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The Right of Youth to Alternative Service

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I.	The Concept	page 1
II.	Historical account and international overview	3
	a) General considerations	3
	b) Historical examples	5
	1. Non-combatant service within the military	5
	2. Civil Defence	6
	3. Punitive service	6
	4. Non-military civil service	6
	i. Service in previous occupations	6
	ii. Rehabilitation, Reconstruction and Relief	7
	iii. Public works and Government offices	7
	iv. Agriculture and Forestry	7
	v. Mining	7
	vi. Research	8
	vii. Social Services	8
	viii. Pilot Schemes	8
	5. Service for Peace and Economic Development	8
	6. Service for non-violence	9
	c) Constructive Engagement versus Resistance	9
III.	Guarantees of Alternative Service	11
	a) National	11
	b) International	12
	Conclusion	13
	Selected Bibliography	14

I. CONCEPT

In English at any rate, 'service' has many meanings. On one hand it relates to the word servant, someone who is under instruction and obligation from another, and it can be a task which a subordinate is bound to. On the other hand it can mean willingness to perform a task or work for the benefit of others. Presumably those who accept conscription feel that they are, first, willingly undertaking a task for the benefit of society, and, second, that they are under instruction and obligation from the state. Hence the term 'armed services'.

'Alternative' implies choice between options. I think it has also come to mean a choice between traditional, standard and accepted norms, and on the other hand new and experimental ways of organising and living. What we mean by alternative also depends on our education and socialisation, since these directly influence conviction.

Some countries have national service, which broadens the possibilities for service beyond military involvement. This approach accepts that work for the common good, or societal needs, is not necessarily military. Some proponents of national service think there should be no conscientious objection to this, in other words that conscientious objection is opposition solely to the combat draft situation. However, others feel that compulsory service of any kind has implications for future military conscription. For example in 1981 the Quaker workcamps committee in the UK said that compulsory service by the young for the good of society is iniquitous when some of our problems are the product of overcentralised wealth and possessions.

The questions in this case are:

- 1) Is one under a moral obligation to perform a task for one's community or state?
- 2) If service is a moral obligation, should it take the form of a legal obligation to the state or to society? and
- 3) who decides whether a certain type of work is of 'service'?

A child is often given state aid in one form or another. The Government provides education, child benefit payments, health, etc. 'In return' some states expect taxes, others expect work for very little remuneration, and some require that in order to preserve the system which has given those benefits they must learn to kill others and be prepared to die themselves.

National service is the institutionalisation of a presumed moral obligation, which often in a rigidly structured and state controlled form. As such it raises questions on which all conscientious objectors would do well to reflect. One's attitude towards national service will illustrate one's fundamental attitude towards the state itself and towards the nature of one's responsibility to the society in which we live. Answers to these fundamental questions will have important ramifications for our understanding both of conscientious objection and alternative service.

Why do countries demand military service from their young people - the very ones who they have just expended so much energy and financial resources on? I rather like a UN General Assembly draft resolution, which failed of course, introduced by Saudi Arabia back in 1970. This draft resolution, inter alia, urges states to call on adults between 35 and 50 years old to enlist in the armed forces, so that young people can 'develop culturally, academically and vocationally before being commanded to prematurely sacrifice their lives'. Do states demand this from the young because they have few other responsibilities and commitments, or is it because they are easier to discipline? Should not the young, who have had the benefit of health and education be given the option to show their appreciation in some constructive way? The education is wasted if they are killed, and the country is no better off.

This brings up the question of the relationship between the individual objector and the state. In the First World War, former US President Theodore Roosevelt said he would not shoot conscientious objectors, but he would lead them to a place where they would be shot at, and the Bishop of London, the Reverend Winnington-Ingram, exhorted young Englishmen "to kill Germans ... to kill the good and the bad, to kill the young and the old, to kill those who have shown kindness to our wounded ... As I have said a thousand times, I look upon it as a war of purity". Clearly thinkers of this kind will not attempt to give conscientious objectors tasks which are in harmony with their convictions, since these convictions are not respected.

