



The Center on  
Conscience & War

# The Reporter for Conscience' Sake

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## Movement for the Civil-ization of Israeli Society

By Mary Miller

In the spring of 2005, I was privileged to be part of a fact-finding delegation to Israel/Palestine with the Episcopal Church's Peace Commission. Our agenda was to meet with, and listen to, Israelis and Palestinians actively engaged in peace-making efforts and human rights monitoring. One of these groups, New Profile, describes itself most briefly and clearly as a "Movement for the Civil-ization of Israeli Society." So the hyphen in "Civil-ization" is not a typo -- it's on purpose. New Profile is a group of feminist women and men who are convinced that they need not live in a militarized society, endlessly mobilized and prepared as warriors, that "Israel is capable of a determined peace politics." They have taken up the very specific tasks of education and support for conscientious objectors, their parents and partners. New Profile's work is done in collaborative efforts with other civil society organizations, by exhibits in community centers, presentations at conferences, work with youth groups, media appearances and publications, and counseling.

The majority of all non-Arab Israeli citizens are required to do military duty although a significant percentage are excused on various grounds. Very few conscientious objector claims are granted. There are some who have been

granted exemptions and do civilian alternative service. Most of the growing conscientious resistance to military service is against service in the Occupied Palestinian Territories specifically "selective refusal" rather than universal objection. There, as here in the U.S., is no legal

provision for selective conscientious objection. From a very early age, children are prepared for and immersed in a society totally committed to the expectation of military service. A New Profile report "Child Recruitment in Israel" (July 2004) lays it out in detail. The message of expected and necessary military service permeates all facets of the educational system and is supported by public advertisements, the ubiquity of uniformed and armed personnel in public places and the expectations of compliant adults. Most young people enlist for active duty right after high school graduation. After the initial active duty service, they are put on reserve status and serve as called up on a regular basis for shorter periods of time well into their adult years.

It is in the armed forces that bonds of friendship and networks for ordinary life are forged; and jobs, further education, advancement and privilege are based on these connections. A decision to opt out of this system has significant consequences for the rest of a person's life.

One regular pattern for objectors is to refuse to perform service in the Occupied Palestinian Territories, to be sentenced to a month in military prison, to be released and ordered again to report for service, and to repeat the process. A number of objectors have served multiple prison terms. New Profile follows these resisters, provides support to them through contact with them during the process and with their families while they are in prison and by sending letters to them and to officials with power to change the system. There are no signs of change visible at the moment, although in one or two cases conscientious objection seems to have had a hearing during trial proceedings.

The members of New Profile with whom our group met were very clear that in their view Israel's occupation of Palestine is "killing the soul of Israel."  
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## News Briefs

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### Total objector sentenced to 197 days in prison

On 17 May 2005, a District Court in Finland sentenced total objector Aleksi Riikonen to 197 days in prison, for refusing to perform alternative service. He had declared his refusal of alternative service in August 2003.

Currently, substitute service for conscientious objectors lasts 395 days, more than twice the length of military service (180 days). Because of international pressure, the Finnish Ministry of Labour is currently preparing a new law on substitute service which would shorten the service to 330 days, still much longer than the military service. In addition according to the current legislation, members of the religious community of Jehovah's Witnesses are exempted from military service, while other pacifist COs have to perform alternative service. Aleksi Riikonen declared in his trial: "I am not a pacifist myself, but I think it is intolerable that the Finnish conscription system grants this kind of privilege because of membership in a certain religious group." (War Resisters International)

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### Indonesia Plans Military Draft

JAKARTA - The Indonesian government plans to draft younger citizens for military service and avoidance of the compulsory service will be punishable by two years in jail. House of Representative's member Joko Susilo told Kayto News a hearing on a bill on military service is set for next week during which the government will "socialize" the plan to parliamentarians to seek approval.

(Kayto News)

### CO Sentenced to Prison

Areg Hovhanesyan, a Jehovah's Witness, has been sentenced to 4 years imprisonment on 16 February 2005 for refusing to perform military service. The sentenced was handed down by a court in Stepan-akert, the capital of the unrecognised Nagorno-Karabakh Republic (part of the former Soviet Union). Hovhanesyan told the court that he would be prepared to do an alternative military service. However, such a service does not exist in Nagorno-Karabakh, and so he was sentenced according to Article 327 Part 3 of the Nagorno-Karabakh Criminal Code.

