

Refusal in the international war resistance movement

**An outline of contemporary refusal and refusal movements in various political
circumstances throughout the world¹**

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¹ This article was originally written for a planned book on the Israeli refusal movement – which unfortunately did not find a publisher. This is a revised version.

1 Introduction

"I think that we can get further by saying the truth:

(...) That no-one can be forced to follow a call-up order – that therefore we firstly have to eradicate the psychic obsession, which makes one believe that he has to, has to, has to march, when they blow the horn.

You do not have to.

Because this is a simple, a primitive, a simply great truth:

You can also stay at home."

Kurt Tucholsky, 1927²

Refusal to take part in war is as old as war itself. However, with the introduction of conscription as a more "effective" means for recruiting (first in France on 5 September 1798), and modern warfare, war resistance too had to become more organised. Former WRI Council secretary Tony Smythe wrote in 1967: *"Men have always been impressed, levied, requisitioned, conscripted and bullied into the armies of their rulers but modern mass compulsory recruitment has been applied on a scale which makes it one of the major repressive institutions of our time, It is an integral part of the total war concept.*

Compulsory recruitment is one definition but conscription could be interpreted more widely. In an economy geared to military preparedness men are compelled to work in war industries because these provide a sizeable proportion of the total number of jobs, Scientists and technicians are compelled to lend their intelligence to destruction because science and technology are geared to military needs. War-thinking confronts us through every mediums of mass communication. When war comes we cease to be human beings at all and are compelled to become permissible military targets."³

Presently many refusal movements are confronted

2 Kurt Tucholsky (as Ignaz Wrobel): *Über wirkungsvollen Pazifismus*, in *Weltbühne*, 11 October 1927

Quoted from: Kurt Tucholsky: *Unser Militär! Schriften gegen Krieg und Militarismus*. Büchergilde Gutenberg, Frankfurt/Olten/Wien 1982, p396-401. Translation into English by the author)

3 Tony Smythe: *Conscientious Objection and War Resistance*, in *War Resistance*, Vol. 2, No 21, 2nd quarter 1967, online at <http://www.wri-irg.org/news/2004/smythe1.htm>

with a transition from conscription – from mass armies – to "voluntary" based highly professional (and smaller) armies. This process of professionalisation of the military and war (from "defence" and "deterrence" to "peacebuilding", "peace enforcement", "humanitarian intervention" and now the "war on terrorism") also has an impact on the political context for any kind of refusal movement.

In this article, I want to look at the concept of refusal, and the problems refusal movements in different circumstances and parts of the world face. In doing so, I will attempt to identify some of the present challenges for the movement, and potential responses.

2 The concept of conscientious objection and war resistance

There are probably as many definitions of conscientious objection as there are conscientious objectors, and the political perspective is important. In 1983 the first report on conscientious objection to the United Nations offered the following definition: *"By conscience is meant genuine ethical convictions, which may be of religious or humanist inspiration (...). Two major categories of convictions stand out, one that it is wrong under all circumstances to kill (the pacifist objection), and the other that the use of force is justified in some circumstances but not in others, and that therefore it is necessary to object in those other cases (partial objection to military service)".⁴*

A similar definition is the basis of many CO laws. However, within the international movement of conscientious objectors – partly organised within War Resisters' International – the debate is quite different though. First of all, it mostly does not focus on the question of conscience – the *objection* or *refusal* is the focus of the debate, and the German term "Kriegsdienstverweigerung" (war service refusal), or the term *insumisión* (disobedience), chosen by the Spanish CO movement, reflect better the approach of conscientious objectors.

4 Question of conscientious objection to military service. Report by Mr. Eide and Mr. Mubanga-Chipoya, 27 June 1983, E/CN.4Sub.2/1983/30, paragraph 21

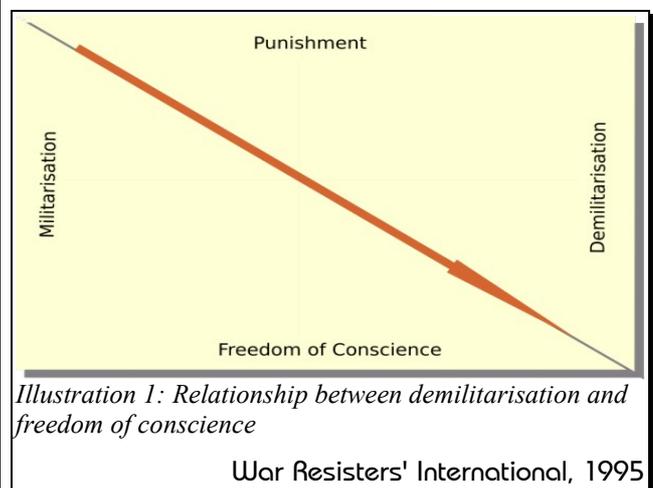
As early as 1923, Runham Brown, then secretary of Paco (which later became War Resisters' International) wrote, summing up the mood after the First World War: *"It was our opportunity. We saw clearly that the Peace Movement in the future must be a war resisters' movement. There must not be merely a wish for peace, but a consuming desire to right wrongs must possess us. We had no wish to suppress revolt, but to bring justice and liberty. Revolt and defiance must be harnessed to faith in our fellow men without distinction of colour, race, class or creed. We have to discover those who would themselves personally refuse to use any form of violent domination over their fellows, who would give to others the liberty which they desired for themselves, who would lay down their arms and rely as their only defence on the sense of justice in their fellow men."*⁵

Half a century (and many wars) later, the Italian conscientious objector Pietro Pinna wrote: *"C.O. Is a focal point of antimilitarist action. By its witness of living adherence to the idea, it operates as a major focus of debate and mobilisation. In the wider revolutionary strategy, C.O. offers a fundamental indication, i.e. the assumption of responsibility, of autonomy and personal initiative; it serves as point of reference, as paradigm, for the extension of the concept of 'conscientious objection' in any other sectors of social life"*⁶.

In a report of a discussion on "conscription and strategies around conscientious objection" at the War Resisters' International Triennial Conference in Brazil in December 1994, the discussion is summarised as follows: *"In recent years the debate by the CO movements (at ICOMs [International Conscientious Objectors' Meetings - the last one took place in 1996 in Chad, AS]) has led us to believe that what we as objectors are basically striving for is the demilitarisation of society, while the state, on the other hand, wants to maintain or promote militarisation. We have to evolve strategies which prevent the CO movement remaining static on this vertical axis [see illustration 1], planning to approach what would be a diagonal trajectory, which would be the ideal - that is, progress towards a demilitarised society which would be accompanied by an increase in*

*individual liberty"*⁷.

