron Paul. We listened to him in the 2012 debates. We'd never really listened to anybody who was really speaking truth and whose words matched up with our experiences overseas. And then I read *Liberty Defined*, which I'm sure you know is just a short book, you know, four or five pages on 50 chapters. And we started reading, and he's mentioning all these thinkers that we've never heard of, like Rothbard, like Mises, and it was kind of a trip down the rabbit hole after that. We wanted to learn more about who his influencers were, and that opened up an entirely different world of philosophical thought.

WOODS: Have you had a chance to meet him, like at that event where we met, to tell him about this?

JUSTIN PAVONI: You know, we have met him. We've met him a couple of times. Jess has been pregnant both times; he's given us a prediction on the baby.

WOODS: Was he right?

JUSTIN PAVONI: (laughing) No, he missed it the first time, so we'll see if he goes back up to 50% here.

WOODS: Okay.

JESSICA PAVONI: You know, we haven't had a chance to tell him directly what an impact that's had. The closest we've come is a short article on The Ron Paul Institute for Peace and Prosperity, and I titled it, "Ron Paul, the Gateway Drug," because that's exactly what he was for us. He kind of opened the door into an entirely different perspective that has literally changed our lives.

WOODS: Okay, I'll find that article, and I'll link to it. The show notes page for today will be TomWoods.com/517. I'll link to that. I'm going to link to Justin's Twitter, @JustinPavoni; we'll put that there. All right, let's get back to this. You've come to these conclusions. Now of course, you're husband and wife, so you can tell anything to the other one, but on the other hand, you're in the military, and it's a major commitment, and it is held in great esteem by almost all of American society. Who was the one who said to the other we can't do this anymore.

JESSICA PAVONI: Um —

WOODS: I'm fishing around for some personal questions here.

JESSICA PAVONI: (laughing) No, you know, we'll give you a little personal answer. Justin's experience as a fighter pilot was different than mine, and he came to his

conclusions about six months sooner than I did. And to be honest with you, Tom, it was kind of a year before that before he even made it official of a lot of internal struggle and discussions between the two of us. I was not ready at the same point that Justin was, and we were both pretty adamant that each of us had to make our own decision, and there was no pressure.

Until, you know, one day in 2013, we were driving down the highway and I had finished my Master's thesis on the constitutionality of the assassination of American citizens without due process, specifically Anwar al-Awlaki. And I was just going on a diatribe about how I thought what we were doing was illegal and wrong, and he just looked at me and he said, "Jessica, if you believe what you're saying, how can you stay in?" And that was a pivotal point for me, because he held my feet to the fire, and that was the question that had been bouncing around in my heart for a long time at that point. So I'm able to say that was pretty pivotal for me, and I can't speak to his experiences, but dropping bombs on people has an impact. It matters. That's human life.

WOODS: I can't — you have to not hold against me that I'm going to keep pushing here, because people want to know these details, and I've just got to ask. And this is a tough one, but did either of you observe anything that you looked on at the time or later as just a flat-out atrocity?

JUSTIN PAVONI: Um, I would say that's sort of not an easy yes/no answer. I'd say no if I had to pick one of the two. To be completely honest with you, most of the people in the military are really decent human beings. I think that they're trying to do the right thing. I think that most people in the government are trying to do the right thing. The weird reality of it is that it is — I'm not sure how to say this — it's just kind of like a bad situation that there's no right answer. There's just two lose-lose opportunities. If we had more time, I could go into depth on a couple of stories, but I guess I would just say no, and I don't think there are any particularly atrocious things that happened; it's just a lot of gray area and war, and unfortunately, you have a bunch of people who are innocent that get caught in the middle of it, and it's just generally a bad thing that if at all possible to avoid, that's what you should do.

WOODS: I ask because I think a lot of people think that is how somebody becomes a conscientious objector. You see something, and it sears an image in your mind, and you can't shake it, and you go ahead and apply for conscientious objector status. But your case shows that there can be a lot of different types of motivations and different ways that the decision gets built up in your mind.

