

AUGUST 1990

ECC'S POSITION ON CONSCRIPTION AND CONSCIENTIOUS OBJECTION
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Historical position

Since its formation at the end of 1983 the ECC has consistently called for an end to the system of compulsory military service.

The ECC has also called for substantial improvements to be made to the system of alternative service for conscientious objectors while the system of conscription remains in force:

- * alternative service should be available to all conscripts who in conscience are unable to serve in the SADF (whether their objection is religious or secular, universal or selective);
- * it should be available outside of military and government structures; and
- * it should be equivalent in length to military service.

The ECC motivated these calls along the following lines:

- 1) Conscription compels young men to serve in an army whose primary role is the defence and maintenance of apartheid and minority rule. This role was evident in the SADF's aggression in Southern Africa in the 1970s and 1980s, its illegal occupation of Angola until 1989, and its repressive actions in black townships during the 1984-6 national uprising.
- 2) Conscription contributes to a war psychosis and to the militarisation of South African society.
- 3) Conscription contributes to the exodus of thousands of white professionals from the country every year.
- 4) Conscription without adequate alternatives denies the internationally recognised right of individuals to freedom of conscience with regard to military service.
- 5) Conscription is symptomatic of ineffective and inappropriate state strategies aimed at resolving political conflict by military means.
- 6) Conscientious objectors are prepared and willing to serve their country in a non-military and non-governmental capacity.

The current situation

Over the past year state policies and the broader political situation have undergone profound changes. These changes add weight to, rather than detract from, the ECC's position:

- 1) The system of whites-only conscription is becoming increasingly anomalous as South Africa moves towards a non-racial

society, and continues to undermine confidence in the SADF among the black population. The extension of conscription to all national groups is neither politically nor economically viable.

- 2) Conscription remains a powerful ethical and career dilemma for many young men and their families, and thus still contributes to the 'brain drain'.
- 3) Conscription is becoming increasingly less necessary as a source of manpower for the SADF in the light of its withdrawal from Namibia, Angola and most of South Africa's townships.
- 4) Alternatively, there could be a substantial relaxation of the law on conscientious objection since a relatively larger number of objectors will not put undue pressure on the military's current manpower requirements.
- 5) It is in any case iniquitous and absurd that government is prepared to release political prisoners who were involved in violence, and at the same time continues to imprison young men who refuse to take up arms.
- 6) The widening of the legislation on conscientious objection would be consistent with the programme of political liberalisation introduced by President de Klerk.
- 7) Conscientious objectors remain willing to serve their country in a constructive way.

**DRAFT POLICY DOCUMENT ON
USE OF SADF TROOPS IN BLACK TOWNSHIPS**

It has been the End Conscription Campaign's position since its inception that the use of SADF troops in black townships is undesirable. We have given expression to this view by, inter alia, running a "Troops out of the Townships" campaign in 1985 and 1986.

In the first place, we believe that troops who are trained in bush warfare and not in police functions are not an appropriate force for deployment in a civil conflict. Troops are trained to identify and kill an enemy, not to play a peacemaking role. Secondly, the weapons carried by soldiers are lethal and are not suited to crowd control. Thirdly, the racial composition of the SADF is skewed by the racist nature of the current system of conscription, and the loyalty of the SADF is generally perceived as being to the Nationalist government, rather than to the people of South Africa as a whole.

Furthermore, the danger of deploying the SADF for any length of time in black townships, as we have seen, is that it may come to be regarded as an occupying force, rather than as a neutral peacekeeping body. Indeed, the role of the SADF in occupying black townships in the past has been highly problematic and has formed part of a strategy by the state, together with the imposition of the State of Emergency, to crush political resistance to apartheid. The State of Emergency has provided a useful indemnity to security force members who committed atrocities or used excessive force, and has made it unnecessary for security force members to have any objective grounds for arresting and detaining persons.

The latter powers, in particular, were used in rounding up tens of thousands of suspected political activists and jailing them without trial, with a view to breaking the back of anti apartheid organisations. Apart from this, the SADF has been used, inter alia, in conducting pre-dawn house-to-house rent collection raids, squatter shack demolitions, and other exercises in which racist policies were enforced. The use of the SADF in such a role is completely unacceptable.

However, the ECC recognises that in the process of political transition the potential exists for violent conflict and civil strife. In this regard the ongoing violence in Natal is a matter of grave concern to us.

Thus, the ECC continues to hold the view that it is inherently undesirable to deploy the military in black townships. However, in the grotesquely distorted political circumstances which exist in some areas of South Africa, it may well be that the lesser of two evils involves using the military to control a state of violent upheaval. In a more normal society, it would be logical for the police to perform such a task, but the clear failure of the police in this regard and the hostility with which they are

regarded by township residents may render this impracticable.