However, refusal and war resistance go well beyond conscientious objection - that is the open and public stand against war and military service. When we talk about refusal, then it is important to include the variety of approaches to refusal: conscientious objection as the public stand, but also draft evasion, desertion, "grey refusal" in form of medical exemptions or postponement of service, and even going into exile. In most countries, these other forms of refusal are much more widely practised than the open and confrontational conscientious objection. Although there are problems with these other forms, in that they do not openly confront militarism and the state's demand for military service, these other forms are nevertheless important. Although most countries tolerate these other forms to a certain degree - to decrease pressure and open resistance - some of the examples I will give later also show that states try to crack down on grey refusal when it goes beyond a certain level.



5 H Runham Brown: *Cutting Ice*, War Resisters' International, London, 1930

6 Pietro Pinna: *Functions and policy of WRI, War Resistance*, Vol 3, 1st & 2nd quarters 1973

7 Rafa Sainz de Rozas, Hugo Valiente: *Conscription and strategies around conscientious objection*, *The Broken Rifle No 32*, June 1995, Report on the XXI Triennial Conference of War Resisters' International, <http://www.wri-irg.org/pubs/br32-en.htm#Heading6>

3 Examples of war resistance movements

Refusal movements act in a variety of contexts. War Resisters' International itself was founded shortly after the First World War, and grew rapidly in the post-war anti-war climate. The period after the Second World War – the Cold War period – was the background of many CO movements in Western Europe striving for the recognition of the right to conscientious objection, partly in situations of war – such as France and the war in Algeria.

For the purpose of this article, I want to have a brief look at some contemporary refusal movements, which represent a variety of situations. This overview is by no means complete.

3.1 Western Europe: Refusal movements and the end of conscription

In the last decade, Western Europe saw many countries abolishing conscription, or ending the enforcement of conscription⁸. Some of the countries following this trend are: Belgium (in 1995), Netherlands (in 1996), France (in 2002), Spain (in 2003), Hungary and the Czech Republic (in 2004), Italy (on 1 January 2005), to mention just a few. All of the countries mentioned above had an established right to conscientious objection – which does mostly not apply to professional soldiers⁹. The trend is expected to continue.

In most countries, the end of conscription was not the result of a strong refusal movement – with the possible exception of Spain, where the high number of *insumisos* was probably one aspect which led to the decision to abandon conscription¹⁰. As a

8 This can be an important legal difference: to abolish conscription means that legal provisions for conscription do no longer exist, the respective laws have been abolished. Not to enforce conscription means that the legal provision are still in place, but they are no longer enforced. It would be much easier to reintroduce conscription in the latter case, as no new laws would need to be passed.

9 It is already one of the challenges for the refusal movement that very little is known about the right to CO for professional soldiers – in the past the movement was much more concerned about (potential) conscripts than about people who joined the military 'voluntarily'.

10 Rafael Ajangiz: *Empowerment for demilitarisation. Civil*

result of this development, the traditional refusal movement, focused on conscientious objection of (potential) conscripts, had to adapt – which in many cases was a difficult issue. While some of the former CO movements managed to change their focus – *Forum voor Vredesactie* in Belgium is a good example, as is *Movimiento de Objeción de Conciencia* (MOC) in the state of Spain (which changed its name to *Alternativa Antimilitarista – MOC*), this transformation was less successful in other cases.

However, a successful transformation of the refusal movement to an antimilitarist movement does not mean that refusal is still high on the agenda. The Spanish groups shifted their refusal aspect to tax resistance (*Objeción Fiscal*), while *Forum voor Vredesactie* focuses on nonviolent direct action (NVDA), especially regarding nuclear weapons in Europe, and on nonviolent peacebuilding (and organised NVDA against the transfer of US military equipment from depots in Germany to the port of Antwerp for shipment to the Gulf).

How much the confrontation with the military – and encouraging and supporting of refusal by professional soldiers – is part of an antimilitarist strategy in the post-conscription countries is questionable. In most of these countries, there is little attempt to spoil the military's recruitment efforts – the French example is unfortunately not an exception here¹¹. Not only are activities to counter recruitment underdeveloped, support structures for soldiers wanting to leave the military, or propaganda calling them to do so, are almost absent too. Very little is known about Spanish or Dutch soldiers refusing to participate in the occupation of Iraq, or about any other country of the "coalition of the willing" besides the US and Britain (only single cases are known from Greece¹² and South Korea¹³, but both countries still maintain conscription).

disobedience gets rid of conscription. Case studies submitted to the Nonviolence and Social Empowerment Conference, Puri, Orissa, India 18-24 February 2001, <http://wri-irg.org/nvse/nvsecase-en.htm#insumiso>

11 Tikiri: *Not much impact ... yet*. Peace News no 2447, June-August 2002

12 See <http://wri-irg.org/news/htdocs/20040915a.html> on the case of Georgios Monastiriotis

13 See <http://wri-irg.org/news/htdocs/20031216a.html> on the case of Cheol-min Kang

As a conclusion it has to be said that a strong refusal movement does no longer exist in most post-conscription countries. With the transition from a conscription-based recruitment system to voluntary recruitment, the antimilitarist movement, where it still exists, shifted its focus away from a confrontation with the military on issues of recruitment of personnel – which leads to a military which is basically left on its own, and not challenged by antimilitarists.

One of the reasons for this is that many antimilitarists see serving soldiers – especially those who joined the military 'voluntarily' – as part of the "enemy", of the militarist machine they oppose. Although it is true that all soldiers are potential murderers (a reference to Kurt Tucholsky's famous quote "soldiers are murderers"), it is also true that all soldiers – even those who joined voluntarily – are potential deserters or conscientious objectors. While most refusal movements recognise that 'voluntary' enlistment is often the result of so-called 'economical conscription', it is still difficult for most to reach out to serving soldiers as potential allies. A cultural 'class divide', with most of the peace movement coming from a middle class background, and most 'voluntarily' soldiers from working class or immigrant backgrounds, might play a role here, but should not be seen as an excuse.

3.2 Russia and former Soviet Union: Refusal as widespread grey objection

The situation in Russia is symptomatic for most countries of the former Soviet Union, and is characterised by high numbers of draft evasion, compared to open conscientious objection, which is mostly practised by religious groups (hence the small number of imprisoned conscientious objectors in those countries). In 2004, more than 21 000 young men evaded being drafted, more than 25 000 in 2003¹⁴. In addition, medical exemptions are the means of choice for most draft age men, and the low health of Russian draft age men combined with some bribing makes it possible for many. However, the Russian authorities use force to counter these developments, such as random identity checks and imprisonment of draft age men

14 [Russia's Defense Authorities Optimistic About Future of Alternative Service Programs](#). *Novosti Russian News and Information Agency*, 15 December 2004

to present them to the draft boards¹⁵.

