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NUSAS NATIONAL UNION OF SOUTH AFRICAN STUDENTS

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COMMITTEE OF INVESTIGATION INTO SERVICE IN THE SADF, YOUTH PREPAREDNESS
PROGRAMMES AND ALTERNATIVE NATIONAL SERVICE

January 1979

To : Mr. Peter Kerchoff
307 Bulner Street
PIETERMARITZBURG
3201

Dear Mr. Kerchoff

The issue of service in the SADF and the non-availability of alternative forms of national service have long been thorny problems for many young South Africans. There are many capable young men who are dedicated to building our country into a prosperous community for the benefit of all her inhabitants. However, many of these men, while willing to serve the South African people, have serious difficulties with respect to service in the military. You are no doubt aware of the increasing number who are leaving the country rather than serve in the SADF. The skills of these young men which could be employed in useful alternative projects are thus being entirely lost.

Nusas has taken cognisance of this unfortunate situation, and at its recent National Congress last November, resolved to establish a committee which aims to -

- " a) investigate the influence of service in the SADF on
- i) those facing such service;
 - ii) those undergoing such service; and
 - iii) those who have completed such service
- b) investigate the influence of Youth Preparedness Programmes, and
- c) to explore official alternatives to service in the SADF in the fields of education, medical and community services, and to press the Government for the implementation thereof."

This committee has been established and is now ready to tackle its task. We are in the fortunate position of having as members of the committee, both men who have completed their initial term of service in the SADF and some who are still to do so.

However, there is much work to be done, and in this connection, liason with other interested groups and persons is both desirable and necessary. It is with this need in mind that I ask for your support and assistance, moral, financial or otherwise.

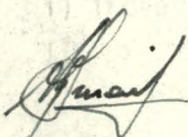
Dear

An almost immediate requirement for us, is information. The range and depth of research which still has to be done in this subject, is immense. Should you have any material dealing with legal conditions, moral and psychological problems, comparative situations in other countries, areas of need for alternative service in South Africa, and the like, we would be grateful if you could forward this to us.

In return for your help we hope to soon be in a position where we can in some way act as an information and advice centre for all who are concerned with the abovementioned issues.

In the meantime we hope to liase with you in our work and keep you informed of developments.

Yours Faithfully,



Andrew Smail
National Co-ordinator

All correspondence to : Andrew Smail
c/o SRC
University of Natal

W H Y I A M A

S E L E C T I V E C O N S C I E N T I O U S O B J E C T O R

Peter Moll

December 1978

"People give nonviolence two weeks to solve their problems and then decide it has 'failed'. Then they go on with violence for the next hundred years ... and it seems never to 'fail' and be rejected"

My motivation for selective conscientious objection can be summarized in three basic propositions.

First Proposition: South African society is fundamentally unjust.

Second Proposition: The definition of a just war excludes war in defence of a basically unjust society.

Third Proposition: Selective conscientious objection is a Christian response to the injunctions of Romans chapter thirteen.

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FIRST PROPOSITION: SOUTH AFRICAN SOCIETY IS FUNDAMENTALLY UNJUST.

I believe that there are sufficient non-religious grounds for selective conscientious objection (meaning the refusal to participate in a particular war while making no assertion about war in general). The addition of Christian morality makes my own duty to objection more binding.

Every country has built into its operations a measure of injustice. This much is inescapable on account of the fallen nature of man. While one should certainly strive to eliminate the remaining vestiges of injustice, these do not of themselves constitute sufficient grounds for selective conscientious objection. Only when the society is shot through with injustice does one have sufficient grounds for such objection.

Justice in the Bible: Old Testament

In the Old Testament Israelite theocracy, God demanded justice of his people. Their justice was to be a reflection of the divine righteousness. "Be holy as I am holy" was a command that extended beyond men's private lives to their societal relationships as well. There was to be equality before the courts; there was to be compassion by the rich and strong for the poor and weak; merchants were not to weight their scales to their own advantage; all debts were considered scrapped each Jubilee year. Not least among the sins Israel committed when she was unfaithful was that of depriving the poor of their means of income, the land, thus bringing about an unequal distribution of income where justice could not possibly prevail.

"Hate what is evil, love what is right, and see that justice prevails in the courts", Amos urges upon his hearers. Prophetically, Amos said "You people that hate anyone who challenges injustice and speaks the whole truth in court, have oppressed the poor and robbed them of their grain". Obviously there are no simplistic conclusions to be drawn. These men's ideas are not a model for our society. Yet they can serve as the raw material for each subsequent generation to process in order to come to a better understanding of the weaknesses of the society of the time. Nowhere does the Old Testament speak of egalitarianism, but there is a strong emphasis on fairness and equity, i.e. while the Bible does not teach a primitive socialism where equality is the norm, it does insist on fair dealing, a principle which must be applied in every society.

Justice in the Bible: New Testament

In the New Testament, Jesus spoke of going the second mile and giving the coat as well as the cloak. To James, true and undefiled religion is to visit the fatherless and the widow. Jesus spoke at great length about the evils of hypocrisy, calling the Pharisees 'whited sepulchres'. John Howard Yoder has advanced convincing arguments for a literal understanding of the words that Jesus quoted from Isaiah:

"The Spirit of the Lord is upon me,
because he has chosen me to bring good news to the poor.
He has sent me to proclaim liberty to the captives and
recovery of sight to the blind,
to set free the oppressed and announce that the time has come
when the Lord will save his people" (Luke 4:18f).

