

# CONSCIENTIOUS OBJECTION TO WAR

by Charles Yeats.

Extracts from an article "A Christian Response to Military Call-up" in Diakonia

## A CHRISTIAN VOCATION:

The word "pacifist" derives from pax and facere and therefore means "peacemaker". Christians are all given this vocation in its wider sense following Christ's blessing of the peacemakers in the Beatitudes.

Christian peacemakers however differ in their approaches to peacemaking. Some will wage war in order to restore peace while others, for the same motive, will seek to avoid a direct involvement in war.

## LEVELS OF REFUSAL:

It is no longer possible to refuse all participation in war for the reason that governments employ a "total strategy" in modern warfare. This strategy attempts to harness all the resources of the economy for the war effort. Citizens therefore cannot avoid some degree of complicity in war, even if this amounts only to their paying taxes which contribute to the efficiency of their country's defence force.

The factor of complicity complicates a definition of conscientious objection. It may even make a logical defence of conscientious objection, based on graded levels of refusal, impossible. Nevertheless the consensus is that conscientious objection involves at the very least a refusal to serve as a combatant in war.

## HOW DOES THE CHRISTIAN SUPPORT HIS 'NO' TO WAR:

In areas where the Gospels appear to be silent Christians frequently rely on inferences drawn from Jesus' example to guide their decisions. The approach is consistent with the command, often repeated in the New Testament, that the disciples ought to model themselves on their Master. With this in mind, James Moulder's demonstration that Christ's example supports a refusal to submit to combat training is helpful.

He advances a positive and negative thesis in support of this claim.

### a) A Positive Thesis:

The positive thesis is that the 'New Testament contains narratives about Christ which suggest that, if He had been conscripted, He would have refused to submit to combat training'.

Christ's example at His arrest in Gethsemane is cited: After one of those who were with Him and had struck off the ear of the high priest's slave, Christ commanded him to sheath his sword with the admonition 'All who take the sword will perish by the sword'.

The difficulty in relying on Biblical interpretation is illustrated by two commentaries on this scripture. S.G.F. Brandon claims that 'the saying cannot be regarded as a proverbial condemnation of the profession of arms, since it is manifestly untrue that all soldiers die in armed combat'. This is thought to be too literal an interpretation, and T.H. Robinson's commentary has received wider support, 'a kingdom founded on force is always liable to be overthrown by superior force'.

### b) A Negative Thesis:

The negative thesis 'is that the New Testament does not record any incident which suggests that, if He had been conscripted, Christ would have been prepared to submit to training.'

The closest one comes to an example is in the incident of Christ cleansing the temple. The righteous anger of Jesus, resulting in physical violence, however falls short of the violence inflicted by a combatant in war. Instead, this passage establishes that Christ is not a pacifist who renounces every kind of coercive behaviour.

## THE HEALING MINISTRY:

A criticism noted by James Moulder is that the Gospel passages quoted above have no relevance to war. In the first the occasion amounts to a police arrest, and the second to an individual act of coercion.

The counter relies on Christ's healing ministry. The incompatibility of the activities of healing and waging war avoids the irrelevancy argument, even if it has validity, for Christ would not have spent so much of His time healing people were he not also to reject the role of the combatant inflicting suffering in war.

## HOW DOES THE CHRISTIAN SUPPORT HIS 'YES' TO PEACE IN SOUTH AFRICA?

The Christian peacemaker cannot be content with saying 'no' to war, he needs also to say 'yes' to peace and work to that end.

The conscript in South Africa is constrained in his peacemaking by the Defence Act. The Act makes a limited concession to conscientious objection by permitting a form of non-combatant service. There is no provision made for objectors who refuse to serve and who request a non-military form of national service. These objectors are served with recurring sentences in detention barracks for their disobedience.

The choice facing conscientious objectors is consequently one of serving as a non-combatant or refusing to serve and being sentenced with recurring periods of detention. It is helpful to view this choice in the light of the Incarnation, as it is Christ's example which is used to support a refusal to submit to combat training.