To some extent the type of alternative service given reflects the degree of compromise between state and objector. States tend to see alternative service as a task which will preclude the temptation to request it for reasons of opportunism, ie: that alternative service should be at least as onerous as military service would be.

From the State's point of view alternative service should fulfil three purposes:

- a) impose a burden or a punishment
- b) obtain a useful service
- c) it should be designed in such a way that it presents no threat to the recruitment for military service. Conscientious objection must remain the option of a small minority.

Some alternative service is clearly designed to test the sincerity of conscientious objectors and is therefore disruptive, disagreeable or unpleasant. If alternative service becomes a form of punishment or a test of sincerity it can also be counterproductive in the long run, negatively affecting a young person's attitude towards service to the human community.

On the other hand, some objectors see alternative service as a compromise until conscription is abolished, they do not want to be guinea pigs for certain forms of civil service or to be forced volunteers under military discipline.

The ideal relationship is for authorities to see conscientious objection as a positive contribution towards peace and the building of a more just society. At the moment the best that has been achieved is a level of toleration. It seems to me that conscientious objectors are committed to serving the world in a completely different way to that of the military. Positive alternative service testifies to that belief and the message of alternative service is essential if they are ever to be understood. This worked for a short while in Yugoslavia after World War II when President Tito protected conscientious objectors because of the excellent relief work they had done in 1945.

Whatever one believes about the control that a state should have over its citizens, and however much one may resent and reject that control, for the present at any rate, it is there.

To quote Martin Luther King Jr:

"We will not only win our freedom for ourselves; we will so appeal to your heart and conscience that we will win you in the process, and our victory will be a double victory."

(1967)

In other words that genuine alternative service will give an example to the public and decision-makers of positive action which cannot be ignored. It is more likely that conscientious objectors will be understood when they perform socially important acts, than if all society knows about them is that they say 'no'.

We can consider three types of alternative service:

- 1) The one that is easiest for the state is to offer some non-combatant work in the armed forces. This is not acceptable where objection is based on the conviction that even indirect participation in the use of armed force is immoral.
- 2) Social service or development service, which should not be under control of the Ministry of Defence for the same reasons.
- 3) Peace-building or peace-oriented service, in line with the UN even, is often the preferred form of alternative service.

Many state-chosen alternative services are ill-conceived and consist of hard work without any meaningful content. In this case it is necessary to ensure that the basic rights of those who find themselves pushed into a negative stand of resistance are protected. We should show that they are, or could be, builders of a peaceful society. Alternative service should contribute to eliminating or reducing the causes of violence. It should be of social value, without competing with paid labour, and it should respect the ecological values held by many objectors. Alternative service should respect the dignity of the person concerned, and reflect a pedagogy of peace. Peace organisations have often seen a period of alternative service as a time for strengthening the conscientious objector's will to peace and the skills needed to continue life-long work for peace.

Some general points about alternative service are that it allows a democratic society to respect the claims of conscience without forcing objectors into imprisonment, exile or a seriously compromised integrity. It is unjust to recognise the rebellion of the conscience which refuses military service without recognising its positive impulse to carry out a service in accordance with moral, religious or political convictions, fostering a spirit of loyalty to the whole human family.

II. HISTORICAL ACCOUNT AND INTERNATIONAL OVERVIEW

a) So much for the theory. In practice how have these ideals for genuine alternatives been realised? Some of the practical considerations taken into account when assessing whether a task is a genuine alternative rather than a punishment or deterrent are

- 1) the nature of the work;
- 2) the length of service;
- 3) who decides what the work shall be;
- 4) who supervises the work (etc.)