Paul insists that government is ordained of God and that a good government will reward the good man and punish the evildoer. He urges that prayers be made for all in authority, so that we will be able to live peaceable and quiet lives. The vineyard owner in Jesus' parable pays his labourers one denarius for their work (equivalent to a fair day's wage) whether they have worked for one hour or the whole day -- clearly their financial need is the criterion by which payment should be made: given the situation of unemployment in Israel at that time, the needs of their families would all have been the same (Matthew 20). There is a sense in which we can say that love in the New Testament is the same as justice in the Old Testament.

The Christian norm of law has never been embodied in any historical system of law. Nevertheless, it is the Christian's concern that the overall direction which his society is taking should not, at least, be away from the Kingdom of God.

Justice in South Africa

The motive of separate development is the political and social, though not necessarily the economic, separation of distinct nations, followed by self-rule or self-determination for each. There is no biblical teaching against this fine ideal, in principle; indeed there are many who find theological justification for it; but careful examination of the South African reality reveals its moral barrenness. When the partitioning is complete, the white race will have a share of the land area and the country's natural wealth which is out of all proportion to its population size. The total homeland area will be 13% of South Africa's land area; the homelands have low labour retention abilities, which show little sign of improvement. Therefore there will always be approximately nine million Africans or more working in so-called White South Africa, unable to take an effective part in decisions which affect them, except in their own homelands -- their connection with which, admittedly, is becoming increasingly tenuous.

Separate development politics makes lofty ethnical appeals to "spiritual" values like language and culture, but whites still dominate the economy and the society is rife with racism. Separate development may be the ideal, but white racial domination is the reality. The proposed new constitution does not alter the position materially. By its own confession, the African is left out of its reckoning, and it will fit in with the separate development scheme, hence it will not embody power-sharing.

Incipient totalitarianism?

To achieve the separate development ideal, radical methods have been applied. The word 'radical' may be taken to mean that which reaches down to the existential roots of a man's being. To assume, as the National Party has done, that the most precious thing to a man is his sense of national pride and national security, is radical. Nic Diederichs wrote: "Without the uplifting, ennobling and enriching influence of this highest inclusive (ethnic) unity which we call a nation, mankind cannot reach the fullest heights of his human existence ... Only in a nation as the most total, most inclusive human community can man realize himself to the full. The nation is the fulfilment of the individual life". (Nasionalisme as lewensbeskouing)

Criticism of the state totalitarianism to which this belief in the nation leads was the gist of the South African Council of Churches' publication "A Message to the Peoples of South Africa". State totalitarianism occurs when the state seeks to absorb non-political spheres of society into the structure of the state in such a way that the state obtains determining control over areas which are non-political. Paradoxically, this is exactly the official criticism of leftism and of socialism: that these doctrines are too idealistic, utopian, and omnivorous; therefore it is in the name of conservatism, a "limited style of politics", that I experience difficulties with the official preoccupation with ethnicity.

One example of a radical method is the application of the Immorality Act and the Mixed Marriages Act, with the insistence that ethnicity, as opposed to the Christian formulation of the 'equal yoke' (common belief) must determine who one may and who one may not marry. Another is the pass law system, restricting the movements of blacks and doing little to encourage interracial contact and hence promote goodwill.

Laws concerning trade unions are discriminatory. Whites can have trade unions, Africans cannot. The Government's objections to granting trade union rights to Blacks are that Blacks would wield their new-found power to overthrow the government; but that is precisely the point: the overarching aim of any government should be to create a society free from tensions like that which require the repression of worker grievances.

Education funds are distributed unequally. While more than R500 is spent each year on a white child, less than R50, on average, is spent on each black. And thwarted ambition is made more galling by the social snub of what has become known as 'petty apartheid'.

The practice of prolonged detention without trial, without subsequent judicial examination, is without justification, as is the unbridled power currently granted to the Security Branch. Small wonder, then, that Lucas Mangope, and more so Gatsha Buthelezi, have indicated their dissatisfaction with the white government -- to say nothing of the unrecognized leaders, who distressingly often are incarcerated. Urban blacks have registered their non-compliance with the system by showing little interest in the Community Council elections -- the total Soweto vote was 6%, but erstwhile minister Mulder made the brilliant observation that in some of the Soweto wards it was a higher percentage. Which shows how lamentably far the government is from the opinions of the average black.

What about the Communist threat?

During the 1950's, the A.N.C. tried non-violent means (e.g. the pass-book burnings) to achieve change. The Government responded with arrests, bannings, detention and the time-honoured method of shooting. Can we be surprized, then, that blacks are leaving the country and are working for change by armed insurgence? Like all decent people, we deplore the use of violence. Yet when the African realizes that he has precious little means of bringing about change by constitutional processes, and then turns to unlawful means, we are the first to respond with the threat of armed force.

The doctrine of populism, in China, consists of the elimination of the isolated 'foreign capitalist devil'. The South African variant consists of the elimination of the isolated communist 'agitator'. The intellectual content may differ, but the essential idea is eternally the same: the populist sees the people as a body of virtuous toilers constructively working, but confronted by a handful of infiltrators, and if these uitlanders -- whose ghostly presence has haunted every populist since Robespierre first denounced them as corrupters of the Revolution and enemies of the General Will -- could be purged, all would be well.

However, things are never so simple. The application of pressure may stop a wound from bleeding outwardly, but then it bleeds inwardly. Far better is a sincere search for the causes of discontent. Quite possibly many of the so-called agitators would disappear if the legitimate causes of dissatisfaction were removed. It has been argued that present government policy is creating the conditions under which the Soviet brand of communism, with its blandishments and false promises, becomes attractive to a disillusioned African intelligentsia. Those who make pacific revolution impossible make violent revolution inevitable.

SECOND PROPOSITION: THE DEFINITION OF A JUST WAR EXCLUDES WAR IN DEFENCE OF A BASICALLY UNJUST SOCIETY

Minimum conditions for a just war

Centuries of church history have yielded seven criteria by which to judge whether a war is just.