(War Resisters League)

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### 13 Arrests at Trial of Conscientious Objector Mehmet Tarhan

Turkey: 13 antimilitarists and conscientious objectors were arrested in Sivas following the trial of conscientious objector Mehmet Tarhan, who has been in prison awaiting trial. The trial began early in the morning, and Mehmet Tarhan clearly showed signs of physical abuse -- he had bruises all over his body, and could not walk well because of the ongoing abuse Mehmet Tarhan's lawyer asked for Mehmet Tarhan to be acquitted, but the judge postponed the trial to 9 June. After the trial, the police arrested three conscientious objectors. They are currently held at the police station in Sivas. It is feared that they will be brought to the recruitment office, and from there to their military units and to military prison. War Resisters' International is again considering sending an international delegation for the trial.

(War Resisters International)

## Ian Yarett Leaves CCW

Ian Yarett, an intern at the Center on Conscience & War, has finished his internship for the summer.

Ian was in charge of designing and organizing the Center's mailings, keeping the order book up to date, and making sure there was always plenty of copies of our information pamphlets in stock. He was also trained on counseling calls. Ian was a great addition to the CCW staff.

Ian will be attending Swarthmore College in the fall and we wish him the best of luck!

### **MORE RECRUITERS ABUSE**

**The Center and the GI Rights Hotline have received an increasing number of calls about military recruiters who have scheduled appointments with young people and told them that they MUST come to the appointment or they will be arrested.**

**THIS IS A LIE!!! If you encounter anyone who is having this experience, you should make sure they know that they do not have to meet with a recruiter and NOTHING will happen if they choose not to speak to a military recruiter. You should also encourage them to contact their local media, representatives in Congress, and school officials and let them know about this abusive behavior by military recruiters.**

**And please let CCW know.**

**This ploy to get potential recruits to the recruiting office where they can then use hard-sell tactics to get them to enlist is not new. The fact that it is increasing is an indication of how desperate recruiters are.**

## CCW Gets New Legal Intern

Daniel O'Connor is the new fall law clerk at the Center. He is a graduate of the George Washington University with a degree in international affairs. Currently, he is a third year part-time student at the American University Washington College of Law. "My main focus is in international law with a specific interest in human rights issues. I joined the Center on Conscience & War because of the incredible bias and discrimination that is held toward conscientious objectors in this country. Sadly, many people consider conscientious objectors cowards and their actions treasonous. However, some of the most courageous and honorable people in the world are those who choose to stand up for their beliefs, even if it means that they will be persecuted. From the pacifist who has always protested violence, to the soldier who is overcome by the death and destruction that war brings, conscientious objectors are brave men and women who should be respected and revered. They embody the greatest virtues of humankind in compassion, courage, and love. It is their human right to oppose war and choose not to participate in killing. I joined the Center on Conscience & War to assist in providing legal advice and defending the rights of these brave men and women."

The Center on Conscience & War is grateful to have Daniel, and appreciates his volunteering.

## Jordan Aoyama Leaves CCW

Jordan Aoyama worked as an intern at the Center on Conscience & War this summer. Over the summer he started a spreadsheet on the casualties in Iraq, helped to type up a medical manual for the draft, and received training to answer the phones. "Initially, it was very nerve-racking to answer phones, but it got easier as I became more experienced. The staff were very approachable and very willing to help me out whenever I had trouble. I really appreciate being given the chance to volunteer here."

Jordan will be attending Juniata College in the fall and we wish him the best of luck!

# War & Environment

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## A Poisonous Stain Part III: 2004 & 2005 Updates

By Theo Sither and Michelle Williams

*This article is a follow up from an on-going research project about the environmental effects of war. Part I & II of this article appeared in the Summer and Fall 2004 editions of the Reporter.*

The First World War ushered in newer, more deadly forms of weapons. Following in step with Germany, the U.S. opened its first chemical weapons testing site in the Spring Valley and American University areas of Washington, DC. Though the U.S. used no chemical weapons during the war, these communities are still dealing with the effects of researching and developing these weapons on their grounds.

In our previous article, we reported on the various health problems that some residents have faced after living in the Spring Valley (SV) neighborhood. Much of the data in that article was from an independent study conducted by the Northwest Current, a local Washington, DC newspaper, which has been closely following the ongoing weapons cleanup. The Army disputed those claims and said that the neighborhood was safe and free of health risks.

At least two SV families filed legal claims against the U.S. Army last year in the hopes that they and others they consider victims of chemical waste pollution can receive monetary compensation. They are hopeful despite the 2003 District Court ruling in favor of the federal government and the Army's right to contaminate the environment. The U.S. District Court Judge's decision was based on a section of the Federal Tort Claims Act, which states that one can not sue federal agencies (i.e. the Army) for conducting federally approved projects as they see fit. However, District of Columbia laws dating from 1887 were later uncovered which clearly stated that a permit was needed in order to dump hazardous material on an open lot, among other things.