The type of alternative service acceptable will also depend on the - excuse the phrase - 'type' of conscientious objector. Those who object on political grounds only to particular wars may accept work unacceptable to others, and those opposed to the whole state structure as a source of violence may not

accept anything 'imposed' by the state. As I said earlier, the type of alternative offered reflects the degree of compromise between the state and the objector. The main alternatives to armed military service now existing are:

- 1) unarmed service in the military;
- 2) civil defence;
- 3) civilian service - relief and rehabilitation, public works and government offices, forestry, health, social service, education and culture, ecology, action to achieve human rights, and peace service or domestic education on these issues;
- 4) international service for peace, justice, or development.
- 5) The most recent on the list is social defence.

I'd like to try and put alternative service in a global context.

My figures are based on the UN survey of 1983, by Messrs. Eide and Mubanga-Chipoya, although I have tried to confirm that they are still accurate.

There are 159 member states of the UN,
40 states enforce conscription and offer no alternative to armed service;
67 states have no conscription, but 7 of these conscript in wartime.

There are 3 groups of countries between these two 'extremes':

1 - countries which have conscription but do not enforce it - at least six;
2 - those who allow unarmed service within the military, either on a legal or an ad-hoc basis - around 12. Some third world states have retained colonial provision for conscientious objection, and alternative service; an example is Zimbabwe which does not at present have conscription, but does have provision for conscientious objection. Guyana, Suriname and Zaire also have conscientious objection in principle. Non-military development service is possible in Ecuador, Morocco, Peru, and for women in Israel. Conscientious objection for Mennonites is recognised, in principle, in Bolivia, Honduras, Mexico and Paraguay. Examples of alternative service are limited if not non-existent from these countries, so most of the historical and present-day information is from a very few, mostly European, countries;

3 - those which enforce conscription and allow de facto alternative service. There are 13 of these:

Austria; Belgium; Denmark; Finland; France; Federal Republic of Germany; Israel (for women); Lebanon; Netherlands; Norway; Poland; Spain; and Sweden.

In my own work I have talked with diplomats from a number of countries where the idea of conscription is unknown, let alone objection to it. This summer I met a group of Bolivian Quakers who were beginning to examine possibilities for a legal process which would recognise them as conscientious objectors. They had not heard of Bolivian Mennonites being granted other service instead of the military. Most Bolivian Quakers simply ignore their call-up, and as a result suffer in terms of education, employment and social opportunities. I think it is important for us to remember other parts of the world as we examine our own histories of alternative service, looking as we do for parallels which may be of help to groups such as the Bolivian Quakers, Yugoslavs and Sri Lankans.

b) Prior to World War I, alternative service was little known. Anyone refusing military service was normally imprisoned or killed, others were lucky and were ignored. The general trend of alternative service in the twentieth century in Western Europe has been from group service in time of war to individual assignments; from unpaid service to employment at the going rate for the particular job; from the objector's responsibility for his own dependents to government responsibility as in the case of those in military service; from specialised training for the job ahead to general training for peace and social change; from job assignments in social service and environmental protection to tasks related to social development; and from job assignments in governmental programmes to a pluralistic system of placements in government offices and agencies and in local, national and international voluntary agencies.

1. Non-combatant service within the military

This is within the military, but respects the objector's refusal to personally carry arms. In many countries it is the only option to armed military service. Sometimes it is legally recognised, for example in the GDR and Uruguay. In others it is simply an administrative arrangement, as in the USSR, Mexico, Madagascar and Cuba. It may include administration, construction, work in the medical corps or teaching.

There are only a few examples from before World War I. From 1793, Mennonites in France worked in the army hospitals, from 1868 the North German Confederation permitted non-combatant status to Mennonites as did Canada from 1881. From 1864 the U.S. allowed all religious objectors army service in hospitals.

During World War I, over 1000 objectors in Britain were assigned to non-combatant service in the medical engineer and quartermaster services of the armed services, and in World War II about a quarter chose non-combatant service and many worked in auxiliary military hospitals, for example in Dunkerque.

Objectors in the US grew food for the army in World War I and in 1918 some worked in the army medical corps.