- i The cause fought for must be just
- ii The purpose of the warring power must remain just while hostilities go on
- iii The war must be truly the last resort, all peaceful means having been exhausted
- iv The methods employed during the war to vanquish the foe must be just
- v The benefits the war can reasonably be expected to bring for humanity must be greater than the evils provoked by the war itself
- vi Victory must be assured
- vii The peace concluded at the end of the war must be just and of such nature as to prevent a new war

Karl Barth insisted that the only criterion should be 'ultima ratio' --

whether the war is truly the last resort. Now, without asserting the universal validity of the just war argument (modern theologians, e.g. Moulder, Ellul, question both the traditional and the Barthian formulations) we can assert that the above conditions are the minimum which must be satisfied if a war is to be declared just. And even these conditions are not met by the South African guerilla war. The SADF part of it is not a last resort -- peaceful means like gradual enfranchisement, removal of objectionable laws, and consultation with popular black leaders have rarely been tried, let alone exhausted. If proposition one above is correct, then we cannot even start thinking of a just war, i.e. condition 1 above is not met.

Who is the enemy?

Then there is the further question of the identity of the enemy. The life situation of Whites leads them to perceive the guerilla as a foreign aggressor; as a Soviet catspaw. However, the life situation of the Black leads him to think in naked terms of civil war. The longstanding injustice of apartheid is the cause; terrorism (he would say, self-defence) is merely the result. When the South African Council of Churches turned its thoughts to conscientious objection at Hammanskraal in 1974, the majority of the delegates present were black. The Roman Catholic Church conference of bishops, whose constituency is 80% black, has indicated its firm support for selective conscientious objectors.

Jacques Ellul refers in his book "Violence" to the "sameness of violence". Whether the violence is military, economic, or psychological, by a recognized government or by the guerilla movement, it remains violence. Violence has been defined as "the destructive imposition of power". Helder Camara, a Latin American bishop, develops this theme. The state engages in "violence no. 1", the primary violence of suppression of freedoms, corruption in high places and exploitation of the weak. The people react with "violence no. 2", the provoked violence of guerilla warfare and urban terrorism, whereupon the state replies with "violence no. 3", repressory violence of police crackdowns and yet further suppression of freedoms. This argument cannot be applied in South Africa without qualification. Like all liberation theologies and theories, it tends to idolize the particular group one stands for. Nevertheless it does form part of a cumulative case for objection in a turbid situation where it is difficult to tell which side is more wrong.

Ultimately South Africa's problems do not admit of a military solution. The long-term solution must be a political-economic one. It would appear that the authorities are not sufficiently aware of this. The idea of "winning the war" is playing a disastrous part in the popular mind, but, in my opinion, it has no place in South African reality. The inculcation of a war psychosis through the aggressive marketing of Defence Bonds, the enormous increases in the military budget in recent years, the use of civilian troops to suppress riots in 1976, the fact that the Defence force comprises almost exclusively white troops, and statements of threatened apocalypticism by South Africa's top soldiers, reveal, as far as I can see, the myopia of their vision.

The 1977 end-of-year message of the Minister of Defence, Mr PW Botha, included the following:

"We will, in increasing measure, be subjected to coercion, persuasion and even seduction, to submit to the will of the aggressor. This cannot, and shall not happen, in South Africa. We shall not waiver and we shall not succumb".

General Magnus Malan, the Chief of the Defence Force, said

"Hand in hand, white, Brown and black citizens of South Africa warded off the enemy, once again showing the world that we are a nation united against all foreign ideologies".

Are they tilting at imaginary windmills? Significantly, I think, the "enemy" and the "aggressor" remain anonymous. Perhaps closer definition of the enemy would reveal him to be a Soweto civilian — which could be embarrassing. Human kind cannot bear very much reality. Their intemperate fulminating against the nameless "enemy" seems to me like the rage of Caliban seeing his own face in a glass.

THIRD PROPOSITION: SELECTIVE CONSCIENTIOUS OBJECTION IS A CHRISTIAN
RESPONSE TO THE INJUNCTIONS OF ROMANS CHAPTER THIRTEEN

The theory of civil disobedience

Civil disobedience is the non-violent violation of a public norm, generally regarded as legally binding, as a means of social or political protest. For instance, an action of civil disobedience occurred in 1957 in South African religious life when the proposed Native Law Amendment Bill would have required the organisers of multiracial services to apply for permits, had it been passed. The heads of most of the denominations informed the government that this would amount to a denial of their hard-won freedom of worship, and the bill was dropped soon afterwards. The three necessary motifs

- i strict nonviolence
- ii ready acceptance of all penalties
- iii persuasion of the majority

were included.

To qualify for civil disobedience, one must first have rendered a willing and respectful obedience to the State laws. Only then does the right accrue to one of the civil disobedience of certain laws in well-defined circumstances. It is intended as a limited, non-revolutionary form of protest. It is intended to encourage a deeper realization of the values which law must embody in a democracy if it is to maintain a durable legitimacy in the minds of the large majority of its citizens. Ultimately the act of civil disobedience may lead to a greater respect for law by bringing law and justice together. There is little evidence that civil disobedience has encouraged widespread disrespect for law. Of course the action is not generalizable, i.e. the civil disobedient recognizes that it would be chaotic if everyone copied him; but the important fact is that

civil disobedience is permissible under only certain carefully defined conditions, i.e. it is intended to be limited and to uphold public security.

This method was often used, and with reasonable success, during the Civil Rights movement of the 1960's in the United States. Henry David Thoreau was imprisoned in 1848 for refusing to pay his Massachusetts poll tax as a protest against slavery and the federal government's imperialist war against Mexico. In his widely read statement of the subject, entitled "Civil Disobedience", he wrote:

"No man must ever allow himself to be an agent of injustice to another .. he must never lend his support to a wrong which his conscience condemns".