Now, it's not an easy thing. I'm sure you can tell us. They don't make it easy to apply for conscientious objector status and actually be approved, because for one thing, according to what I've read, your position has to be that all war is immoral. It cannot be that this particular war is just the wrong war at the wrong time or this is not practical or it's not working out. The position that they expect you to hold is that all war is always and everywhere immoral. Now, is that a position that you were able to hold in your mind when you went to pursue this option?

JUSTIN PAVONI: So you bring up a really great point, so that's an incredibly huge barrier to people dissenting in the military. And the difference between I think this war is wrong and I think all wars are wrong is the difference between conscientious objection and selective objection, or actually the opposite. So conscientious objection is I think all wars are wrong. Selective objection is I think this war is wrong.

You know, putting in a conscientious objection package was difficult, because both Jessica and I believe in self-defense. The problem is that I don't think any of the wars are defensive, and we were able to write out our package in such a way that it was like war is not self defense; those are two separate entities, and I'm cool with self defense, but I'm not okay with aggressive nation state war. And from a libertarian perspective, that's probably more understandable for someone like yourself, Tom, than it is for maybe the average person who doesn't know anarchocapitalist philosophy and the nature of the state, but for us that was kind of how we made the case.

But you bring up an important point, and that is something I like to talk about is selective objection. This is currently illegal in the United States. You cannot say that you have a problem with the Iraq War and you don't want to participate. You can't say that you have a problem with the invasion of Libya and you don't want to participate, or whatever it might be. That's illegal, and if you were to do that they'd court martial you and throw you in, you know, potentially in prison. Maybe they'd just get rid of you dishonorably, but it's illegal to do that, and that's a huge barrier to entry for people to peacefully dissent to something like a policy decision to go to war that they don't agree with.

WOODS: There's so much to ask here. You guys made the decision to become conscientious objectors. Now, I'm not even going to ask you what the state of that process is until the very end, so we're just going to go in chronological order. You made this decision to do this. What step did you then take?

JESSICA PAVONI: There's a regulation in place for the Air Force; it's AFI 36-3204, that's specifically dealing with conscientious objectors. So first you tell your commanding officer, and in the case of both of us, since we were flyers, we were both removed from our squadrons. They've got a vested interest in having pilots that are fully on board with the mission, so when you say I disagree with what's happening, obviously that calls into question your fitness to fly.

Then the burden of proof is on the member to show that they are against war, that they have either a moral or religious opposition to it, that they hold to those beliefs with the strength of a traditional religious conviction, and like you said, that they're opposed to all war. And that can be a lengthy process.

The Center on Conscience and War with Bill and Maria is a great resource for people to use. Unfortunately, we had not heard of them at the time that we both submitted our packages, and that's important for people in the military to know that there are resources out there that can help you with your application. It's a long process. You write out your story, then you get investigated by a legal officer, and they call in your

commanders and attest to your integrity and your character and your history, and it's quite a long process. And then it goes all the way up the chain, which generally takes months. For officers, it goes all the way to the Secretary of the Air Force, which is basically as high as you can get.

WOODS: All right, so you have to write out some kind of testimonial? And how long are these applications.

JESSICA PAVONI: We've seen any between like two pages — both of ours were 15 plus, but it basically says what's the nature of your belief, and how and when did it change, and that's kind of the long part of the story, and then you have to show how have these changes manifested in your daily life and so on.

WOODS: And then is it on the basis of that alone that they make their decision, or do they call you in and question you?

JESSICA PAVONI: They call you in and question you. They also call in your commander, some of your peers, any references that you provide. They'll question them as well. They take written testimony from everybody.

WOODS: So you've gone through this?

JESSICA PAVONI: Yes.

JUSTIN PAVONI: Yeah, so it's a legal process that, you know, you sign a piece of paper that says you weren't a conscientious objector when you joined the military, and then if you change your mind and you become one, there's a legal process to get out. The problem is that it's very difficult, and they have a very high burden of proof, so it takes a long time, and if they find any one particular thing that they can point to to say, well, this could disprove your case, you're going to get shut down on that.

WOODS: All right, now I don't know how much of this you're allowed to disclose. Are you allowed to say anything about how the proceeding went for you both?

JESSICA PAVONI: Sure, yeah, it's not classified or anything. We both ended up having the investigation. It went well; you know, both of our packages were initially approved by the first few levels, which was really encouraging at the time. So we've been through that whole process.