In 1919 a decree of the Council of People's Commissars, presided over by Lenin, allowed religious objectors to do semi-military work instead of bearing arms themselves. The decree was applied arbitrarily and was later repealed by Stalin. In 1964 the USSR introduced conscription for 18-27 year olds, but non-combatant posts were given out at the discretion of the local commander. In 1977 non-combatant service for religious youth was permitted on an ad hoc basis, but total refusal of service within the military was taken as treason and punished with imprisonment.

In World War I Hungarian conscientious objectors from the church of the Nazarenes performed sanitation and ambulance work, as members of the army. From 1972 there have been limited opportunities for service in hospitals and sanitary divisions of the army. By 1984 conscientious objectors in Hungary were unofficially assigned administrative posts within the army. In 1964 the German Democratic Republic allowed conscientious objectors to do construction work within the army, which was, and remains, their only option.

In 1980 Poland relaxed its imprisonment sanction and allowed Jehovah's Witnesses to choose non-combatant duties in the army.

There are many other examples.

2. Civil Defence

In World War II many conscientious objectors in Britain chose to work in civil defence.

In Switzerland some have offered to contribute actively to non-violent defence, but the reply from the federal military administration was that the army has not been charged with preparing passive resistance. Conscientious objectors may serve in civil defence in Belgium, Denmark, Norway and Sweden.

Civil defence schemes are normally run by the Ministry of Defence and are linked with the armed forces, although they are not part of them. It can be work within the military structure, or in non-violent forms of defence and resistance.

3. "Punitive Service"

There are some types of so-called alternative service which conscientious objectors generally consider punitive either by length or nature. Some work is given as a form of punishment and other tasks are found to be meaningless.

In New Zealand, conscientious objectors in World War II felt that their tasks were 'make work' so they requested to work in mental hospitals, but their request was refused.

In World War II the US Selective Service treated conscientious objectors as a special class of conscript. Many felt that they performed meaningless work in the civilian public service camps in which they lived. Information from the outside world was restricted, and they were also denied the pay, social security and health benefits given to conscripts. Congress denied financial assistance to dependents and refused compensation for injuries sustained during service.

In the Netherlands, some objectors are assigned jobs such as doorkeepers, a task which they find neither useful nor rewarding.

In Greece, at present, a conscientious objector's prison sentence may be reduced if he works, for example, at the agricultural prison of Kassandra. One day's work in prison constitutes two days of the sentence. In the US, a Mennonite was recently given 3 years probation for not registering, as required, for a future draft. He will work at a home for retarded adults for 2 of the 3 years.

In Switzerland the normal pattern is work as a punishment since there is no authentic alternative service. However, conscientious objectors are being permitted more meaningful work in this context (for example with the elderly and handicapped, rehabilitation of adults, and in hospitals etc.).

In Greece and Turkey there is now a sort of financial alternative service. A Greek migrant abroad for economic reasons can be exempted if he pays \$1,285, but in Turkey a migrant has to pay \$5,000 to be exempted.

4. Non-Military Civil Service

i. Service in previous occupations.

In World War II many British conscientious objectors were allowed to continue in their pre-conscription occupations if their work was considered to be of great social utility. In 1981 in Poland, priests and irreplaceable farm workers could carry on their normal work, which was supervised by the Ministry of Employment. In Romania in 1947 priests and doctors were exempted.

ii. Rehabilitation, reconstruction and relief, including the provision of medical services and food distribution.

The examples for this category of service are endless.

In both World Wars conscientious objectors from many countries evacuated and re-settled children and repaired war damaged homes. In Britain they even set up a saw mill to manufacture prefabricated houses.

In World War I conscientious objectors served as stretcher-bearers and ambulance drivers, often for non-governmental groups such as the Red Cross, the YMCA or the Friends Ambulance Unit (FAU).

World War II conscientious objectors from Britain saved, through medical assistance, the lives of people from both sides, of both civilians and soldiers.