Refusal in Russia is not so much the result of widespread antimilitarism, but more of the situation within the military itself, which is characterised by grave violations of human rights of conscripts. A 2003 WRI report describes the practice: "*Systematic human rights violations in the Russian Armed Forces date back to the 1950s, and are known as "dedovshchina."* During their first year in military service, conscription soldiers are obliged to follow orders from second year soldiers, who are known as "dedy" ("grandfathers"). The senior soldiers subject junior soldiers to extortion, and punish them with beating and torture if they fail to comply. In addition, a large number of senior soldiers force their juniors to participate in degrading activities or beat them for no apparent reason. Whereas military officers used to ignore violent ill-treatment of conscription soldiers, many have changed practise and now actively take part in violations or encourage senior soldiers to mistreat their subordinates. The aim seems to be to take away new soldiers' self-respect, so that they become indifferent about their personal safety during armed conflict as well as preserving "order" at military bases"¹⁶. As a result of this practice, between 4 000 and 5 000 soldiers die annually during peacetime¹⁷, and unauthorised absence and desertion are high in the Russian Armed Forces – the Soldiers' Mothers estimate that up to 40 000 conscripts leave their units annually.

There is no unified refusal movement in Russia. The Soldiers' Mothers movement – probably the strongest movement supporting refusers – focuses on support to soldiers leaving their units due to human rights violations, and on draft avoidance. This is mostly not done from an antimilitarist perspective, but based on fear for the life and health of their sons. However, the Soldiers' Mothers movement is mostly also strongly opposing the war in Chechnya.

Human rights NGOs are the main organisations

15 War Resisters' International: *The Russian Federation: Human Rights and the Armed Forces*, Report, September 2003, <http://www.wri-irg.org/news/2003/un0309ru.htm>

16 War Resisters' International: *The Russian Federation: Human Rights and the Armed Forces*, Report, September 2003, <http://www.wri-irg.org/news/2003/un0309ru.htm>

17 Amnesty International (1997), p. 8

behind a campaign for the right to conscientious objection, which in summer 2002 led to a CO law, which came into force on 1 January 2004. However, some of the organisations involved do not define themselves as antimilitarist or pacifist, and the campaign focuses on alternative civilian service, and uses the term "conscientious objection" rarely. According to information from the NGO coalition "For Democratic Alternative Civilian Service", 1 445 applications for CO submitted in the spring draft 2004, of which some 200 applications were rejected¹⁸. Alternative civilian service lasts 42 months, 1.75 times longer than military service. An antimilitarist activist from Russia was even surprised about these CO numbers. He wrote to WRI that "*pretty many people are still hiding from both alternative and military service. Although military call up centres and police have been more active hunting down draft evaders, they are still many. And probably in their ranks there are many people who could do alternative service but do not want to live by collecting bottles in the street during service*"¹⁹. The radical antimilitarist groups therefore encourage any form of draft avoidance.

The different approaches are also linked to different views on the solution to the problem. While the Soldiers' Mothers movement promotes the professionalisation of the Russian Armed Forces, and the abolishment of conscription, most human rights NGOs are mainly concerned with an improved CO legislation meeting international standards. The radical antimilitarists of Autonomous Action see the military "*as a system of violence, an instrument of governance of the ruling class and an instrument of integration of young men to patriarchal, authoritarian and hierarchical systems of domination.*" They are "*against forced conscription*" and call to a "*boycott [of] military call-ups! Trash all draft cards!*"²⁰

While the diversity of the refusal movement in Russia can potentially be a strength, the ideological differences make co-operation between the different spectres difficult. This became apparent at a "Deserters' Festival" in Moscow in February 2005.

18 European Bureau for Conscientious Objection: *The Right To Refuse To Kill*, winter 2004

19 Email to War Resisters' International, 24 December 2004 (name known to the author)

20 Manifesto of "Autonomous Action", <http://www.avtonom.org/eng/manifesto.html> (accessed 31/12/2004)

Here, NGOs did not participate, for fear the term deserter could harm their reputation with the government. It is also difficult to combine an approach of NGOs who would like to make the system more effective, and an approach which is aimed at the destruction of the entire military system.

On top of these difficulties, militarism is on the rise in Russia as a result of Russia's response to Chechen terrorism, which again is a result of Russia's war in Chechnya. The space for civil society gets smaller, and radical anti-war actions meet with hostile reactions from the Russian population, and even more so from the Russian authorities. While draft evasion will remain high – also as a result of Russian casualties in Chechnya – open resistance to the war itself is hardly popular.

3.3 South Korea: Refusal after military dictatorship

South Korea is an example for a refusal movement in a post-military dictatorship environment. Although there are some specifics to the Korean situation – such as the issue of South and North Korea, which singles out the Korean peninsula as the last Cold War region, and the high number of Jehovah's Witness COs in prison²¹ – the social role of militarism is very similar to other post-dictatorship situations such as Turkey, or many Latin American countries.

The South Korean movement started off very much as a human rights oriented movement – and out of indignation about the imprisonment of more than 1 500 Jehovah's Witness COs when it became known in 2001. However, the first political conscientious objector, O Taeyang, who declared his conscientious objection on 17 December 2001, was motivated also by the separation of the two Koreas, and sees his conscientious objection as a way to overcome the division of the country²². Na

21 At the end of 2004, roughly 1 000 Jehovah's Witness COs were in prison in South Korea. Since the end of the Korean war, roughly 10 000 Jehovah's Witness COs went through prison, until 2001 mostly unknown to the Korean public and the international community.

22 On 30 August 2004, O Taeyang was sentenced to 18 month imprisonment, and is presently serving his sentence. See War Resisters' International: CO-Update e-newsletter no 4, December 2004, <http://www.wri-irg.org/pubs/upd-0412.htm#South Korea: More than 750 conscientiou>

Donghyeok, another political conscientious objector, explains his conscientious objection as follows: *"I strongly believe that we can achieve peace by peaceful means, and that we have to overturn the warsystem for peace. I declared my objection in public on 12 of September last year [2002], and was sentenced to one and a half years' imprisonment at the first trial"*²³

With the growth of the Korean anti-war movement since 11 September 2001, the Korean refusal movement embraced antimilitarism. Although the movement still uses the legal system of the country to achieve a recognition of the right to conscientious objection (an effort that failed with two subsequent decisions of the Supreme Court and the Constitutional Court on 15 July and 26 August 2004²⁴), as well as the United Nations system²⁵, challenging the militarisation of Korean society is higher on the agenda now.