WOODS: Did Rothbard's name ever appear in any of those 15 pages? I just have to ask.

JESSICA PAVONI: (laughing) Yes.

WOODS: You're kidding me.

JESSICA PAVONI: No, it's in there.

JUSTIN PAVONI: Yeah, but just to be fair, I have some guys like Noam Chomsky in there as well, and the right side of the philosophy wasn't the only influencing —

WOODS: Oh yeah, sure, sure. But still, I want to be able to go tell Lew Rockwell this story later, so, you know, he would want to know, so I asked. (laughing) I also wanted to know. All right, so tell me more about this.

JESSICA PAVONI: Just since you brought up Rothbard, *The Ethics of Liberty* factored really big into my decision to say yes, I'm a conscientious objector. Previous to doing that, like I mentioned earlier, I was stuck in a place where what we were doing I thought was counterproductive, but not necessarily a moral position. And two big hurdles were, hey, I signed up for 10 years; I haven't done 10 years; am I going back on my word? And when I read *Ethics of Liberty* and understood Rothbard's discussion of what's a legitimate contract, that kind of enabled me to clear that hurdle a little bit, which was really important to me. I've always been raised to do what I said I was going to do, and that was a big hurdle to get over. So *The Ethics of Liberty* was really important in my evolution of my decision to conscientiously object.

WOODS: That's very interesting.

JUSTIN PAVONI: For me, I didn't have that consternation. I look at it very simply. I think the government's defunct in their responsibility on their side of the contract. I think they're blatantly doing things that are illegal, both on assassinating American citizens and on an international aggression with these wars. I don't think that that's them upholding their contract either. I think it's very simple to look at the conscientious objection as an already established loophole in the contract that's completely legitimate. I don't think there's any issue with people getting out that way, so I would encourage someone who thinks that the wars are wrong to pursue that as a totally legitimate option. Don't participate in something you think is wrong. Just get out of there. There are ways that are totally legal and above board. There's not requirement to lie; just be honest and tell them you think it's wrong and you don't want to be a part of it anymore.

WOODS: I'm curious about the tone of this proceeding. For some reason, I'm reminded of the old process before — I can't remember if it was John Paul II or Paul VI — one of them, I can't remember, got rid of the devil's advocate they used to have when they would decide if somebody was going to be canonized as a saint. Somebody played the role of devil's advocate, and that person would dig up everything possible about why this person was rotten and shouldn't be declared a saint to make sure they didn't accidentally choose some bum. And then they got rid of that for some reason. A ridiculous decision; you need the devil's advocate. Was there anybody in the room who was playing devil's advocate, or were they all just quietly listening to your testimony, and then everybody went home?

JESSICA PAVONI: There's not necessarily a person, and that's obviously not an assigned role, but before the investigation happens and once you've made your wishes known, the investigating officer puts out an email to anybody organizationally that might have

information regarding what you've said. In our case, the Personnel Command, they go through, and they look at old emails, they look at your previous assignments, they'll look at any information they can find that might cast down on your claims. So I mean, there's a little bit of that, but —

WOODS: Okay. Yeah, I mean, I didn't think it was an actual role, but I assumed somebody or maybe the whole team was trying to uncover stuff. Now, I don't know how much interaction you had with anybody in the military after you said that you were conscientious objectors and you wanted to go through the process, but presumably you had some such interaction. Were you met with hostility on the part of typical people in the military? Forget about commanders, but just the average person.

JUSTIN PAVONI: Short answer: no. Most of the buddies that we have are very supportive. A lot of them in fact agree that the wars are ridiculous, and they were all great throughout. We got a bunch of recommendations that said we were sincere and that they support what we're doing, that they couldn't make that decision themselves, but that they were onboard with our sincerity and that we were legitimate with our beliefs. And, you know, I'm still buddies with a lot of guys and gals in the military, and I think they're decent people, like I said, and we're still good friends with them, but we just have a disagreement that we couldn't continue to participate in what they're being told to do, essentially.

WOODS: Tell me where the process stands right now.

JUSTIN PAVONI: I'm out. I've been out for almost a year now. Jessica's getting out in a month.

WOODS: So it worked.

JESSICA PAVONI: (laughing) It's a longer story than that. We both put our packages in in 2013. Neither of us got answers until about 18 or 20 months after that.