Law and Order versus Freedom

I think that traditional Christians sometimes equate law and order with Christianity too readily. In so doing, they are seeking to attain a false security and so to avoid the anxiety and complexity of moral choice. Order should not be regarded as the presupposition and condition of freedom; rather freedom is the presupposition and condition of order. Once it is acknowledged that freedom is necessary for good order, and that justice is the proper foundation and criterion of law, then it is possible to perceive that law and order may have to be opposed in the interests of freedom and justice. Order qua order is nothing -- the question is whether it is or is not just, whether it does or does not allow freedom, and whether, if it favours both injustice and oppression, it can be changed without an increase in either.

All this is not to say that law and order are not valuable; it is to point out that they cannot be regarded as the supreme value before which all other moral considerations have to give way. Man is ultimately accountable to God and not to man-made institutions. The Koinonia Declaration of 1977 has the right balance when it says

"We as Christians are convinced that we must continue to practise love towards those people in authority ... we declare our complete willingness to submit to the order of the civil establishment as such, to be obedient to those in authority, provided that their exercise of authority is in accordance with the precepts of God's Word, and to show love toward them ... It is our conviction that the maintenance of justice rather than the maintenance of law and order and state security is the prime God-given task of the government and the governed, and if they strive with all earnestness for justice, then law and order will be added as a blessing."

This does not mean that it is possible to frame a universally valid statement which would indicate exactly when a person may legitimately disobey the laws of a state. We simply have to recognize that there are occasions when the Christian may have to act illegally if God is to be obeyed rather than men. Dietrich Bonhoeffer, known for his resistance to the Nazi government, said

"In the course of historical life there comes a point where the exact

observance of the formal law of the state, of a commercial undertaking, of a family, or for that matter of a scientific discovery, suddenly finds itself in violent conflict with the ineluctable necessities of the lives of men; at this point responsible and pertinent action leaves behind it the domain of the normal and regular, and is confronted by the extraordinary situation of ultimate necessities, a situation which no law can control".

Biblical examples of disobedience to authority

So much for the theory of civil disobedience. But aren't there verses in the New Testament which expressly forbid such action for Christians? Passages like I Timothy 2:1-3, I Peter 2:13f and especially the classic statement of the duty of the Christian to the state in Romans 13:1-7 have often been taken by Christians to require passive submission to the state. Certainly they do demand obedience; but they do not demand unquestioning obedience independent of social ethics taught elsewhere in the Bible. Paul must have known that not all of God's people have always adopted an attitude of unconditional submission. Jesus once referred to King Herod as "that fox". In Acts 5 we read of Peter breaking out of prison. Moses defied Pharaoh and led Israel out of Egypt, Samuel rebuked King Saul, Daniel and his friends opposed King Nebuchadnezzar, Jeremiah and other prophets exposed the injustice of the civil authorities. Jonathan was saved from Saul's wrath by his countrymen. Doeg's compliance with an unjust sentence made him a murderer (I Samuel 22:17-23). Elisha told Jehu to kill Ahab (2 Kings 9:1-10). Elijah remonstrated with Ahab and Jezebel for their killing of Naboth. Jehoida the priest ordered the killing of Queen Athaliah (2 Kings 11:1-16). Hebrews 11 numbers Rahab among the faithful for the allegiance to Israel and treason to Jericho which she showed.

Paul's teaching could not have been at variance with their example. Nor could it have been at variance with his own example -- James Moulder (Journal of Theology for Southern Africa no. 21) points out that Paul disobeyed his prison warders, refusing to leave the prison; he insisted that the magistrates had to acknowledge their unjust treatment of Paul. This act of disobedience is important because it shows that violation of the right to worship is not the only instance when Christians are called upon to disobey the authorities.

Many South African Christians who incline to the 'passive submission' view would have no serious objection to the critical stance the Anglican bishops of Uganda adopted to their President in 1977, or to the letter two Russian Orthodox priests addressed to the 1975 WCC assembly, accusing their government of the denial of religious freedom. Christian Missions International encourages the smuggling of bibles into communist lands -- a form of civil disobedience which exceeds the bounds normally accorded it, in that it does not seek to persuade the majority and it does not willingly submit to the punishment consequent upon the action. The influential Underground Evangelism performs a similar task. Apparently conservative churchmen do distinguish between what they consider to be good governments and bad governments, even if they pretend to accept that Romans 13 teaches submission to all governments.

What does Romans 13 teach?

Paul's observations follow from the previous remarks in chapter twelve. There he had declared that the Christian must not return evil for evil; the state, on the other hand, does the opposite; it does take vengeance on those who do wrong. What then are we to think of those civil authorities whose function it is to control and repress evil actions? In so far as they execute vengeance, says Paul, they do so as the "servant of God"; their function is not therefore outside God's providential will. So Christians should adopt an attitude of obedience as long as the authorities observe the claim implicit in their role. The logical corollary of this, although it is not explicit but implied, is that if they cease to serve the good, Christians would no longer have the same reason to accept their authority. It is important to remember that Paul was not concerned to provide a theological interpretation of the state's essence and meaning. Indeed his concern is not with civil government per se, but with the Christian and his conduct.

The state is God's servant "for your own good" (vs. 4). The state is, therefore, not only God's servant, but also man's. It can lay claim to respect and obedience only insofar as it stands under God's authority and insofar as it serves its subjects. If, therefore, it acts contrary to the welfare of its citizens, it is not God's servant "for your own good".

We are reminded here of Thielicke's concept of 'derived authority'. The state derives its authority from God, but if it practises wickedness it ceases to derive that authority.