The Aide Civile Belge helped victims of gassing and influenza and contained a typhoid epidemic. Amongst other services the FAU ran hospital trains and ships, gave medical aid to refugees in France, ran four clinics in Syria and one in Lebanon, organised feeding programs in Germany after the war and also distributed blankets. In 1969 Poland also allowed work in civilian hospitals. Conscientious objectors in Austria, Belgium, the Federal Republic of Germany, France, Italy, the Netherlands, and Sweden can do their alternative service in both general and mental hospitals.

iii. Public works and Government offices.

This is common in Scandinavia, Austria and Poland before Martial Law. It can include fire-fighting, rescue services at airports, messenger and porter duty with the civil service authorities, repair and maintenance of railways, power stations and the telephone network. In Finland in 1979 nearly 20 per cent of objectors were ordered to municipal and state institutions.

iv. Agriculture and forestry.

In World War I conscientious objectors were able to do forestry service in Denmark and Sweden and in World War II in Australia and in Sweden. Forestry service for conscientious objectors is now organised in Austria, Denmark, France, Norway and Sweden. Norway also allows land reclamation and drainage for farms, and conscientious objectors have had to accept forestry service for a year with no option. Some refused on the grounds that they were filling jobs needed by unemployed youth, that the work lacked a social goal, and that the forestry policy was contrary to their ideas about ecology. In the Federal Republic of Germany and the Netherlands some conscientious objectors work with ecological centres and environmental organisations.

v. Mining.

In Bulgaria in 1968 it seems that conscientious objectors worked in mines, and after three years such work was considered to be equivalent to military service. From 1956-1959 Poland exempted those willing to work in coal mines, and this was apparently extended to uranium mines. In World War II conscientious objectors in Canada also worked in mines.

vi. Research.

In World War II some conscientious objectors in the United States volunteered as human guinea pigs for starvation and nutritional rehabilitation experiments. This resulted in better international relief programmes in war-stricken areas, for example the Netherlands was sent carbohydrates rather than high protein foods. A few conscientious objectors were involved in medical research on typhus, jaundice, colds and malaria. This kind of research, of constructive benefit to humankind rather than one nation, does not seem to have been explored elsewhere.

vii. Social services.

Conscientious objectors often undertake social work in areas of interest to the community. Among such projects are aid to mountain peasants, action among migrant workers, homes for the under-privileged, social work with the urban poor, workshops with the handicapped and maladjusted, aid in public dispensaries and in hospitals for lepers, work in prisons and activities with the aged. Social service is possible in Austria, Belgium, Denmark, Italy, the Federal Republic of Germany, the Netherlands and Norway. It usually takes place under the auspices of a Government bureau of social assistance, but placement can be with Government approved non-governmental organisations.

In 1982, the German Democratic Republic's protestant youth petitioned their churches to be able to do "social peace service."

Educational service is possible in Italy where some conscientious objectors are assigned to youth organisations, and in the Netherlands some conscientious objectors teach in out-of-school organisations.

Through alternative service many conscientious objectors try to achieve the right of others to education and employment, to housing, health and a fruitful use of leisure time. A few Belgian and Dutch conscientious objectors have worked with organisations set up to defend human rights.

viii. Pilot Schemes.

Pilot alternative service schemes can help persuade the public of the social value of alternative service; for example in Switzerland between 1975 and 1984 there were 75 model camps for large scale lake-cleaning and tree planting.

In South Africa in 1978 religious groups such as the Quakers and Baptists set up a pilot voluntary service corps for youth of conscription age which was to have worked with Catholic Mission hospitals in an ambulance unit in a Namibian war zone. The South African Authorities refused permission. Other schemes in development and welfare projects also failed for similar reasons.

5. Service for peace and Economic Development

In a number of countries conscientious objectors are working for political action to be accepted as a form of alternative service. In France an objector asked to do his alternative service with an anti-military collective, his application was not approved.

In Belgium, and the Netherlands, conscientious objectors are able to work with peace movements and organisations. In Finland I believe conscientious objectors have worked with the university peace research bureau. During the Vietnam War US objectors could be placed in the international headquarters of organisations involved with peace and disarmament.