WOODS: Wow. So you had to — so then what do you do in the interim? They're not going to let you fly, so what were you doing?

JESSICA PAVONI: That's correct. You don't fly. My husband was assigned to the library at his base, and I was assigned to the Sexual Assault Prevention Office at my base.

WOODS: It actually kind of reminds me of what Quakers would do during war, that they wanted to show that they were Americans and everything, but they just can't do anything that involves violence.

JESSICA PAVONI: There's actually an option for that in the regulation as its written now. When you conscientiously object, you can say that you want one of two things: that one, I don't want anything to do with this; please release me from the military. Or the second option is I can't be in a combat role; please reassign me to a support function. So there is that option for people who don't want to be involved in combat

operations. They might assign you to logistics or working in the gym or working in the chow hall or something. For both of us, we kind of came to the conclusion that everybody in the organization is ultimately working towards the same thing, which at the end of the day is destruction of life and property.

WOODS: So you didn't want to pursue that option.

JESSICA PAVONI: Correct.

WOODS: All right, so this — I mean, I know that it's a long process. I see that, and I'm sure it was difficult, but yet, I guess I was under the impression that it's really, really difficult and very, very rare, very unusual for someone to get through this successfully, and the two of you without any, from what I can see, outside coaching, just by giving a heartfelt and genuine testimony were able to navigate it successfully.

JUSTIN PAVONI: Yeah, so we were able to get out — Tom, we didn't actually — both of our packages just, to be completely straightforward, they didn't — the package itself didn't get approved, but the military dismissed us and got us out shortly after denying our CO application, for both of us on separate administrative type stuff. So it's kind of one of the — to discuss it at length would take us hours, but the short synopsis is that we went through the CO process for like a year and a half. Both of us got back, surprisingly, a denial, and what ended up happening is that most of the people in our command recognized that we were honest and being forthright and just got us out a separate way. They took what they could to administratively get us out, and I think at the higher level it was sort of defense of the institution, where they don't want to classify people as COs, because it makes the Air Force or the military look poor.

WOODS: Is there any other aspect of your story that I haven't hit on that you think is necessary for people to get the whole picture of what happened?

JUSTIN PAVONI: No, I mean, we'd love to come back on and maybe talk to you a little bit more about the war specifically and what's going on in a foreign policy regard, but with regard to our story, the bottom line is that we thought that what was going on was wrong. Jess and I both put in a CO package. We both took about a year and a half to process that. They eventually said no, and then shortly thereafter they kicked us out for other reasons honorably.

WOODS: Can I ask, then, what the two of you do now since exiting? Or you're about to exit Jessica.

JESSICA PAVONI: That's true. Right around the due date of our second kid, so a lot's going to happen.

WOODS: All right, so that's part of the answer.

JESSICA PAVONI: (laughing) Yeah, taking care of children. No, you know, we have a business with our cousin that we started about a year ago that's going well and gives us

a little flexibility, and Justin is considering going back to school honestly to study and teach people more about selective objection.

WOODS: Really?

JUSTIN PAVONI: Yeah, I'm probably going to go back to school for law and econ. I'm in the application process right now, and then we've got our own business in digital marketing at present that we've been working on for a couple years now.

WOODS: Well, excellent. You know, what the heck? If you don't have any objection — well, so to speak — I'll link to your digital marketing business on the show notes page also. Why not?

JUSTIN PAVONI: Yeah, that'd be great.

WOODS: Why the heck not? Okay, I'm going to jot this down. Okay, well listen, I appreciate you taking your time to open up about a personal episode in your life, a very important one, and I think it's helping people to understand it, and also for people who may hear this who are in the military who may be under the impression that I was under that, yes, it's a theoretical possibility that you could be a conscientious objector, but in practice it's borderline impossible to make it work. The two of you both made it work, and that can be a source of inspiration for a lot of other people. I'll also link to the episode I did with Bill Galvin, whom you mentioned, because his Center on Conscience and War can also help people so they don't have to go it alone. That'll also be at TomWoods.com/517. Well, thanks to both of you very much.

JESSICA PAVONI: Thank you, Tom.

JUSTIN PAVONI: Thanks, Tom.