

NON-VIOLENCE

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CONSCIENTIOUS OBJECTION

In the closing hours of the 1982 Parliamentary session the Minister of Defence referred to the question of immigrants and conscientious objectors. In respect of the latter he said:

"Another thorny problem is the matter of conscientious objectors because there can be vehement differences of opinion about this matter. I also ordered that the SADF give further attention to it. Legislation on this matter will also be prepared for the next session." (Hansard 11.6.82 col 19443)

In view of this statement the Presbyterian Church of Southern Africa wrote to the Minister requesting a stay of trial or deferment for declared conscientious objectors affected by the July 1982 and January 1983 call-up. The Minister's reply indicated that they are at liberty to apply to the Exemption Board for deferment, presumably until after the next session of Parliament.

The terms of the proposed legislation have not been disclosed, but it is thought likely that it will provide a stiff alternative of non-military service for those who satisfy an examining Board that they have genuine religious objections to participation in the SADF.

This may go part of the way to meeting the proposals made under SACC auspices in Nov. 1980, but it will be important to urge the full acceptance of those proposals. They are a bare minimum for the treatment of COs in terms that Western countries generally understand to be civilised. They reluctantly accept the whole process of conscription and the imprisonment of those who refuse alternative service - two aspects of militarism that also need to be questioned.

AN ERROR in last quarter's newsletter should please be noted. The address for letters to Mike Viveiros should read:

c/o Box 11581, Johannesburg, 2000 (not Isando)

Richard Steele has begun a Masters course in Peace Studies at the Associated Mennonite Biblical Seminary, 3003 Benham Ave., Elkhart, Indiana 46514, USA.

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The Presbyterian Church of Southern Africa is affording me, as its Church and Nation Committee's convener, the opportunity to give talks and introductory seminars on non-violence at the invitation of local congregations and regional Presbyteries. This means that I am travelling a bit more and can include others who are not Presbyterians in my schedule.

Forty-five people were present for such a seminar in East London in August, and an all-day event is planned to be held in Durban on Saturday 16th October. Details can be got from Diakonia, Box 1879, or phone 31-2609.

These talks and seminars are of an introductory nature. If you can raise a small group of interested people, let me know and I will fit you in when in your vicinity. Once people have grasped the essentials of non-violent action - understanding its principles and methods and the power of truth and self-sacrifice - then maybe some can start experimenting for themselves and do some wider reading. Also from time to time we have visits from overseas people who are experts in non-violence and they can follow up and take us further.

Meanwhile all around us we see come to light of people searching for and sometimes finding this peaceful means of change and of resolving conflict. According to Press reports a July Col M.C. Heunis, District Commandant of Krugersdorp, sent to keep order during the strike at Venterspost gold mine, told his men to stay out of it while he, unarmed, walked to meet nearly 2000 angry strikers armed with sticks. His action created the necessary trust for a negotiated settlement.

THE TRIAL OF NEIL MITCHELL

Neil Lawrence Mitchell, a Roman Catholic high school teacher, reported for call-up to the SA Defence Force on 7th July 1982 but refused to serve on pacifist grounds. He was held at Voortrekkerhoogte and brought to trial on 20th July 1982. He pleaded guilty.

In mitigation he presented his views on war. Briefly his evidence was that in resolving conflict the Christian has to submit the issue to the guidance of God, attempt negotiation, and failing success should take up non-violent defence and non-cooperation with the enemy in an appeal to his heart and conscience to win him to a position of truth. Non-violence emphasises the humanity of man. Violence is sinful for the Christian and he should therefore not prepare for war or be part of an institution designed for war.

Neil declared his willingness to undertake non-military service for the welfare of the country and had decided not to leave the country for this reason. He had refused an offer of deferment to January 1983 because his position would still be the same then and so would the law. His views were his own, but based on principles held by the Roman Catholic Church and stated by Vatican II and several Popes.

Archbishop George Daniel explained the call by Vatican II and by the SA Catholic Bishops Conference for non-military forms of national service and testified to Neil's sincerity. The Catholic Church appoints chaplains to the SADF to attend to the spiritual needs of servicemen. It also allows legitimate self-defence, but balances this with the right to refuse self-defence and to object to military service on grounds of conscience.

Fr. Noel Rault, a chaplain to university students, further testified to Neil's sincerity and his submission to Church and State authorities as being the reason why he had presented himself on 7th July.

The Prosecution asked for the maximum sentence of 2 years imprisonment with ignominious discharge. The Defence quoted the undertaking of the Minister of Defence in Parliament on 11th June 1982 to bring new legislation on conscientious objectors to the next session of Parliament and asked for either (a) a fine of R50 and discharge to allow for another call-up after the law has been amended, or (b) 36 months in Detention Barracks as prescribed in Sec 126A 2(a) of the Defence Act which would give recognition to Neil's conscientious objection and also let him eventually get the benefit of the new legislation, or failing that (c) one year civil imprisonment with ignominious discharge.

The Court Martial imposed a sentence of one year in Detention Barracks. Once this sentence was confirmed, apparently on 16th August, Neil was ordered to put on the military overalls. On refusing he was sentenced to three days of solitary confinement which was meant to begin on 23rd August. For his second refusal he got 6 days (2-7th Sept) and his third refusal brought the maximum penalty of 14 days, which is expected to commence on 13th September. With 40 weeks of his sentence still to go after that this disgusting process could cost him at least another 13 fortnights in solitary confinement. Please pray for him and for those who make such laws.

Letters of concern about this can be addressed to:

The Chief of the SADF, Private Bag X 158, Pretoria 0001, or

The Minister of Defence, Private Bag X 427, Pretoria 0001.

Neil can receive any number of letters, though some have not actually reached prisoners like him in the past. They should be addressed to:

Mr. Neil Mitchell, Detention Barracks, Voortrekkerhoogte, 0143.

Copies of his statement of belief may be requested from Mr Steve Lowry, 205 Highland Road, Kensington 2094, Johannesburg.