We must juxtapose our understanding of Romans 13 with that of Revelation 13. The first was written in the period of transition from Claudius to Nero, under a reasonably just government, in a time of relative political calm. The latter was written in the period when Emperor Domitian oppressed his subjects, persecuted Christians, and usurped for himself divine characteristics. The state in Romans 13 is regarded as God's servant for the good of its citizens; in Revelation 13 it is portrayed as the beast that has to be resisted. The conscience which submits to the state when the well-being of the people is promoted, is the same as the conscience which opposes the state when it acts contrary to the good of the people.

Oscar Cullman sums up his survey of the state in the New Testament with the words:

"according as the State remains within its limits or transgresses these, the Christian will describe it as the servant of God or the instrument of the Devil". (The State in the New Testament. SCM Press, 1957, p86).

We should guard against identifying the orthodox state morality with Christian morality. This is often done, and it is done in order to avoid the anxiety and complexity of moral choice. When you obey traffic regulations, for instance, you are really pursuing your own interests. It can be argued that the state morality expresses our self-interest. Whereas Christian morality is love, altruism; it is not self-interest; therefore it must be carefully distinguished from the state morality.

Since Constantine united Church and State in the fourth century, the church has lost sight of the moral cynicism of the apostle John who wrote "The world lies under the dominance of the wicked one" (I John 5:19) and "Do not be surprized if the world hates you" (i.e. for the very love which you espouse). The almost universal pacifist stance of the church in its first two centuries of existence has been forgotten. It is heartening to see contemporary theologians reexamining the role of the Anabaptists in the Reformation. They held no brief for the moral grandeurs of the temporal powers, and, for their trouble, were massacred in their thousands -- at Luther's behest. Add to these the Dissenters and Nonconformists, the Bonhoeffers and Niemollers of wartime Germany, the civil rights movement of Martin Luther King and the persecuted church of Uganda and the USSR and we see that civil disobedience is in the finest church tradition.

All this is not to deny that the state has the right to self-defence. To deny, on ethical grounds, the elementary right of the State to defend itself is to deny the existence of the State. Whoever affirms the State as a necessity must also affirm war as a contingent necessity; the force which each state possesses alone protects it against the force exercised by other states.

Selective conscientious objection: a special case of civil disobedience

Selective conscientious objection is in fact civil disobedience of a military command. I contend that it ought to be civil disobedience of the direct, and not of the indirect, type. Mahatma Gandhi supported both kinds of disobedience. The former is disobedience of a law which is itself regarded as morally wanting; the latter is deliberate disobedience of a law unrelated to the evil being protested. It is rather a symbolic action -- obstruction of traffic while bearing placards, etc. Because selective conscientious objection is more directly related to the issue of public security, it is desirable that the military itself be involved in the perceived wrong, and that symbolic protest, if contemplated at all, be limited to 'safe' and non-military areas. An ethical right to selective conscientious objection which can be expressed in general terms does not exist, but the issue does arise of making a responsible choice in a specific situation.

The United States, Canada, Australia, Sweden, Norway, Belgium, Italy, Holland, France and West Germany provide conscientious objectors with alternatives outside the military framework. Usually the period of civilian service is longer than the original military call-up, to compensate for the rigours of military life. The number of objectors in West Germany has now risen to 22 000. This in fact constitutes only 1,5% of the total number liable for military service. Objectors registered in Britain under the National Service Act of 1941 during the war years represented 0,77% of the total number of men registered. It would appear that a relaxation of the laws in South Africa would not result in a dangerous number of men turning to conscientious objection.

It must be borne in mind that the selective conscientious objector does not act paradigmatically, as an example. He does not confer a universal value upon his action. He does not do it in the hope that all other conscripts will do the same. South Africa's solution is obviously not

A D D E N D U M

WHY I REQUEST A NONMILITARY ALTERNATIVE

If it is the Christian's duty to discern and pursue the truth, it is also his duty to be a witness to the truth. For instance, the apostle Peter, at great risk to himself, stated that he could not but speak about the things he had seen and heard. One of the best known examples from church history is that of Martin Luther, who nailed his 95 Theses to the church door of the Wittenburg castle. A less known one is that of Franz Jägerstätter the German martyr. It would surely not have 'hurt' him to take the military oath of loyalty to Hitler in 1943, and to return to his family, but he refused both army service and the oath. He was jailed and executed and is remembered today for his humble witness.

It is for the witness value of the action that I am a selective conscientious objector and demand a nonmilitary alternative, as opposed to accepting a noncombatant position. Hopefully the outcome would be a serious examination of the war in terms of the Christian principles outlined above.

.oOo.

Peter Moll

December 1978

SELECTIVE CONSCIENTIOUS OBJECTION

THE NON-COMBATANCY OPTION

and

THE DISOBEDIENCE OPTION

"We must obey God rather than men"

Peter, Apostle

"The honour and duty to defend one's country should not be made subservient to one's religious conviction"

P.W. Botha, Minister of Defence

"We are subject to the men who rule over us, but subject only in the Lord. If they command anything against Him let us not pay the least regard to it"

John Calvin, Reformer

"The clerical authority must obey the secular authority"

Louis de Grange

"The church honours the state also when it does not come up to her expectations. She then defends the state against the state. By rendering to God what belongs to him and by being more obedient to him than to man, the church, in her intercession, opens the way to the only possibility of restoring the state and saving it from ruin"

Karl Barth, Theologian

2 March 1979

Dear Reader,

Much thought and effort have gone into this, my second statement on selective conscientious objection (the first written in December 1978, was entitled "Why I am a selective conscientious objector"). It is intended to follow the first but also stands complete in itself. I hope it will provoke yet further theological thought and discussion.