#### THE NON-COMBATANT OPTION:

The conscript who elects to serve as a non-combatant identifies with the suffering, anguish and ambiguity of his fellow conscripts and their families. Service in the Medical Corps provides the opportunity to share in Christ's healing ministry, while service in other non-combatant units may provide opportunities for pastoring fellow conscripts.

The non-combatant may further support his decision to accept a peacemaking role in the military by the belief that it is alongside his fellow conscripts that the pacific witness is best made. For this reason the non-combatant will not refuse conscript for by so doing he might risk alienating himself from his fellows.

The argument may be further developed to take account of a racially segregated society. Here witness is argued to be best directed at one's own racial group, providing further reason for avoiding action which may lead to a distancing of oneself from contemporaries.

#### THE NON-MILITARIST POSITION:

The non-militarist believes that Jesus' example leads him to identify with a wider community than that of white conscripts and their families. He believes himself called to a particular ministry of reconciliation.

This ministry calls for the rejection of any role in the military and a request for alternative national service as a witness to the avoidability of civil war in South Africa.

The contribution of the non-militarist to peace has to be seen in the light of the reasonableness of the Cross. For the secular man, Christ's death must represent an absurdity. As St. Paul describes it, 'the message of the Cross is foolishness to those who are perishing, but to those who are saved it is the power of God'.

Through Christ's sacrifice a power was unleashed on earth which overcame the separation of mankind and destroyed the power of Satan. This mystery Christians believe.

Christians in themselves cannot repeat the act of redemption but they are called to share in distributing redemptive power. Michael Ramsay captures the meaning behind the creative use of suffering when he writes, 'for Christians to suffer is not defeat or tragedy ....., is not a cult of martyrdom or a kind of masochism or a laudation of suffering in itself. It goes with the belief in the divine use of suffering ....., creative in its impact.'

For this reason the non-militarist does not invite suffering but, if called to suffer, believes that God will use him for a redeeming work. He is therefore prepared to accept the consequences of conscientious objection if the State will not provide non-military national service.

#### NON-MILITARY NATIONAL SERVICE:

Most conscientious objectors would be willing to serve a non-military form of national service rather than languish idly in detention barracks. Their willingness is based on the premise that the only lasting security possible for society is the development of a caring community. Further they accept that in order to compensate for the hardships of

military life their service ought to be for a longer period.

The concept of a non-military alternative enjoys widespread support. Francis Wilson, for instance, has argued for a more positive and comprehensive form of national service in South Africa. Similarly, W.V. Raw, debating the Defence Further Amendment Bill of 1972, argued that it would be more "Humane and more just" not to imprison a conscientious objector. His proposal was that the objector should be allotted to a 'fire station or a hospital or similar service for a period of two years in lieu of military service'.

Most Western countries now provide alternatives outside the military framework. These include the United States, Canada, Australia, Sweden, Norway, Belgium, Italy, Holland, France and West Germany. This provision is consistent with a growing awareness that conscientious objection to war is a human right.

#### THE KILLING SPIRIT:

Augustine presented a novel justification for Christian participation in armed conflict. His claim is that killing does not necessarily clash with loving the enemy. What is important is the spirit in which the killing is done.

On this foundation and from the principles of natural law he developed a set of criteria by which the permissibility of war can be weighed.

#### JUST WAR CRITERIA:

Some of these criteria have to do with the origins of war: Is there a just cause? Has every reasonable attempt been made to get redress without bloodshed? Will war be declared by a legitimate authority?

Other criteria concern the way in which the war is fought: Is it to be waged solely by legitimate and moral means? Is the damage which is likely to be incurred by the war less grievous than the prior injury? Is success likely?

These are taxing questions. Certainly one of the criticisms of the theory is the difficulty of applying its precisions to the complexity of war.

#### THEOLOGY:

The shortcomings of the theology supporting this doctrine are dealt with exhaustively in 'The Just War in Aquinas and Grotius' by Joan Tooke. Her conclusion is that there exists an imperfect harmony between the principles of Natural Law and Christianity: The Natural Law dictate of acting in accordance with reason, which provides a legitimation for a resort to force in self defence, is opposed to some essential aspects of Jesus' teaching. The disharmony is nowhere greater than in the reasonableness of the Cross; Christ in refusing to call on the twelve legions of angels at his arrest sets a higher vocation for Christians than self-preservation.