The latest chemical health risk being discussed is perchlorate. The chemical, a component of hand grenades and also used in toxic chemical tests at "Camp AU", was found near a local reservoir. The Army Corps of Engineers have begun to investigate whether perchlorate has been

leaking out of a buried WWI munitions site into the groundwater or surface water. This investigation was added to the list of the Corps' priorities in the federal fiscal year beginning October 1, 2004. The chemical has been linked to thyroid disease, an illness from which several residents in the neighborhood suffer.

The study conducted by the Northwest Current shows that out of 345 households, 160 cases were reported to have suffered from life threatening and often-rare diseases. Over half of these diseases can potentially be related to arsenic or other chemical agents lacing the soil in the area. Most commonly reported were various cancers and autoimmune disorders. The majority of the individuals in the survey are either dead or now living outside of SV. Many critics have denied the validity the current study due to its anecdotal nature. A 158-page report by the federal Agency for Toxic Substances and Disease Registry found SV residents to be free of risk from chemicals present in the area. However, the Current article prompted a flurry of debates earlier this year and brought conflicting data to light. SV Restoration Advisory Board member Kent Slowinski commented by saying, "It doesn't take a toxicologist or epidemiologist to know something is seriously wrong when the same diseases keep appearing in the same households."

In February, the District announced that it was seeking federal money to conduct an in-depth study into the causes of these diseases and a possible link to the WWI munitions buried in that area. Subsequently, in March of this year, the District of Columbia council appropriated \$250,000 to conduct a study of the possible health risks caused by the buried munitions. Gregg Pane of the Department of Health said, "We want to try and design something that kind of gets people's concerns, whether that includes testing, [examining] histories of people's families... We kind of want to put the whole picture together and get to the bottom of this."

In the meantime, the Army Corps of Engineers has continued its search for contaminated munitions and has taken some positive steps to rid the soil of arsenic, which is a byproduct of the deadly chemical lewisite. Lewisite was heavily used as the chemical agent in the contaminated munitions. In May of this year, the Corps planted hundreds of

(continued on page 7 Environment)

What may be particularly important for us are the obvious parallels to the militarized U.S. society we ourselves live in -- and which most people, most of the time do not see, as they do not in Israel. New Profile's Charter states that "The militarized consciousness ... sees opting for war as reasonable. Young people enlist putting their trust in the wisdom and honesty of those who bid them to serve. Each of us is accountable to them and to ourselves. Every parent takes an active part in educating sons or daughters to become soldiers. And yet, there are many women and men, parents and youngsters, who object profoundly, morally to Israel's continued wars-of-choice ... For our part, we refuse to go on raising our children to see enlistment as a supreme and overriding value. We want a fundamentally changed education system, for a truly democratic civic education, teaching the practice of peace and conflict resolution, rather than training children to enlist and accept warfare."

New Profile is working to connect with organizations and movements outside Israel who are engaged in a similar mission to their own. Those with whom we met were grateful to re-connect with the Center on Conscience & War and we hope ways will emerge to collaborate in various efforts for a more peaceful world.

*Mary H. Miller, is the Episcopal Church representative to the Center on Conscience & War*

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welcome!!!**

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### **Eight Soldiers Plan to Sue Over Army's Stop-Loss Policy**

With legal support from the Center for Constitutional Rights, lawyers for eight soldiers who have not been discharged when their time was up say they will file a lawsuit in federal court in Washington, D.C.

Last spring, the Army instituted the policy for all troops headed to Iraq and Afghanistan, calling it a way to promote continuity within deployed units and to avoid bringing new soldiers in to fill gaps left in units by those who would otherwise have gone home when their enlistments ran out. If a soldier's unit is still in Iraq or Afghanistan, that soldier cannot leave even when his or her enlistment time runs out. This is called a stop-loss.

Since then, a handful of National Guardsmen who received orders to report for duty in California and Oregon have taken the policy to court, but the newest lawsuit is the first such challenge by a group active duty of soldiers. And these soldiers are already overseas-- transporting supplies working radio communications and handling military contracts, somewhere in the desert." You should know I'm not against the war," said David W. Qualls, one of the plaintiffs and a former full-time soldier who signed up in July 2003 for a one-year stint in the Arkansas National Guard. He now expects to be in Iraq until next year. "This just isn't about that. This is a matter of fairness. My job was to go over and perform my duties under the contract I signed. But my year is up and it's been up. Now, I believe that they should honor their end of the contract."