To the extent that it becomes necessary to deploy SADF troops in situations of civil conflict, either by reason of specific requests from recognised community representatives or because of the gravity of the conflict, the ECC strongly believes that the SADF's role should be strictly limited to :

- 1) Maintaining a neutral presence to monitor and promote peace between competing groups.
- 2) Maintaining neutrality vis a vis other security forces operating in the area.
- 3) Exercising maximum restraint in the use of force.

In such circumstances, we believe that the SADF should endeavour to facilitate the monitoring of its role by independent bodies.

In this regard, and in order to ensure that the SADF is not only perceived to be neutral but that it in fact acts neutrally, the SADF units deployed in the above circumstances should be accountable to an independent monitoring committee. The monitoring committee should, if possible, include representatives from all significant sections of the affected community, as well as independent individuals of stature in that community, such as religious leaders, lawyers, and representatives of human rights monitoring bodies. There should be direct and continual liaison between the monitoring committee and the SADF command structure in the area. In addition, the media should have access to the area.

In cases where the actions of SADF personnel result in a loss of life, or where SADF personnel are killed, an enquiry should be conducted into the circumstances surrounding the incident. Such an enquiry should be arranged by the independent monitoring committee. The enquiry should be public and it should be presided over by a neutral person appointed by the monitoring committee.

In order to ensure that SADF units act in a restrained and appropriate manner when employed in the above role, the ECC proposes that a code of conduct for SADF units be drawn up and strictly enforced. We believe that the following points should be addressed in such a code of conduct:

1. Minimum force should be used at all times. To make this possible, soldiers should be armed and equipped appropriately for a peacekeeping/crowd control role, they should be trained in crowd control before being employed in such functions, and they should be provided with appropriate personal protective equipment, such as shields and helmets.
2. Strict control should be exercised over possible provocative behaviour of soldiers.
3. Soldiers should be identifiable as SADF members and

should be personally identifiable.

4. SADF units should act in a strictly neutral way.
5. SADF units should include persons fluent in any local languages.
6. The code of conduct should be publicised and all soldiers deployed in a peacekeeping role should know and understand it.

We further believe that where SADF troops are deployed in civil conflict situations, conscripts should be granted exemption from such duty upon application.

With the possibility of continuing violence during the political transformation process, the SADF needs to adapt to the changing conditions in South Africa. Soldiers trained exclusively for war are not desirable members of a peacekeeping force. The SADF has very little experience of peacekeeping. Hence it needs to learn, for example, from the experience of United Nations peacekeeping forces deployed over the years in places such as Namibia, Cyprus, Lebanon and Zaire.

In the short term the SADF could investigate practical methods used by the UN forces, such as painting vehicles white and using uniforms that identify the wearer as a member of a peacekeeping force, rather than as a member of an army at war.

In the medium term all soldiers deployed in this role need appropriate training. This could be done with the help of forces more experienced in peacekeeping.

In the longer term the negotiation process will probably lead to a ceasefire between the forces of the state (mainly the SADF and SAP) and those of the liberation movements (mainly MK). Irrespective of this, there may still be a need for soldiers to be used in peacekeeping. If so, joint patrols by the previously opposed forces may be more effective than patrols of the SADF alone. Such joint patrols are more likely both to be perceived as neutral and to act neutrally. Nevertheless, joint patrols should be monitored in the same way as we envisage the SADF being monitored, and the same code of conduct should be applicable. Also, joint patrols will assist in the eventual integration of sections of the previously opposed forces into a single defence force for a post apartheid South Africa.

The government should understand that there remains grave mistrust and suspicion of the SADF, and that there are fears of a return to the state of extreme repression that characterised 1986. However, notwithstanding the above, the ECC believes that the use of the SADF in a carefully controlled, strictly neutral, peacekeeping role is acceptable where there are no better alternatives. However, it cannot be overemphasised that such use

Therefore deploying the SADF into situations of civil conflict should go together with an investigation into the root causes of the conflict and action to eliminate those causes. This will help establish peace in the affected areas.

We believe that in general such an investigation can best be carried out by a Judicial Commission of Enquiry appointed by the State President. All parties involved in the conflict should be encouraged to assist the Commission. The terms of reference of the Judicial Commission should include :

- a) establishing all the causes of the conflict.
- b) making recommendations on reducing/eliminating the conflict.
- c) making recommendations on addressing the grievances of the affected communities.

- Community support for peacekeeping.
- Community involvement in monitoring.
- Community → if they make the call they must be informed + involved in formulating strategies to deal with violence.
- Shorter + to the point.
 - ↳ less of historical context.
 - " emotion - more facts + principles.

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