#### CONFLICTING VERSIONS:

A further difficulty with the theory is that successive contributors have now produced a number of conflicting versions. Two examples from James Moulder's paper on 'Conscientious Objection in South Africa' make the point:

- a) John Rawls insists that a war is just only if it is being waged in self defence and only if the nation concerned has just institutions which it wants to preserve. John Calvin, however, argues that nations may wage a just war not only 'to preserve the tranquillity of their dominion' but also to 'help those forcibly oppressed.'

- b) Thomas Aquinas requires a war to be waged by a legitimate authority before it can count as a just war. But Jacques Ellul does not insist on this test. And so he allows for the possibility that a civil war may be just.

The conflicting versions must generate confusion in the mind of a believer sincerely searching for consistency in the theological tradition of his church. But perhaps of greater consequence is that the conflicting versions allow for the development of a theology of the just revolution.

#### THE 'JUST WAR' BECOMES THE 'JUST REVOLUTION'

In Liberation theology, the just war becomes the just revolution. Davis writes, "If Christians, who accept the possibility that some wars may be just, are to be consistent, they must also admit that the use of force, including killing, may be right in relation to revolution." This is surely valid; if it is right to resist a foreign invader, then it is equally right to resist by force one's own government if it is intent on oppressing the people.

God certainly has taken an option on the oppressed but to believe that this legitimises violent revolution is perhaps to overlook the dialectical character of God, who is both Love and Justice. It is doubtful whether the Just War and just revolution adequately stand the scrutiny of this dialectical tension.

#### A DENIAL OF LOVE:

Augustine justified killing in a 'just war' because he could kill while still loving the enemy. At least Davis does not make the same claim for Liberation theology. He recognises that when his revolutionary requites the oppressor, there is a denial of love. Instead, Davis' thesis is that in a revolutionary situation there is no response whereby the Christian can be justified.

He illustrates this point using a three-fold reference of love in a revolutionary situation. "There is, first, love to the oppressed which may lead us to defend them by force. There is, second, love for the oppressor which may lead us to remove him from power as a step towards his own liberation and greater humanization. There is, third, a denial of love if I have to kill an oppressor".

Davis claims that there is no way out of this dilemma whereby a Christian can be justified; every response entails a partial denial of love and there is no "cheap grace".

#### THE WAY OF CHRIST:

Davis' thesis presents a challenge to Christians who believe that Christ never intended them to practise a denial of love. The challenge is to follow the example of Jesus.

Patterning oneself on the life of Jesus has always provided justification for Christian action. For instance, St. Paul urges Christians to "walk in the same way as He (Jesus) walked".

In conflict Christ's walk was to lead him to the cross. He lived in a political environment every bit as revolutionary as is found today. Palestine of the first century was an occupied country, restively submitting to a none-too-benevolent Roman rule. In his ministry he was continually challenged with the Zealot alternative which was to liberate Israel by military force.

This alternative Jesus rejected for the way of the cross; he did not come to be a military messiah but the suffering servant. In this he was obedient to a higher calling, witnessing to the truth that before the oppressor and oppressed could

be liberated from each other, they needed to be liberated from themselves.

Jesus in taking the way of the cross, rather than adopting the methods of revolutionary violence to free the oppressed, practised no denial of love. Instead his sacrifice is the perfection of love. And this is the escape provided the disciple. By opposing violence with non-violence while working for peace the Christian fulfills his calling.

Christ himself commanded this response, "If anyone would come after me, he must deny himself and take up his cross and follow me".

#### NON-VIOLENT ACTION:

The way of non-violence is conceivably the only response consistent with Jesus' commands to love one's enemies and to take up the cross in a situation of violence. Yet non-violence is criticized for its passivity. This need not be true when the principles of non-violent action are followed.