Jung-min Choi, coordinator of Korea Solidarity for Conscientious Objection, writes: *"With the spread of the CO movement in Korea, especially among young people affected by military service, the Korean government started to respond. The Ministry of Education served each university and college with guiding principles that block the spread of the CO movement, and the Ministry of Defence released a statement opposing the right to CO. Also, then-president Kim Dae-jung gave an address that he can't accept CO rights."* And: *"It is a paradox that Korea, a country that has a long history of struggle for democracy, has only three years history of struggling for COs. There are only a few COs yet, and it may need a lot of time to generate public support. But it is obvious that the CO movement provides a new perspective for*

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23 Na Donghyeok was finally sentenced on 31 August 2004, again to 18 month imprisonment, and is presently serving his sentence. See War Resisters' International: CO-Update e-newsletter no 4, December 2004, <http://www.wri-irg.org/pubs/upd-0412.htm#South Korea: More than 750 conscientious>

24 War Resisters' International: CO-Update e-newsletter no 1, September 2004, <http://www.wri-irg.org/pubs/upd-0409.htm>

25 In October two CO cases have been submitted as individual complaints to the UN Human Rights Committee. See War Resisters' International: CO-Update e-newsletter no 3, November 2004, <http://www.wri-irg.org/pubs/upd-0411.htm#Korea: Two CO cases submitted to UN>

*another world, and although it moves forward slowly, it does so with a lot of power."*²⁶

A problem of the Korean refusal movement – very similar to Turkey – is the position of the refusal movement within the leftist opposition. While the refusal movement embraces nonviolence and nonviolent action, these concepts are almost unknown within the broader left – or disregarded in a left that is still caught in a Marxist militant tradition, and sees militancy understood as violence as an important aspect of political mobilisation. At the same time, the opposition to the war in Iraq, and to US bases in South Korea, is often fuelled by nationalism and anti-US-Americanism, but not linked to a truly antimilitarist analysis. This again poses problems for the antimilitarist refusal movement. However, this also highlights the importance of the refusal movement, also as a movement to spread nonviolence, as well as non-hierarchical and non-patriarchal forms of organising.

3.4 Eritrea: Refusal in Africa

It is difficult to call refusal in Eritrea a movement in a political sense – the only chance to organise politically exists in exile, and the first antimilitarist group was formed by Eritrean refugees in Germany in 2004²⁷. However, refusal is widespread in Eritrea as a form of resistance not only to the war with Ethiopia, but also to the militarisation of Eritrean society through an extensive "national service" system. Besides Israel, Eritrea is the only country also conscripting women. The description of the situation given by UNHCR makes it all too obvious why the open organisation of a refusal movement in Eritrea is impossible: *"According to the Eritrean law, national military and development service is compulsory for 18 months for both men and women aged between 18 and 40. In practice, it has become indefinite as no meaningful demobilisation has taken place so far. There is no right to conscientious objection. The government has deployed military police throughout the country using roadblocks, street*

26 The Broken Rifle no 59, November 2003, <http://www.wri-irg.org/pubs/pfp03-en.htm#Heading2>

27 War Resisters' International: CO-Update e-newsletter no 4, December 2004, <http://www.wri-irg.org/pubs/upd-0412.htm#Eritrea: Army rounds up draft evaders>

sweeps, and house to house searches to find deserters and draft evaders. The government has also reportedly authorised the use of extreme force against anyone resisting or attempting to flee. There have been reports of resistance, especially by parents of draft age girls, which resulted in deaths of both soldiers and civilians. ... It is reported that the army resorted to various forms of severe physical punishment to force objectors, including some Jehovah's Witnesses, to perform the military service. The punishments used against deserters, conscription evaders and army offenders reportedly included such measures as the tying of hands and feet for extended periods of time and prolonged sun exposure at high temperatures²⁸.

However, at the same time draft evasion and desertion are widespread. Amnesty International reported that on 4 November 2004 thousands of people were arrested for suspicion of draft evasion, and have been sent to Adi Abeto prison²⁹. This is not a new practice. Several young Eritreans, who asked not to be named, told AFP on 4 November 2004: "These roundups started in 1998. They were severe during the war. Since 2002, they had been declining, but right now they're increasing. Soldiers go into offices, houses, stop cars, taxis, buses, and ask for identity cards."³⁰

Although the situation in Eritrea is somehow unique, as Eritrea can be called Africa's first and only totalitarian country³¹ (probably with the exception of Zimbabwe), at the same time the situation of refusal is symptomatic for many other African countries. As Yohannes Kidane, one of the organisers of the Eritrean Antimilitarist Initiative, writes: "For me it is a new experience that there are groups which stand up for conscientious objectors and engage against war. I think that is really good. I never thought this possible when I

was a soldier. In our country it is not even possible to talk about this. There is no possibility for resistance – the only option is to run away"³².

In spite of all the differences between African countries, the description of Yohannes Kidane is symptomatic in its desperation. In many African countries ravaged by war, such as the Democratic Republic of Congo, Liberia, Rwanda, to mention only a few, recruitment is not the result of a systematic conscription system, but of arbitrary recruitment by force (here Eritrea is different in the sense that its recruitment is very systematic), with little chance to resist and survive in the event of forced recruitment. In addition, there is almost no awareness of organised war resistance or the concept of conscientious objection, in spite of widespread refusal and avoidance of military service.

Open refusal movements do therefore not exist – but there is often an underground network to support draft evasion and desertion of sons (and daughters), often with exile as the only option.

4. Challenges for the refusal movement(s)

When we look at the examples of different refusal movements, it is possible to identify some common challenges, although none of them allows for a simple answer. I want to explore some of the challenges, the questions they pose and answers some refusal movements have found and practised – although this does not mean other movements in other circumstances can simply follow their example.

It is maybe the biggest challenge how we learn from each others experience. While international exchange and solidarity are crucial, learning from each other cannot mean to just take one strategy from one context and place it into a completely different context. Such an approach would be doomed to failure. The complexity of social situations requires much more adaptation of other experiences to one's own context, and herein lies the challenge of "learning from each other".