I am especially indebted to James Moulder for his doctoral dissertation "Conscientious objection and the concept of worship". A source of great encouragement to me was my personal 'discovery' of disaffected Christians of the past. Dietrich Bonhoeffer, Reinhold Niebuhr, the early Christians, Martin Luther...the list is endless. Because I am a staunch Baptist, my study of the life and times of the Anabaptists has been particularly fruitful.

I invite criticism of my work(s). Both the rocks and the bouquets, please! My address is "Lynden", Avenue Road, Mowbray, 7700. Telephone 692671. Come, let us reason together.

Yours sincerely,

Peter Moll

In this paper I shall try to explain my reasons for being a selective conscientious objector, of the type who refuses to enter the military at all, i.e. who does not accept the position of a non-combatant but who goes the further step of refusing to obey his call-up.

I define selective conscientious objection as the refusal to participate in a particular war while making no assertion about war in general. I shall assume that the reader is familiar with the reasons for selective conscientious objection - that he has understood the arguments about the moral indefensibility of apartheid. He has satisfied himself, perhaps by using some variant of the "just war argument", that participation in the present war would be unacceptable to him. Perhaps he has formulated an argument along the lines of my previous work, Why I am a Selective Conscientious Objector (December 1978).

The question then faces him: Having decided to be a selective conscientious objector, does he obey his military call-up by joining the medical corps, or does he refuse outright to obey the call up? In other words, does he become a non-combatant or a disobedient?

THE RATIONALE FOR THE NON-COMBATANCY OPTION

Four reasons are usually given to justify the action of a non-combatant. In the first place, he recognizes that it is illegal to disobey a military call-up. His friends and family may consider such disobedience as a type of treason; indeed, they may quote Romans 13:1-7 ("The powers that exist are ordained by God...."etc) and insist that disobedience to the authorities is disobedience to God. He notes furthermore that the authorities have made adequate provision for those who feel bound in conscience to be non-combatants. He can be a 'medic' with the full support of the authorities, and, because such a task is just as dangerous as that of an infantry troop, he is spared the feeling of disloyalty - he is not "letting the side down". He is playing his part.

Second, he notes that as a non-combatant he will not be making a direct contribution to the war effort. He is at one remove from the actual fighting. In fact he is

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helping people who have been injured in the fighting, and these people may be either members of the South African Defence Force, or guerillas, or innocent people caught in cross-fire. Further, he is not in a line position, he is not taking decisions about how the fighting is to be conducted, and he is therefore not responsible for what happens.

Third, he is aware of the enormous price of disobedience. The psychological strain of prison or detention barracks; the stigma attaching to being a criminal; the ostracism by friends, and perhaps even family; the lost time and money; the possible loss of job opportunities (e.g. he could not become a schoolteacher after a long prison sentence); all of these factors loom large in his mind and make him wonder if he would have the moral strength to be a civil disobedient.

Finally, other areas of witness have been brought to his attention. He counts his Christian presence to be important. He could be a kind of chaplain while going about his workaday duties. He could protest possible atrocities; he could protest the possible showing of 'blue films'; he could protest the use of bad language, if only by his own good example; and he could protest the use that the SADF makes of religion and chaplains to bolster and legitimise the military operation. For instance, he could take the recent (January 1979) statement of the Gereformeerde Kerk on this subject and urge that its recommendations be applied in his own unit. All these alternative forms of witness give him reason for believing that God has led him there.

His conclusion is that unless there is a convincing case for doing otherwise, he is prepared to enter the military as a non-combatant.

Assessment

What assessment are we to make of the non-combatant's stand? Most important, in my opinion, is that we recognize his sincerity and accept that that could be God's calling for him. It is, after all, not given to us to dictate what God's calling will be.

THE RATIONALE FOR THE DISOBEDIENCE OPTION

I shall now try to show that there is also a convincing case for the objector who refuses to obey his call-up; and why it is necessary for the pastor to accept his sincerity and recognize that to be a disobedient could be God's calling for him.

The possibility of disobedience as a form of witness

Truth and justice are among the greatest of the virtues mentioned in the Bible. Sometimes the claims of truth and justice conflict with the will of the group, and in that case the Scriptures leave the individual in no doubt about what to do. "Do not follow the crowd in wrongdoing, nor, when witnessing in a lawsuit, lean toward the majority to thwart justice; neither be partial to the poor man in his lawsuit", we read in Exodus 23:2. Resistance, on the firm ground of truth and justice, may be the right and duty of the Christian.

Biblical and church tradition are replete with examples of disobedience to authority. Moses' parents hid him for three months because he was a beautiful child and "they were not afraid of the king's order" which was to have all children of that age killed. Daniel and his three friends refused the king's instruction to worship his image. We read in Acts about Peter and John refusing to obey instructions to stop preaching, with the words, "We must obey God rather than men". Mark records how Jesus disobeys the laws regarding the Sabbath by picking heads of wheat. Jesus breaks the law for the sake of a higher law.

The Early Church was almost universally pacifist. There is a long roll of martyrs from this period who refused to join the Roman legions. The Emperor-worship which was part of the military service of those days was the most common reason for their

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refusal, but it was not the only one. Many also believed that they simply should not kill. One Maximilian said, before his martyrdom, "I cannot be a soldier, I cannot do evil because I am a Christian".

After his experience of justification by faith Luther nailed his Ninety-Five Theses to the church door of Wittenburg Castle, which drew public and ecclesiastical attention immediately. Later on he is said to have stated "My conscience I have from God, I cannot give it to Caesar". His polemics against Eck and the papal authorities are enough to convince anyone that unquestioning submission to the ruling powers can never be the permanent attitude of either the Christian or the Church. The contrary may often be true, as in Luther's fine example of publishing the glaring errors of the authorities of his time. Who knows how long mediaeval corruption would have persisted had he not acted so?