The idea of an international peace service has been championed by the Service Civil International since 1920. Hundreds of its camps have demonstrated the validity of international service, which have been mostly in the development area.

In the early 1970s, US objectors could carry out overseas service in agriculture, teaching, social services, community development and emergency relief. Belgium, Denmark, the Netherlands and the Federal Republic of Germany allow some form of development service. Italy grants exemption for a few highly qualified men who accept service for development. In 1980 some Swiss conscientious objectors asked to do voluntary service in one of the international work camps then operating in the earthquake-stricken area of Italy. The Swiss government has a specialised emergency corps, and considered that most young objectors are not technically competent for service in disaster areas.

6. Service for non-violence

i. Social Defence.

Social defence is not new, the work of Ghandi and Martin Luther King Jr. are perhaps the most famous examples. Briefly, non-violent social defence corresponds to a people's need to defend its moral, cultural, humanist and other values, which are related to the development of conscience. Instead of defending territory and property, social defence is intended to defend social values even under occupation. It does this firstly by searching for greater democracy, and secondly by non-cooperation with an aggressor. Sweden, Belgium, the Netherlands and Switzerland have examined non-military defence. It is not yet an option for conscientious objectors, but it may become so with more public information.

ii. Non-violence training and peace education.

Many conscientious objectors and associations of objectors would like to have peace-training as part of their alternative service. Training can strengthen the conscientious objector's basic commitment as well as extend their range of motivations. Some examples follow:

In France, even before the conscientious objection law was passed in 1963, the Fellowship of Reconciliation thought that conscientious objectors should be trained in non-violent civil organising, in alternative means of defence and in conflict resolution. At the Cun de Larzac, training courses have been held for conscientious objectors from all over Europe to consider disarmament, demilitarisation, non-violent popular defence and a pedagogy for peace. The Danish government-sponsored peace schools for conscientious objectors put emphasis on briefings about possible assignments and the development of practical skills. In Switzerland in 1984 the Committee for the initiative for an authentic civilian service asked, 'What is national defence, is it threatened by peace service?'. Training exists in the Federal Republic of Germany, run by 'Action Reconciliation'. In Norway a six-week period of training has just been introduced for objectors beginning their service. It deals both with their social tasks and with the methods and causes of wars, but not with non-violent resistance as conscientious objection pioneers of the 1960s had wished.

c) Constructive Engagement versus Resistance. Alternative Service versus Total Refusal.

A prominent twentieth century pacifist in the U.S., A.J. Muste, wrote: "Pacifists have to ask whether in conforming with any of the provisions of a draft law, and especially in rendering conscript service regarded as of 'National

importance' by a war-making state, they are not helping conscription to run smoothly, helping thus to force conscription on millions of youth and thus in turn promoting war, since conscription is an integral part of the armaments race."

He wrote this in 1952, when the U.S. was conscripting for the Korean War (1950-1953).

One example of the resistance versus constructive engagement debate is in South Africa. According to the End Conscription Campaign between 3000 and 4000 men left the country between 1979 and 1984 in order to avoid military call-up. By July of this year the Board for Religious Objectors had received as many applications as it did in the whole of 1984. Many are led to ask if one is prolonging the system of Apartheid by cooperating with the authorities in state organised alternative service, but also, in leaving the country is one effectively opposing such a system?

In discussing questions of conscientious objection and alternative service I described the conflict between state and objector, and said that the type of alternative service indicates the level of compromise reached. The conflict is great over selective objection, but it is probably greatest over the question of total refusal.

- Some people feel that alternative service is a meaningful task for which they have a moral responsibility, or are willing to perform.
- Others feel it is a compromise with the state until conscription is abolished.
- Some find any service connected with a state authority totally unacceptable. State service is most often not peace service and enforced service is incompatible with self-determination. They feel the only way to change the system is to be a 'total refuser'. As an indication of numbers, in the Federal Republic of Germany there were 45 total refusers between 1975-1983, and in the same period 468,731 applications for C.O. status.