28 UNHCR: Position on return of rejected asylum seekers to Eritrea, January 2004

29 Amnesty International Urgent Action, [UA 301/04](#), 9 November 2004

30 War Resisters' International: CO-Update e-newsletter no 4, December 2004, <http://www.wri-irg.org/pubs/upd-0412.htm#Eritrea: Army rounds up draft evaders>

31 Konrad Melchers: Eritrea – ein dramatischer Niedergang. In: Connection e.V./Eritreische Antimilitaristische Initiative: Eritrea: Kriegsdienstverweigerung und Desertion. Offenbach, November 2004

32 Yohannes Kidane: "Es gibt keine Möglichkeit, Widerstand zu leisten – nur abzuhaufen." In: Connection e.V./Eritreische Antimilitaristische Initiative: Eritrea: Kriegsdienstverweigerung und Desertion. Offenbach, November 2004

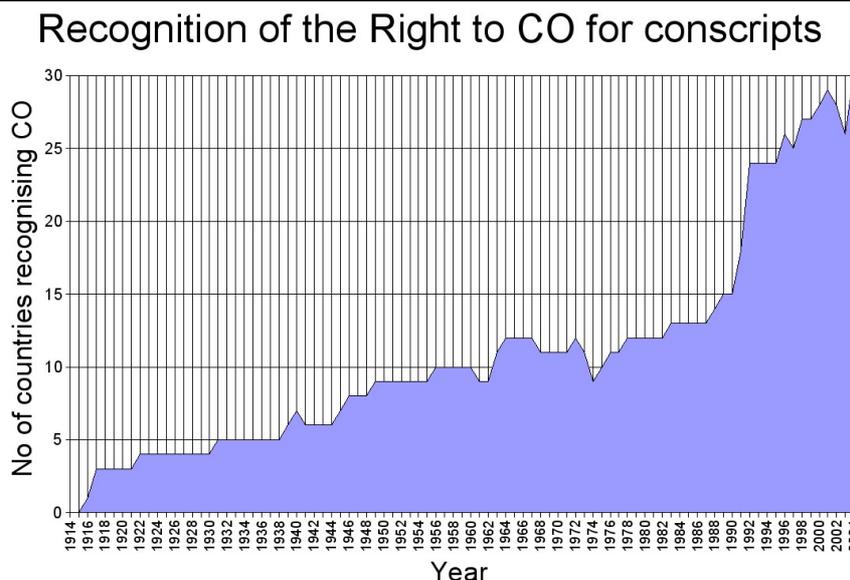


Illustration 2: Countries with conscription recognising the right to conscientious objection for conscripts

4.1 The role of the right to conscientious objection

Ever since conscientious objectors became organised, and conscription became more effective, the question of the right to conscientious objection was one major focus of "mobilisation and debate" - not only as a demand towards the state and military authorities, but also within the CO movement itself. As Illustration 2 shows, the number of countries recognising the right to conscientious objection (for conscripts) has increased significantly since 1918, and today about 30 countries recognise conscientious objection (the "downs" are mainly the result of a country with the right to conscientious objection abolishing conscription).

In addition, the right to conscientious objection has been recognised by several international bodies, such as the United Nations Human Rights Commission³³ and the Human Rights Committee³⁴, the Council of Europe, Organisation for Security and Cooperation in Europe, and others. The huge increase in countries recognising CO in the late 80s/early 90s is a result of this established human right standard, and of the newly "independent" Eastern European countries implementing human

33 The Human Rights Commission deals with the issue every two years. Resolution 1998/77 established important standards.

34 The Human Rights Committee as the expert body plays an important role in the development of case law regarding the right to conscientious objection.

rights, among others the right to conscientious objection³⁵. However, at the same time many of these Eastern European countries made efforts to join NATO's *Partnership for Peace* programme, as a first step to full NATO membership. The recognition of the right to conscientious objection was seen as part of a "democratic" militarism, and not as a contradiction to joining a military organisation such as NATO (Poland and Hungary are good examples here, with both countries providing troops to the US led intervention in Iraq, and the subsequent occupation. At the same time, both former Warsaw pact countries recognised conscientious objection early).

If the recognition of the right to conscientious objection "is in the last analysis largely irrelevant to the anti-war struggle to-day"³⁶, as Tony Smythe put it in 1967, what then is its relevance?

Runham Brown wrote in 1923: "Since the conclusion of the war, they [conscientious objectors - AS] have been recognized as forming a new and disturbing factor in the old order of rule by violence. In most of the conscript countries new

35 As an aside, CO as a human rights standard also lead to the development of CO activists in several Eastern European, former Soviet Union or other countries, who do not define themselves as antimilitarists. During my travels as WRI CO Campaigning Worker I met quite a number of CO activists who do not oppose or question the military, and who might even be in favour of NATO membership...

36 Tony Smythe: *Conscientious objection and war resistance*, *War Resistance* Vol 2, No 21, 2nd quarter 1967, p17-22

laws, known as alternative service laws, have been or are about to be introduced in order to meet this new phenomenon. Utterly useless as they are for the purpose of which they are designed, e. g., to avoid a conflict between the new thought and the old belief in the right of might, these laws are a significant recognition of wide growth of the conviction that power of violence is not only wrong but futile in achieving any worthy ideal.³⁷

And: "I believe that War Resisters would be well advised to oppose any Law providing Alternative Compulsory service. The reason for the proposal is the existence of compulsory Military service. But compulsory military service is itself wrong and dangerous." (...) I am not concerned to prove my conscientiousness. I am concerned to make the organisation of war impossible. ..."³⁸

And in 1994, War Resisters' International activists summarised the situation: "The presence of a significant number of objectors does not systematically amount to a real threat to the military (see the case of Germany or France)"³⁹.

At the War Resisters' International seminar in Macedonia in summer 2004, a working group of WRI activists agreed that the recognition of the right to conscientious objection is not a goal in itself, but that it can be an important tool towards demilitarisation, and it shows the social acceptance of conscientious objection, besides decriminalising conscientious objectors (partly – as some COs, so-called total objectors, will refuse any collaboration with the conscription system and therefore refuse any substitute service. This again is an old debate within the CO movement).

However, laws recognising and regulating the right to conscientious objection are a reality, and even if groups do not demand a law (such as the CO groups in Turkey, Chile, Paraguay, to mention just a few), they still might be faced with a law. The question then arises how to relate to an existing

legislation on conscientious objection, no matter how "good" or "bad" the law might be.