Non-violent action makes an assumption regarding the source of power on which is built a challenging new theory of man's potential to resist injustice. The assumption made is that power is given to the rulers and can therefore be withheld. This is not a new insight but what is new are the methods by which ordinary people can withhold that power. Some of these have been successfully tested by movements instructed by Gandhi and Martin Luther King and in situations in Nazi occupied Europe. But the methods of non-violent action are largely untried because of the high cost of commitment; instead of a remote high command sending out some less remote troops to resist a would-be-oppressor, non-violent action requires the involvement of individuals, all laying themselves on the line. This is difficult, and yet for Christians disillusioned with the ambivalence of the Just War, non-violent action promises a new beginning.

#### STATEMENT

##### 1. CONSCIENTIOUS OBJECTION TO WAR:

- 1.1 As a confirmed member of the Church of the Province of Southern Africa (Anglican), I am obliged to translate its teaching to my life.
- 1.2 The 1978 Lambeth Conference resolution on war and violence urges all Christians to re-examine as a matter of urgency their own attitude towards, and their complicity with, violence in its many forms.
- 1.3 Article thirty-seven (37) of the Anglican Church allows Christians to participate in a "Just War". While Protestants have on the whole abandoned the precisions of the Just War Doctrine, the article remains the subject of controversy in the Anglican Communion.
- 1.4 The example of Jesus in His healing ministry, the way of the Cross as Jesus' response to conflict and my reservations about Just War theory convict me not to serve as a combatant in any war.
- 1.5 I do therefore subscribe to the charter of the international Anglican Pacifist Fellowship. The pledge of the fellowship is to 'renounce war and all preparation to wage war, and to work for the construction of Christian peace in the world'.

##### 2. NON-COMBATANT SERVICE:

- 2.1 I nevertheless think it helpful to make a rough distinction between wars which appear to be avoid-

able by means of a negotiated settlement, and those which do not. In wars where a negotiated settlement is clearly not possible, I would be prepared to serve as a non-combatant in the medical corps. In this capacity and in such a war it would be possible to identify with Christ's healing ministry without fear that one was directly contributing to the suffering of war.

- 2.2 In South Africa it appears possible to avert war by involving representative Black leaders in a political settlement. My pledge to renounce all preparation

to wage war must in this instance cause me to refuse a non-combatant posting in the Defence Force. This refusal is in my view consistent with working towards the construction of Christian peace in South Africa.

### 3. NON-MILITARY NATIONAL SERVICE:

- 3.1 Rather than languish idly in detention barracks, which is the penalty for refusal, conscientious objectors should be employed in alternative service. I therefore request a non-military national service. □

# LAWYERS FOR HUMAN RIGHTS

BY E.M. Wentzel (a member of the Public Relations Committee of Lawyers for Human Rights)

Only in a very strange society could a lawyers' organisation have such a title. Can there be lawyers who, publicly at any rate, would declare themselves against?

Law and the concept of rights are really tweedledum and tweedledee. The object of law is to define and protect rights: those of the individual against the state (and vice versa), and individual against individual. 'Against' is deliberately chosen; our whole system is adversary and the law is an essential aspect of it, a mechanism to enforce and secure these rights.

'Human Rights' has, however, a particular emphasis. These are those individual rights which assure a man of his dignity and esteem within society. Apartheid makes these an especial concern in South Africa for those who seek life, liberty and the pursuit of happiness.

Of course, lawyers had been concerned with human rights before this new society was launched. South African lawyers have a deservedly good reputation in this field. The credit however for the idea of a society of lawyers to act specifically in this field is firstly due to Professor John Dugard. His work 'Human Rights and the South African

Legal Order' (1978) was provocative and a sign leading us away from complacency to self-criticism.

Then the 1979 conference at the University of Cape Town and the excellent publication with which the University followed it, stimulated action. An association of those with similar concerns was an obvious path; but it took particularly Professor van der Vyfer (formerly of Potchefstroom and now at Wits) to put it together into an organised society.

The first chairman is Advocate Johan Kriegler, at one time chairman of the Johannesburg Bar. A constitution has been adopted and membership is growing. A newsletter is being published. Gradually the new Society is taking shape.

These are early days; the scope for activity seems unlimited. No doubt the society will shape itself to the particular needs its personalities and resources determine.

Meanwhile those interested should write to :- Lawyers for Human Rights, Centre for Applied Legal Studies, University of the Witwatersrand, 1, Jan Smuts Avenue, Johannesburg 2001. □