Total refusers cannot normally take advantage of existing legislation, and so serve time in prison. Jehovah's Witnesses refuse to carry out any service at the request of the state or under its supervision. In a few countries they are exempt from civilian as well as military service, but in other countries, Greece for example, they are imprisoned. In South Africa they generally refuse alternative service, are imprisoned, ordered to do the same tasks as they were offered under alternative service and this time they accept since it is then seen as a punishment and not a compromise. In the 1950's a number of conscientious objectors in the United States refused to do alternative service which was designed to serve the health, safety and interest of the United States since they felt it was not service for humanity and human fraternity. During World War II in the United States Richard Gregg refused to cooperate with a governmental administrative civil service. He said that the Civilian Public Service was so full of compulsion and threats that it could not promote the community the pacifists desired. In most cases total refusers are imprisoned, for example, in the Netherlands they are sentenced to 18 months in prison for 'total lack of cooperation'.

Total refusal also involves people other than conscripts. Many people in Western Europe and the United States are refusing to pay tax for the military or war preparations. In the developed world military strength is not dependent solely on the number of troops a country can mobilize but depends heavily on technologies

of mass annihilation. Does this mean that conscientious objection and alternative service, which have been worked for so hard, are outdated? Do even they compromise with a state which is based on military and materialistic values?

Within the war resistance community today it seems that conscientious objection is sometimes seen as a 'second-class citizen' to out and out total non-cooperation. Conversely, some conscientious objection organisations reject total refusal, perhaps because they feel the total refusers are rejecting them, forgetting the message of alternative service that positive action is a means through which more people may come to welcome non-military service, recognise the right to conscientious objection and even question the legitimacy of conscription. Some conscientious objectors would distinguish between supporting tactical and ideological total refusers. Often total refusers and conscientious objectors are linked in a campaign of action, and usually in the minds of those in government the distinction is rarely made. In time of war the practical distinction is lost in many countries as both are imprisoned.

Whatever 'kind' of 'war resistor' (total refuser or conscientious objector) we are, we all believe in freedom of conscience, and we all expect states to recognize, understand and welcome action in accordance with conscience. Should we ourselves not then be the first to recognize the importance of respect for where another's conscience may lead? Human conscience develops over a period of time, as one becomes more aware of national situations, of one's relation to the conditions of others, of one's place in a social system and one's own spiritual and political values.

I find it disturbing when branches of the same anti-militarist, pro-peace, movement expend their energies disagreeing with each other rather than tackling the problem together, even if from their different perspectives.

III. INTERNATIONAL AND NATIONAL GUARANTEES OF ALTERNATIVE SERVICE

a) National

Only four countries have conscientious objection in their Constitution: Austria, Portugal, the Federal Republic of Germany and the Netherlands. In Austria and Portugal, the Constitution also includes alternative service, which conscientious objectors are therefore required to perform. For a brief period in the Federal Republic of Germany, from July 1977 to April 1978 the law allowed a free choice by the individual between military and civilian service, simply by the conscript sending notification. The French law of July 1983 provides broadened grounds for giving conscientious objection status and improves the type of alternative service, provided it is 'of general interest'. The law also enables conscientious objectors to belong to a political party or trade union while in service.

Norway's law provides for alternative service which is 16 months, compared with the 12 months military service.

In Italy the law provides for alternative service, but it is done within the military framework and administered by the Ministry of Defence.

The Greek law was amended in 1977 to allow Jehovah's Witnesses who refuse to perform military service to perform unarmed service for four years. Prison for other conscientious objectors is four and a half years (in theory) plus deprivation of civil rights for 5 or more years.

The defence amendment act became effective in both South Africa and Namibia on January 1st 1984. For the first time an alternative service for religious objectors is provided, but the act also increased penalties for non-religious objectors, which is now 6 years.

From 1979 until martial law, Poland legally allowed alternative service in hospitals, social institutions, conservation programmes and emergency services.

The German Democratic Republic legally provides for unarmed service if the objection is for religious or similar motives. There is no provision outside the military defence system.