Some military experts described the soldiers' challenge as both surprising and telling, given the tenor of military life, where soldiers are trained throughout their careers to follow their commanders' orders. These soldiers' public objections are only the latest signs of rising tension within the ranks. In October, members of an Army Reserve unit refused a mission, saying it was too dangerous. And in recent months, some members of the Individual Ready Reserve, many of whom say they thought they had finished their military careers, have objected to being called back to war and requested exemptions. (New York Times)

# Conscientious Objector Stories

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## Colorado Conscientious Objector

### The True Story of Dale Bartell

written by Bill Durland

Center on Law and Human Rights

In July, 2004, Dale Bartell, a specialist in the U.S. Army in his second tour of duty (having enlisted in 2003 and been to Iraq in his first tour) arrived at Ft. Carson, Colorado. Originally from Hillsdale, Michigan, he and his wife, Amy, attended the Pentecostal church before joining the Mennonite church while stationed in Georgia. They attended the Mennonite Church in Canon City, Colorado after transferring to this area. A “historic peace church,” the Mennonites profess a pacifist theological conscientious doctrine against all wars.

Bartell began discussions about his changing religious beliefs concerning war making with his church in the fall of 2004 and they agreed to help him. In February, 2005, he contacted his 1<sup>st</sup> Sergeant asking that a “change of status” form be placed in his file noting his conscientious objection and he thought that the Army chain of command would initiate a C.O. application for him. The 1<sup>st</sup> Sergeant indicated he would do that. It turns out he did not. Specialist Bartell was not aware of Department of Defense Directive 1300.6 is the primary document laying out the elements of and the process for implementing a C.O. discharge, nor did the Army give him a copy of it.

About this time, he heard rumors that his unit would be deployed to Kuwait and later, in March, he heard that it would be Iraq as well, this time in combat. His Captain would not see him in March about this and he was told he might have to go to Iraq while his application was pending. One response to his constant pursuit of C.O. status was that he was told that in Iraq he would be given non-lethal rounds to shoot. March 7 was announced as the deployment date. He did not show up for formation on that date. He remained, however, on post and did not leave or try to hide and continued to live with his wife and four children.

On April 8, he turned himself in, having been allowed to freely move and even go outside the base and return within a few hours. This matter was discussed with

the “AWOL apprehension” unit and he told them he would accept a bad conduct discharge and an Article 15 punishment rather than be deployed. They, however, took no action against him. He signed a statement stating he went AWOL because he was a C.O.

On April 11, he found out that a plane for Kuwait would leave in 7 days. He talked with his Captain on April 12 but on April 13 the 1<sup>st</sup> Sergeant told him he would have to go higher. On April 14, he was told he would be deployed even though he was a declared C.O. and that they didn’t care about his C.O. convictions. He was warned that missing a second troop movement was serious. He showed up the following Thursday (April 21) for formation and was told he didn’t need to be there. He was told the deployment would take place in two days on Sunday. So he went to the Soldiers’ Clinic and they asked him if he would shoot at the “enemy” and he said no. He was then told he would not be deployed. (For the Army to send a person to the front lines who is refusing to kill the enemy puts other soldiers at risk whether he is a C.O. or not.) Later he was told again that he would be shipped out. On April 17, he went AWOL again. His only choice was AWOL or deployment, not C.O. status. Amy stayed on base. He was gone two days and then returned until May 5 without any calls or contact from the military about his status. He moved out to Canon City near his church Friday, May 5 and showed his I.D. at the gate.

Before she left to join him, and while Dale was gone, an M.P. with warrants came, questioned Amy and gave her a citation. She will appear in federal court on July 20. She is charged with “enticing, abetting a deserter.” After interviewing Dale and understanding he wished to again turn himself in voluntarily, I contacted Ft. Carson JAG and was referred to Captain Martinez. We met with him on May 12. He heard Dale’s story and advised him how to best effectively turn himself in and how to apply for C.O. status initiating it with the DA form 4187 entitled “Personnel Action” (This is the one-page form his unit could have given him to begin the process months earlier. That is followed up by more details explained in D.O.D. form 1300.6 or the army equivalent.) Capt. Martinez told us that there would be some type of hearing and that

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if it were criminal, Dale should seek help from JAG criminal, division (Martinez is civil) or a civilian attorney to defend him.

He made an appointment with Captain Talarico and we both saw her on June 23. (Because JAG is at no cost and Dale has no money, I worked on his case from May 12 until July 12 *pro bono* billing him at a 50% reduction for office records only and recommended both JAG officers as very competent to handle his case. They knew the lay of the land and the criminal side as I did not.)