The German and Spanish examples are probably two extremes of possible responses to an existing (or newly introduced) legislation on conscientious objection. The German CO movement embraced the legal possibility for conscientious objection, and promoted the use of the right to conscientious objection, combined with the duty to perform a substitute service. While the government response to CO was characterised by hostility until about 1983, when the "CO commissions" were abolished, the main strategy of the CO movement was to promote CO and substitute service. In the 80s the policy concerning COs totally changed. Although still some politicians favoured a repressive approach, the main policy was one of depoliticisation and using CO as an outlet for antimilitarists. As there was no shortage of conscripts anyway – in fact people who didn't apply for CO had a good chance to avoid military service, because they weren't 'needed' – it was easy for the military to accept a high level of COs, as long as this did not influence the military's policy. At the same time the image of COs totally changed. They have been called "shirkers" in the 70s and early 80s, but later they got accepted as "civilian servants". What got lost was the image of COs as antimilitarists. While during the Gulf War 1990/91 the number of CO applications increased remarkably – from 75 000 in 1990 to 150 000 in 1991 – the NATO bombing of Yugoslavia in 1999 does not show in the CO statistics. CO does not seem to be a political weapon any more, and ever increasing numbers of COs did not pose an obstacle to the militarisation of German foreign policy and not even to the first war German Armed Forces got involved in in 1999 since the end of the Second World War in 1945. As Tony Smythe wrote: CO was "largely irrelevant to the anti-war struggle".

The Spanish movement reacted differently, when it finally was presented with legislation on conscientious objection in 1984 (the law only came into effect in 1988). MOC responded with a campaign of civil disobedience, rejecting the possibility to seek recognition as conscientious objectors and to perform a substitute service. In addition, MOC called for progressive organisations not to employ COs in substitute service⁴⁰. Within a decade, the movement mobilised more than 15 000

37 Bulletin, No. 1, War Resisters' International, Enfield, Middlesex, U. K. October, 1923, p.1

38 Runham Brown, *Letter addressed to "Dear Comrades"*, dated 14th June 1923, the original is in the archives of the International Institute for Social History, Amsterdam, Holland.

39 Conscription and strategies around conscientious objection. *The Broken Rifle* No 32, June 1995, Report on the XXI Triennial Conference of War Resisters' International, <http://www.wri-irg.org/pubs/br32-en.htm#Heading6>

40 WRI Newsletter no 222, October/November 1988

total objectors, of which 5 000 stood trial and more than 1 000 went through prison. Although the total objectors – *insumisos* – in practise remained a minority within the movement (in 1997, 110 000–120 000 people applied for CO status), they and their support networks – involving several hundred thousands of people – played a crucial role in the public image of the movement, and contributed to the Spanish state being forced to abandon conscription probably earlier than planned⁴¹.

The issue is further complicated by the problem that most existing laws on conscientious objection only recognise pacifist refusal, but not selective refusal to certain wars, thus reflecting what Aide/Mubanga already wrote in 1983: *"When the objector is not a pacifist, but objects to participation in military service because of the alleged illegality of the purpose of or the means and methods used in, armed combat, the conflict of values becomes much more acute. No government is likely to agree that the way in which they use their armed forces is illegal, under national or international law."*⁴² This did not change very much, and even in the case of Israel we can see that the state's response to pacifism differs slightly from its response to selective refusal of service – either refusal to serve in the Occupied Territories or refusal to serve in the IDF because of its role in enforcing the occupation. The difference can be seen when we compare the two big CO trials in 2003 – the trial against "the Five" (who fall into the latter category) and the one against Jonathan Ben-Artzi (who is a pacifist)⁴³. In the Israeli circumstances, a law recognising pacifist CO would not solve the problem, as most COs are not pacifists. It could lead to a split in the movement, with parts of the movement embracing the law, or it could force non-pacifist COs to pose as pacifists in any commission "approving" their conscience, or it could even worsen the penalties for non-pacifist COs – most likely a combination of all three.

41 Rafa Ajangiz: Conscientious Objection in Spain. Presentation at the conference "Conscientious Objection in Europe", 17-18 October 1997, <http://www.zentralstelle-kdv.de/euro07.htm> (accessed 01/01/2005)

42 Question of conscientious objection to military service. Report by Mr. Eide and Mr. Mubanga-Chipoya, 27 June 1983, E/CN.4Sub.2/1983/30, paragraph 34

43 War Resisters' International: Conscience on Trial. Court martials against conscientious objectors in Israel, January 2004, <http://www.wri-irg.org/news/2004/israel0204-en.htm>

4.2 End of conscription – end of refusal?

With a trend towards the end of conscription, at least in Europe, the challenge for the refusal movement is how to respond to a professional military. While the British refusal movement largely disappeared when conscription was abolished in the 1960s (and refusal played an insignificant role in the British wars that followed – Falklands, First Gulf War, Second Gulf War, ...), the refusal movement in the US turned much more towards counter-recruitment activities and counselling of GIs who for whatever reasons wished to leave the Armed Forces. The re-introduction of registration for the draft in 1980 might play a role, but it is important to note that countering the military's recruitment efforts and its presence in schools and universities is an important activity of the refusal movement in the US, which is still well organised.

While the number of US COs and desertions from the 'voluntary' army are small compared to the Vietnam War, it is too easy to only blame this on the fact that there is no conscription any more. The Gulf War in 1991 was the first big US military operation after the end of conscription. It is important to note here that the fighting itself lasted for roughly 6 weeks, but the ground war only started on 24 February 2001, a few days before the ceasefire.

The published figures for conscientious objection vary – according to Bill Gavlin from the US based Center on Conscience and War, *"the military granted 111 soldiers CO status in the first Gulf War before putting a stop to the practice, resulting in 2 500 soldiers being sent to prison"*⁴⁴. Officially, the number of CO applications is being placed closer to 500⁴⁵, but this number does not include those who refused order or went AWOL.

While these numbers might be insignificant compared to a US force of 500 000 soldiers as part of "Operation Desert Storm" back then, the

44 Gabriel Packard: Rise of Conscientious Objection. 21 April 2003, Alertnet, <http://www.alertnet.org/story/15702> (accessed 25/12/2004)

45 Dan Fahey: 'My Gulf War' Remembering a Matter of Conscience, Boston Globe, 25 February 2001, quoted from <http://www.commondreams.org/cgi-bin/print.cgi?file=/views01/0225-02.htm> (accessed 27/12/2004)

shortness of the war and the low numbers of US casualties form part of the explanation here – not only the fact that the armed forces were made up by volunteers. Even in the Vietnam War, the desertion and refusal rates started to rise considerably only a few years after the begin of heavy US involvement, and anti-war movement mobilisation.

In the present war in Iraq, figures are difficult to come by. The table below shows the available official figures for desertion, albeit with some gaps.