That fine Christian, Martin Luther King, was always in the forefront of the civil rights movement of the United States. A wellknown photograph has King and his friends, Bibles in hand, kneeling and praying on a tarred road while armed policemen stop dead in their tracks before them.

Karl Barth, Martin Niemöller and Dietrich Bonhoeffer resisted the Nazi regime with its self-regarding nationalism. They even helped form the "Confessing Church" of those who refused to join the so-called "German Christians" - churchmen who held to the Nazi Führerprinzip or leadership principle. Later Bonhoeffer was martyred. He once wrote that to make one's "duty" to one's superiors the supreme principle in the end places one in the position where you have to fulfil your duty to the Devil himself.

The classic instance of civil disobedience in South Africa occurred when in 1957 the government introduced the "Native Law Amendment Bill" under which it was "proposed that a permit from the Minister (of Native Affairs) should be required to hold multiracial services". Several churches issued strongly-worded statements to the Prime Minister to the effect that that law would certainly be disobeyed if it were passed. Needless to say, the Bill was soon withdrawn. Again we see the importance, in the interests of truth, of a public declaration of the perceived wrong.

Franz Jägerstätter, a humble Catholic layman from the German countryside, refused to obey his military call-up in 1943. He believed as a matter of faith that such killing would be wrong. He knew full well that his arrest would be swift and his sentence heavy - in fact he paid for his crime with his life seven months later, leaving a wife and children. With the benefit of hindsight we now know that his example was a worthy one, even though his own priest did not think so.

The stand of Archbishop Lwum, the Ugandan martyr, against President Amin's excesses, is highly respected in this country, and so is the perseverance of the persecuted Church of the USSR.

The above is just an impressionistic survey of the vast number of respected Christian leaders who have not been afraid to speak the truth about governments that have been unnecessarily unjust or oppressive. Any cursory reading of church history is sufficient to show that civil disobedience is in the finest church tradition. My point is not that the Christian should set about to be disobedient, should be permanently set in a attitude of resistance. My point is that there are particular times and particular places when it is the right and duty of the Christian to speak against evil, and, when he does this, it is his privilege to know that he is by no means the first Christian to have done so. It may well be the conscientious objector's high calling to be such a witness in contemporary South Africa.

Disobedience as witness: (a) The Truth at stake.

The selective conscientious objector is one who has become acutely aware of the
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evil in the economic, political and social structures of the country. If violence is the "destructive imposition of power", then the situation may be described as one of structural violence, which Prof J.J. Degenaar defines as "n metaforiese of figuurlike toepassing van die woord "geweld" in sy letterlike betekenis van n ekstreme fisieke beweging wat gerig word teen die liggaam van n mens. Met fisieke geweld forseer ek jou liggaam met my hande in n hoek. In die geval von strukturele geweld for seer ek jou liggaam met my wette en reëls en gebruike in n hoek" - i.e. "a metaphorical or figurative use of the word "violence" which means literally, physical action directed against a person's body. With physical violence I force your body into a corner with my hands. In the case of structural violence I force your body into a corner with my laws, rules and customs" (Die Burger 19/1/79).

He is aware, too, that the military is unseparable from the structural violence of the country. The threat of military action has often been used to forestall moves for change. Military might is seen by many as "the only way" to protect white privilege. The aggressive marketing of Defence Bonds adds to the growing mood of militarism and brings the danger of civil war ever closer. Radio and television programmes and extensive newspaper coverage of "our boys on the border" encourage the sense of paranoia, as do the frequent prayers for protection for our soldiers from "the enemy" -- often done, alas, with a concern more ideological than pastoral.

It is this glorification of war to which the objector says "No". He is convinced that the ultimate solution cannot be a military one, and that it must be a political, social and economic one. In the absence of any evident determination on the government's part to examine the problem as a political, social and economic one, he suspends his military involvement until there is a significant alteration in official attitudes. This reasoning explains why the selective conscientious objector, even though he would fight in the Second World War against Nazi Germany, refuses to be part of the military structures of South Africa.

When we remember that blacks are fast wearying of endless talk with those many white Christians who seem unable to extricate themselves from their group interests, the importance of such a witness is seen more clearly. Blacks have grown tired of whites who have a great deal to say but who are not really prepared to sacrifice to better the blacks' position. They feel that the whites have declared war on them. Otherwise it is difficult to explain why trained police had to shoot school children; why so many people die in detention; why three hundred police are needed for a "routine crime prevention exercise" at 2 a.m. at Crossroads squatter camp.

Disobedience as witness: (b) Truth demands visibility

Therefore the time has come for the church to dramatise its rejection of apartheid. It is the task of the church continually to witness against injustice at all levels in society. And conscientious objection is a highly effective witness because it can easily be understood. It is a testimony that the conscientious objector will not participate in civil war, in a war of brother against brother. It is an exposé of the myth that the war we are fighting is a defensive war, that we are protecting Christianity, that we are guarding this our bastion of democracy; when in fact we are fighting to retain our interest, to dictate our terms, and to keep control.

All this has nothing to do with "seeking publicity" for any selfish motive. The point is that anyone called to witness to the truth in some way should seek to make that witness as effective as possible. It is for love of the truth that he will want to communicate his conviction to as wide a group as possible, in a way which highlights and clarifies the realities. A witness for truth is not only concerned for his own personal moral integrity - he will want to challenge others in the way of truth and integrity. Hence the responsibility for making a stand visibly.