On July 12 a special court martial was held. After a guilty plea recommended by JAG, Dale and others on his behalf testified that he avoided hazardous duty (the charge was intent to avoid hazardous duty which constitutes desertion) because his convictions would not allow him to carry a gun and so he would be a burden to his unit because he could not help them and they would have to protect him. He pled guilty to the charge on the advice of his JAG attorneys because they said it would go better for him and the C.O. evidence would be submitted in mitigation of sentence. The Army's position was that "the AWOLs took precedence over his C.O. status." His guilty plea resulted in admitting his "desertion" but for the reason of conscientious objection. The only remaining issue was whether to give him jail time. He knew a bad conduct discharge was certain. The issue here was whether his reasons for mitigation would mean no sentence or less than the seven months expected. He got four months and the bad conduct discharge.

The JAG officers did well presenting several witnesses: 1) a Sergeant who testified that Dale was dependable, 2) an elder of his church who testified that he was sincere and had contacted him in November 2004, 3) Capt. Martinez who testified that of his five C.O. applications, Dale was the "most sincere," 4) his wife Amy and 5) Dale who also expressed himself well. On rebuttal the prosecution presented Dale's 1<sup>st</sup> Sergeant who, on cross examination, admitted that he was aware that Dale contacted him, the chaplain, the whole chain of command, but even if he had filed his papers properly he and the regimental commander would have denied his C.O. application whatever it said.

Bartell is currently serving his time in Ft. Sill, Oklahoma. His wife awaits the resolution of her case which is in the U.S. Attorney's hands to decide whether to prosecute.

fern trees in contaminated soil in hopes of naturally removing the arsenic. The Army also uses the method of digging and relocating the soil, but this method is a more expensive way of doing it. Though planting the fern trees is a very slow process, it is a clean and natural way to conduct detoxification.

While the on going health-risk study and attempts to remove deadly poison from the soil are positive steps, the fact that this community has to deal with the effects of war almost a century after its end is telling about the destructive nature of war. The environment is the first and the last casualty of war. From the manufacturing of the bombs long before they are used to decades after they are dropped, the poisonous ripple of the destruction continues.

*CCW will continue to monitor the Spring Valley cleanup project and will report on any developments.*

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## Attention

### Former CPSers

**We are working on a future story on the CPS camps.**

**If you have any stories, pictures or comments you would like to share please send them to:**

**1830 Connecticut Ave NW  
Washington , D.C. 20009**

**or email : [reporter@centeronconscience.org](mailto:reporter@centeronconscience.org)**

### **Correction from *A Poisonous Stain: Part II***

The ACE Spring Valley project's yearly budget of \$11 million, including last year's additional \$33 million to cover the extension of work from 2007 to 2010, applies to all work done in and near Spring Valley (NOT just for Lot 18!). Sorry for any confusion this may have caused.



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## *From the Desk of the Executive Director*

*“No matter how much we get to know our neighbors and try to live like them, the fact is that we can get out and they cannot.” Comment from a survivor of Katrina in Asheville, NC*

We often talk about the real costs of war. The deaths of our soldiers, of their soldiers, and their civilians is really only the tip of the iceberg. The cost of the deficit that is being created after several years of balanced budgets, the cost to domestic programs including ones to repair and build up infrastructure like levees and bridges, the cost to international programs is only a small part, too. The cost to New Orleans without the Louisiana Guard and its equipment available and money spent on the war rather than levees and subsidence issues, the cost to the country of a flood of refugees following the flood of the city begins to make clear the real toll.

My niece lived in New Orleans when Katrina hit. She and several of her friends had moved into a poor neighborhood to help revitalize it. They wanted to become part of the neighborhood. They gave parties and tutored neighborhood kids. They put in sweat equity into their houses and love into their neighborhood.

When the storm was predicted, they went to a warehouse to sit it out. After the storm they went back to the neighborhood to see who was okay and who wasn't. They still don't know which of their poor neighbors got out and

which did not. Were the little children that they played with safe? Were they dead? But an important truth came home to them. They could spend as much time and energy in that neighborhood as they possessed. They could make friends and live side to side. But when the chips were down the difference was clear: They had a choice and their neighbors didn't.

Some of those who got out finally have ended up at the Astrodome in Houston, Texas. There they have received food and clothing and counseling. **But they have received something else.** National Guard recruiters are working the refugees from Katrina at the Astrodome. "You should join the military. You have to take care of your family."

But for most of us, we still have a choice. We can walk away from Recruiters. We do not have to listen to them while we wonder where we will go next. Will we go home? Will there be a job?

We have another choice. We can choose to help assure that the victims of Katrina and Rita won't be made victims a second time around by the military recruiters by supporting the Center and its work.

Yours for Peace and Justice,  
 J. E. McNeil