Fiscal Year (1)	Army	Marines	Air Force	Navy	Total
1998	2520				2520
1999	2966		45		3011
2000	3949	1574	46		5569
2001	4597	1603	62		6262
2002	4483	1136	88		5707
2003	3678	1236	56		4970
2004		1297	50		1347
2005			4		4

(1) The Fiscal Year runs from October to September

Table 1: US desertion rates

The widespread refusal during the Vietnam War was the result of the anti-war movement sowing early, as is refusal in Israel. The challenge for the refusal movement in a country without conscription is to reach out to potential soldiers, to counter the military's recruitment efforts wherever they take place, and "to sow". Then the question of conscription or voluntary recruitment will be largely irrelevant. It should also not be forgotten that historically most oppressive regimes, most wars of aggressions, and most military actions to break

Washington Times, 16 December 2004

However, it is significant that there are no figures for the Army for 2004 (and no figures for the Navy at all), which could change the entire picture. In addition, numerous reports show a low morale of US troops in Iraq, and recruitment problems in 2004. The continuation of the war and occupation of Iraq by US forces might well lead to a considerable increase in desertion and conscientious objection cases, especially as 'voluntary' soldiers are prevented from leaving the armed forces when their contract expires, and increasingly reservists are being called up.

Peretz Kidron argues that "conscription creates a scope for efforts to educate its soldiers and teach them their legal, moral, and political responsibility for the tasks they discharge"⁴⁶. Does this not equally apply to a so-called volunteer or professional army? Tucholsky wrote back in 1927: "On 1 August 1914, it was too late for pacifist propaganda, it was too late for militarist propaganda – in fact the militarists then only harvested what they have sown 200 years before. We have to sow."⁴⁷

46 Peretz Kidron: *The Philosophy of Selective Refusal*. In: Peretz Kidron (ed.): *Refusenik! Israel's Soldiers of Conscience*. London/New York 2004

47 Kurt Tucholsky (as Ignaz Wrobel): *Über wirkungsvollen*

strikes have been carried out by conscription armies – which again points much more to the issue of "sowing now", raised by Tucholsky.

4.3 Challenging hegemonic masculinity

Many refusal movements, especially many male refusers, face the challenge of being accused of "not being a real man". Military service is still seen as a "rite of passage" into manhood⁴⁸. In South Africa, the End Conscription Campaign (ECC) was faced with a smear campaign accusing it of representing "fairies" – associating men who objected with effeminacy, cowardice and sexual 'deviance'⁴⁹.

Pazifismus, in *Weltbühne*, 11 October 1927

Quoted from: Kurt Tucholsky: *Unser Militär! Schriften gegen Krieg und Militarismus*. Büchergilde Gutenberg, Frankfurt/Olten/Wien 1982, p396-401 (translation into English by the author)

48 See for example: Emma Sinclair-Webb: Military service and manhood in Turkey. In: *Peace News* no 2447, June-August 2002

49 Daniel Conway: "All those long-haired fairies should be forced to do their military training. Maybe they will become men". The End Conscription Campaign, Sexuality, Citizenship and Military Conscription in

At the same time, perceptions of one's own masculinity play an important role in producing "willingness to serve" in the military. The fear to lose one's "masculinity" can produce willingness to serve in the military in spite of opposition to military and military solutions. This is especially true for working class masculinities which emphasize physical strength, and can easily be exploited by the military. As German researcher Hanne-Margret Birckenbach puts it: "*Under the disguise of 'no to killing - yes to killing for the purpose of defence' conscientious objectors and those willing to perform military service do not only fight about military violence, but also - without knowing - about ideals of masculinity*"⁵⁰.

While it might be easy for refusal movements to reject the notion of the "man as warrior", it is much more difficult to embrace the issue of gender (and sexuality, for that matter) fully, but the more important. Cynthia Enloe writes: "*As we have accumulated more and more evidence from more and more societies, we have become increasingly confident in this assertion that to omit gender from any explanation how militarization occurs, is not only to risk a flawed political analysis; it is to risk, too, a perpetually unsuccessful campaign to roll back that militarization*"⁵¹.

It is especially important for the refusal movement to understand masculinities, as most militaries mostly conscript or recruit men (with some exceptions). Globalisation had an impact on hegemonic masculinities, promoting and favouring what Robert Connell calls "*international business masculinity*": "*The hegemonic form of masculinity in the new world order is the gender practice of the business executives who operate in global markets, and the political executives and military leaderships who interact (and in many contexts merge) with them*"⁵². However, it can be argued

that accelerated by "9/11" the USA has seen a revival of masculinities oriented towards "domination" and "violence" - a process that started already under Reagan, and is probably one of the "values" of the administration of Bush Jr. On the other hand, most of Western Europe embraces much more a model of hegemonic masculinity based on the technical knowledge and expertise - the conflict between the USA and "old Europe" over the war on Iraq is therefore also a conflict between different forms of masculinity (a factor which also plays a role in Islamic and other forms of religious fundamentalism, which can be seen as "masculine fundamentalisms" as response to global gender politics⁵³).

Uli Wohland, a German antimilitarist, wrote in 1989: "Without a far-reaching re-orientation of all peace work and antimilitarist work, of initiatives and actions of resistance, we in the end are working in support of a chauvinist and war-mongering mania of masculinity"⁵⁴. For the refusal movement in most countries, this is a big challenge as they are mainly made up of men - and even in the Israeli example, where women are conscripted too (and therefore can also be refusers), gender issues are a problem within the refusers movement, as Shani Werner, one of the Israeli Shministim, pointed out: "*We hadn't changed the infuriating image we object to so strongly, that of the good woman awaiting the return of "her" soldier from the front, ironing his uniform. We had created her mirror-image - a woman hoping for the swift release from prison of the male draft resister, meanwhile cheering him on from her vantage point on the hill, opposite the military prison where we often hold demonstrations.*"⁵⁵

Antimilitarists continue to reproduce the gender stereotype of the "strong and powerful man" in our nonviolent actions and in the image of total resisters, who are "strong enough" to face prison. It will be crucial for the refusal movement (and the nonviolent movement in general) to develop forms

Apartheid South Africa. South African Journal on Human Rights, Vol 20 part 2, 2004

50 Hanne-Margret Birckenbach: Das ambivalente Verhältnis zur Gewalt. Psychosoziale Grundlagen militärischer Kampfausbildung. In: antimilitarismus information, no 7/1986

51 Cynthia Enloe: Beyond 'Rambo': Women and the Varieties of Militarized Masculinity. In: Eva Isaksson (ed.): Women and the Military System. Proceedings of a symposium arranged by the International Peace Bureau and Peace Union of Finland. New York/London/Toronto/Sydney/Tokyo 1988

52 Robert Connell: Arms and the man. Using the new

research on masculinity to understand violence and promote peace in the contemporary world. Paper for UNESCO meeting on Male Roles and Masculinities in the Perspective of a Culture of Peace, Oslo 1997

53 Robert Connell: *Masculinities and Globalization*. Men and Masculinities, Vol 1 No 1, 1998

54 Uli Wohland: *Thesen über militarisierte Männlichkeit*. In: graswurzelrevolution no 131, February 1989

55 Shani Werner: letter to the Israeli refuser movement, 31 December 2002

of nonviolent action that address all forms of violence – direct physical violence, structural violence and cultural violence. If we fail to do so, then we are doomed to engage in a “perpetually unsuccessful campaign to roll back that militarization” (Enloe).