Disobedience as witness: (c) Inadequacy of a non-combatant role

The army, like most armies, is probably aware that questions about its role would tend to weaken it. Hence dissidents must at all costs be silenced. This is done

by allotting them to a special section, which renders their voice ineffective. The dissident is labelled a non-combatant and is placed in some part of the military system where his labour is needed but which allows no criticism. His message, as it relates to the wider operations of the military, is emasculated; his witness could be deprived of its strength. Therefore the objector may feel that, if his stand is to acquire its true worth, it must be a stand outside the military system.

Everyone in South Africa shares some measure of moral responsibility for the present sinful situation (who can say they have at all times witnessed and acted as they should have?) Nevertheless there are clearly degrees of such responsibility, and many would argue that there is a clear and definite divide between becoming part of the military machine and the refusal to do so.

It is important to point out that the role of the non-combatant member is integral to the role of the army as a whole. An army cannot function without its non-combatant personnel (e.g. medical, engineering, communications). And yet the army is a war machine primarily engaged in the aggressive defence of the apartheid system.

Thus for a selective conscientious objector the non-combatant role is profoundly unacceptable, since, as pointed out, the tasks of non-combatant military personnel are also crucial to the effectiveness of the army as a whole. "If a member of a band of bank robbers were assigned the job of carrying a first-aid kit, while others did the shooting and lifting, the first-aid man would be considered guilty before the law with the whole band. It is membership of the organization that counts, not so much the particular task to which one is assigned....The higher officers in the army are also 'non-combatant' in the sense that they seldom do any personal killing, yet one would not excuse them of the responsibility for the killing under their command" (Quoted from Herschberger, in Military Service and the Christian, R.S. III thesis, by Cherry Squair, 1978).

The non-combatant personnel cannot therefore disclaim responsibility for contributing directly to the goals and functions of the SADF. They enable the army to do its work. This is why many selective conscientious objectors cannot in all conscience accept non-combatant military tasks and are deeply serious about their request for alternatives to military service.

Refusal to obey a call-up is contrary to the law. This theological problem has been dealt with at great length in my previous paper, and so I summarize: the Christian's intention is to render obedience to the government, because there is no authority except from God, because magistrates are not dread to the person who does right but to the wrongdoer, and because the government is God's agency for their welfare, as we read in Romans 13. But what happens when the government perpetrates such injustice as to relinquish its claim to divine authority? What happens when magistrates are dread to the person who does right? What happens when the government ceases to be God's agency for our welfare? Then, by Paul's own implication, obedience cannot always be required of the Christian. The objector would also like to cite the case of the Roman soldiers who were instructed to kill Christ. Surely we would not demand unquestioning submission to authority in this case?

Assessment

What assessment are we to make of the stand of the disobedient? Most important, in my opinion, is that we recognize his sincerity and willingly accept that that is God's calling for him. It is, after all, not given to us to dictate what God's calling will be.

Peter Moll ("Lynden", Avenue Rd. Mowbray 7700).

February 1979.

EXCERPTS FROM AN OPEN LETTER, DATED 19TH OCTOBER 1979, BY PETER MOLL
(IN WHICH HE AGAIN REFUSES TO ATTEND MILITARY CAMP) ADDRESSED TO THE
OFFICER COMMANDING, CAPE FLATS COMMANDO.

(Distributed by friends of Peter Moll, 23 year old selective conscientious objector, committed Baptist, and past chairman of the Students Christian Association at University of Cape Town. Peter has already been tried twice, first in a civil court in 1977, when he was sentenced to 3 months' imprisonment suspended for 5 years; and on 21st September 1979 when a military court fined him R50. He has now been ordered to attend a training camp from 19th November.)

Dear Sir,

CONSCIENTIOUS OBJECTION TO CONTINUOUS TRAINING CAMP

I note that I am required to attend a training camp from 19 November to 7 December 1979. After much serious consideration and study, and after consulting my church leaders about the matter, I have come to the conclusion that to obey would be a grave moral compromise of my faith. I therefore refuse to do so. My explanation is as follows.

(For purposes of this leaflet, Peter Moll's first two points have been summarised as follows: -

1. Pacifism: ... The Christian Church has traditionally been concerned about involvement with the military which means the taking of men's lives.
2. Civil Disobedience: ... Christians obey the government, but reserve the right to disobey if obedience does not conform to their religious and moral convictions.)

3. Selective conscientious objection

Selective conscientious objection is the refusal to engage in a particular war, while making no necessary statement about war in general. I have decided to be a selective conscientious objector because

- (a) in terms of Christian moral standards, South African society is fundamentally unjust;
- (b) the insurgents are generally not foreigners but South African citizens -- ie the situation is one of civil war; and
- (c) this makes one question very seriously just what one is required to fight for, and what one is required to die for. I shall devote one paragraph to each of these three points.

In the Pentateuch we are commanded to protect the widow, the orphan, the slave and the foreigner. The prophets castigated Israel for her oppression of the poor, for her unfair trading methods, and for the way the rich were favoured in the law and the courts. In the Gospels we find Jesus urging us to break with Mammon (i.e. riches) once and for all. Paul urges us to do good to all men, and James rails at rich landowners who exploit their labourers. In South Africa we seem to find precisely the conditions which the biblical writers condemned so forcefully. Our land is one of vast inequalities -- in wealth, in power and in education. White hegemony is guaranteed because they have taken to themselves 87% of the country's land area, leaving a meagre 13% for the larger part of the population. What is more, the so-called "white homeland" has the lion's share of the country's mineral wealth. Migratory labour, which has been condemned by all the churches in the country, reinforces this skewed pattern of development, whereby some get rich at the expense of others. To keep it all intact there is that most hated aspect of a hated system, the pass laws, under which more than 1 000 people are being imprisoned daily. This is a situation of fundamental injustice. Until it is the government's express intention to remove it, I will be unable in conscience to defend it.

/For decades ...

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