In Sweden a conscript may transfer to alternative service after beginning military service. In the US review boards screen soldiers requesting discharge as conscientious objectors, and those wanting to transfer to non-combatant status. Denmark used to allow transfer during service.

The Spanish Law of December '84 does not allow conscientious objection for serving conscripts.

In general, more legal provisions exist, at the national level, for religious objectors than for other objectors (ethical, moral or humanitarian), whilst there are no legal provisions for political objectors (who may object to a particular war or to all war on grounds that it is politically outdated or irrelevant).

b) International

The Nuremberg principles, that an individual is responsible for acts committed even when under orders, have affected thinking in post-war generations. In Czechoslovakia a theological student who refused military service in 1977 made reference to the Helsinki Final Act as support for his stand.

The Council of Europe is now developing standards with legal and socio-political implications for alternative service. In 1967, the Consultative Assembly of the Council of Europe passed Resolution 337 which included a section on alternative service. This states that:

1. The period to be served in alternative work shall be at least as long as the period of normal military service.
2. The social and financial equality of recognised conscientious objectors ... shall be guaranteed.
3. The Governments concerned shall ensure that conscientious objectors are employed in social work or other work of national importance - having regard also to the manifold needs of the developing countries.

This resolution is not binding, but does have a certain moral force. It has been used many times, for example by Swiss objectors in calling the attention of their judges to the recommendation that it is a right to ask for alternative service. The Macciocchi Report on Conscientious Objection was endorsed by the European Parliament in February 1983. This recommends that military and alternative service be of equal length, and that alternative service may not be regarded as a sanction and therefore must be organised in such a way as to respect the dignity of the person concerned, and benefit the community, particularly in the social field and the field of aid and development cooperation.

At the UN level little concrete progress has been made. In 1978 the UN General Assembly passed Resolution 33/165 by which it recognized the right to refuse army or police service used to enforce Apartheid. At least one Swiss objector has cited the aims of the UN Disarmament Decade as being in harmony with his conscientious objection.

Few national Governments have respected international recommendations, but both formal recommendations and statements in debate, at the UN for example, are a tool that national lobbyists can use, both for proposed reforms and for raising awareness. There are constant new initiatives at both the European and UN level aimed at better provisions for both conscientious objection and alternative service. The Netherlands was the main sponsor of the UN resolution on conscientious objection in March 1985 which if passed would have stated that conscientious objection to military service is a legitimate exercise of the right to freedom of thought, conscience and religion. It also recommended that non-military service be introduced which did not conflict with the convictions of the objector. The resolution was postponed until February 1987.

Many groups continue to act as watchdogs in case legislation is proposed to degrade the status of alternative service or introduce a punitive aspect. Many non-governmental organisations have elaborated their own standards which they can measure against state practice, and use in 'positive lobbying'.

CONCLUSION

Where conscription exists I believe there is a right to conscientious objection. Conscientious objection includes the right, even the responsibility, to serve society in positive, constructive ways which give witness to one's deeply held beliefs. The right to contribute positively to the development of one's society should not, for that matter, be limited to conscientious objectors but should be a basic human right.

Since the basis of conscientious objection is freedom of conscience, the right to refuse compulsory forms of alternative service should also be respected, especially when the nature of the work provided is objectionable. But we cannot expect states which depend on conscription to do more than provide meaningful alternative service outside of the military framework. To ask the state to provide exemption from both military and alternative service is to oppose the conscription system itself, and perhaps even the compulsory nature of the state. This we certainly have a right to do, though as with so many of our brothers and sisters in far more oppressive situations, we must be prepared to pay the cost under the current system. Those of us who would refuse even constructive forms of civilian alternative service should be encouraged to consider carefully both the motivation and effect of our action. We must avoid the tendency to self-righteousness and ideological puritanism and ask ourselves instead from which position can we most effectively contribute to eliminating the cancer of violence from our societies and global community. The task is too essential and our numbers too small to afford the luxury of ineffective witness.

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