4.4 Refusal and asylum – supporting refusers who can only opt for the run

As the Eritrean examples shows, in many countries refusers do not have the option to refuse, but only to flee. This is and was the case in Eritrea, in the Democratic Republic of Congo (former Zaire), but also in the wars accompanying the break up of what was formerly Yugoslavia many young men opted for leaving their country instead of fighting in nationalist wars. Even earlier, the Vietnam War saw many US GIs fleeing to Canada or Sweden, and many white South African men fled South Africa in order to avoid serving in a military which they saw as a crucial force for maintaining a racist apartheid system. It is estimated that 100 000 US men fled the USA during the Vietnam War to avoid being drafted⁵⁶, and that 35 000 South African white men did the same to avoid military service⁵⁷.

However, rarely are those avoiding military service welcome wherever they flee. This was even the case for South Africans, although a United Nations General Assembly resolution called on states to provide those who refuse service in the South African armed forces with asylum⁵⁸.

Even in countries which recognise conscientious objection, it is normally not recognised as a reason for granting asylum – thousands of deserters from former Yugoslavia, from Turkey, from Russia, and from many African countries were refused asylum in Western Europe, the United States or Canada because of this.

During the Vietnam War, the international refusal movement worked with exiled US war resisters and supported US deserters, even smuggling deserters over borders to safe countries such as Canada and Sweden. On a smaller scale European refusal

organisations cooperating in the *International Deserters Network* tried the same during the wars in Yugoslavia, and later supported Serbian deserters setting up a “Safe House” in Hungary.

However, working with deserters is not an easy task for the refusal movement, as many deserters have many of their own problems, and are not very much interested in a political movement against war. Still, support is crucial, especially in a situation where a refusal organisation can not develop within the country, for fear of repression up to “disappearance” and death. A “safe house” or “safe country” might be a good incentive for soldiers who do not want to fight any more, and support networks that make it possible to flee and to cross through increasingly closed borders (“Fortress Europe”).

Still, support from outside cannot be a substitute for home grown resistance. Support from outside also has to rely on “exiles” playing a crucial role: it was US GIs who had fled earlier who were crucial in setting up support structures for fleeing GIs, and it was South African exiles who supported their fleeing fellow countrymen. And now it is Eritreans forming their own antimilitarist group who will have to play a crucial role supporting other Eritreans fleeing their country.

5. Conclusions

Faced with a wide variety of situations, the refusal movement faces many challenges. However, the underlying questions and principles are often the same: how to build an effective movement against war and militarism, and for social change? A movement, that is not concerned with exemptions of individuals, but with overcoming militarism and violence as constituting systems in our societies? A movement, that is aware of issues of masculinity and gender in its theory and practice?

These questions are valid, no matter whether there is conscription or not, no matter whether the right to conscientious objection is recognised or not.

It is in the end less important whether a movement accepts a law on conscientious objection, or rejects it and promotes civil disobedience or total objection. More important is to keep the issues around conscientious objection alive, and not to

56 Gretchen Lemke-Santangelo: Conscientious objection. In: The Reader's Companion to American History, http://college.hmco.com/history/readerscomp/rcah/html/ah_019400_conscientiou.htm

57 WRI Newsletter no 221, August/September 1988

58 UNGA resolution 33/165, 90th plenary meeting, 20 December 1978

allow the degeneration of conscientious objection into a "choice between two equally valid options" (as in the German case). Within a strategy of politisation of conscientious objection and refusal, total objection can play an important role, but – as the Spanish example shows – even under the best circumstances it is likely to remain a minority option, albeit it can be politically highly important.

It is also important not to view individual soldiers – whether conscripts or "volunteers" – as "enemies". In the end, refusal is about the human capacity for choice – to say "yes" or "no" to militarism, patriarchal concepts of masculinity and gender, to murder – or resistance. As long as militarism and violence exist, there will be a need for refusal. Social change happens because individuals make choices based on their moral values – and it is the task of the refusal movement to encourage people to make those choices.

This task might even be more important after "9/11", and during the "global war on terrorism". Many Muslims perceive this "war on terrorism" as a war against Muslims – an analysis which I don't share, and which would not allow to accommodate situations such as Colombia. To me, the war on terrorism is much more a war for global hegemony of the US system, although often disguised by religious propaganda (not a surprise with a US president who describes himself as a reborn Christian). It is very much a war of the rich and powerful, against the poor and perceived powerless of the world.

And we need to recognise that many of "us" who live in the rich part of the world – without being rich ourselves – benefit from this global distribution of power and wealth. Refusal, then, goes much beyond the issue of joining/leaving the military, it really is about, as Pietro Pinna called it, the "extension of the concept of conscientious objection in any other sector of social life". Can we resist militarism without refusing to enjoy the benefits of the economical exploitation and domination of the global south? And how do we resist this exploitation, living in a society and economic system entirely built on exploitation?

Rob Goldman, one of the activists of the South African End Conscription Campaign, saw the relevance of the ECC on three different levels: "*Firstly, it has succeeded in placing the moral question of conscription firmly on the agenda of*

the white community's consciousness. ... Second, it has shown whites that the struggle against apartheid is not a black/white one: there is a place for whites to resist apartheid in a meaningful, effective and creative way. ... Third, it has stood as a sign of hope in the black community. It has shown that there are whites who are prepared to put their words into deeds of commitment to a non-racial and democratic South Africa"⁵⁹.

This does not only apply to South Africa, but it also applies to refusal in the rich Northern hemisphere in general: we have a moral obligation to resist the military safeguarding of global economical and power relations. On the other hand, it is also crucial to form links world-wide (and War Resisters' International is doing this since 1921), and to develop nonviolent strategies within different contexts, to create a world based on justice and peace.

⁵⁹ Rob Goldman: Refusing to serve apartheid. WRI Newsletter no 222, October/November 1988