



The Center on  
Conscience & War

# The Reporter for Conscience' Sake

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## Military CO Report Fails Congressional Mandate



*Former Congresswoman Cynthia McKinney introduced the Congressional query*

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This year, the Government Accountability Office snatched defeat out of the jaws of victory of the CCW lobbying that promised to bring attention to the issues of conscientious objectors applying for discharge from the military to those in the halls of power. Our staff was successful in lobbying for the Government Accountability Office to investigate and research what happens to CO applicants after they have submitted their application. Congresswoman Cynthia McKinney (pictured above) introduced the

Congressional mandate in 2006, and the GAO released the report to the public on October 1. After CCW staff read the report, however, we were disappointed and dismayed that the report failed to live up to its mandate set by Congress.

Using officially reported data the GAO determined that during calendar years 2002 through 2006 the active and reserve branches of the armed forces processed 425 applications, with the Army

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## News Briefs

### Nearly 28% of Israeli males avoided conscription in 2007

The Israel Defense Forces said in early November that 27.7 percent of Israeli males of conscription age are not inducted into the army.

Those who avoided military service consist of: yeshiva students, at 11.2 percent; individuals granted medical, including psychological, deferments, at 7.3 percent; convicts of crimes disqualifying military service, at 4.7 percent; those residing abroad, at 4.2 percent.

Women avoided military service at a higher percentage than men, claiming exemption on the grounds of religious belief. This group make up 35 percent of Israeli women.

*(Haaretz, November 6, 2007)*

### Croatia Scraps Conscription

Croatia's parliament voted overwhelmingly to abolish compulsory military service from 2008, when the Balkan country hopes to be invited to join NATO.

The move is part of Croatia's bid to make its army completely professional, but is also a result of increasing public demand for non-combat work during military service.

In 2007, only 2,051 of a total of 25,130 candidates carried out the compulsory six months of military service as up to 10,000 of the recruits who get called up each year seek non-combat roles.

Croatia hopes to make its army completely professional by 2014. During

this period, the military plans to spend €1.2-billion on new weapons, including 12 fighter planes, 126 armored vehicles and navy equipment, and modernise the country's anti-aircraft systems and infrastructure.

Under the plans, troop levels would be cut to 16 000 from the current 25,000, including 6 000 reservists, 2 000 civilian staff and 2 000 volunteers.

By 2010, Croatia plans to raise its military budget to 2.0 percent of its gross domestic product from 1.7 percent presently, as part of NATO membership requirements.

*(Agence France Presse, October 5, 2007)*

### Canada's Supreme Court Denies War Resisters' Appeal

On November 15, the Supreme Court of Canada denied US war resisters Jeremy Hinzman and Brandon Hughey leave to appeal the negative decisions in their refugee claims.

Hinzman and Hughey deserted the US Army in 2004 after learning their units were to be deployed to Iraq to fight in a war they have called immoral and illegal. The men argue that serving in Iraq would force them to commit crimes against civilians, and that they would be persecuted if forced to return to the United States.

Both the Federal Court and the Federal Court of Appeal have refused to review their cases.

As is usual in such cases, the Supreme Court gave no reasons for its decision in November.

## CCW Staff Table at SOA Vigil

The School of the Americas (SOA) Watch's annual vigil occurred November 16 through 18, and CCW staff were in attendance. Andrew Gorby, Bill Galvin, and Thomas Bergman all were staffing a table promoting the Center at the vigil outside Fort Benning, Georgia, home to the SOA, now renamed Western Institute for Security Cooperation, a US military facility responsible for training Latin American death squads. Says Bergman: "It provided a real opportunity for me to explain to people the Center's mission as well as to provide young people the information they need to make choices about their relationship to the draft and the military. I think providing information about conscientious objection is the only way to build true change in the militaristic culture of the United States."

As well as a place for promoting the Center, the vigil at Fort Benning was a place of fellowship for peace and social justice activists in addition to a place to gather to advocate for the close of the School of the Americas, renamed the Western Hemisphere Institute for Security Cooperation. It was especially awe-inspiring for Bill, longtime peace activist and Counseling Coordinator of CCW, who never fails to enjoy the experience and whose time in Colombia makes the vigil procession meaningful. "The SOA vigil weekend is awesome because it brings together people all over the hemisphere, from veteran peace activists from the 60s and 70s to college students attending their first event. And the vigil procession is powerful. It's a memorial to the dead and a celebration of life. When I kept hearing "Unknown child from Choco, Colombia" over and over again, it made me think of the people I had met from Choco who had witnessed the killings of those unknown children."

## Mark Your Calendar for Lobby Day on May 16!

In an effort at organizing around the Center's core mission—"To extend and defend the rights of conscientious objectors"—CCW staff will be meeting May 15 with the CCW Advisory Council to discuss ways in which they can cooperate in lobbying for the Military Conscientious Objector Act. May 15 coincides with International Conscientious Objector Day, a day the United Nations set to remember the rights of conscientious objectors. The day after the meeting with the Advisory Council, CCW staff, members of faith organizations, and other citizens will gather to lobby to support of the Military CO Act. This work is essential, because, even though the longstanding American tradition of honoring rights of conscience is put into practice in military regulations, it has never been codified in a US statute. Information on how to support this effort will be available in early 2008, and you can always contact Andrew Gorby at [andrew@centeronconscience.org](mailto:andrew@centeronconscience.org) if you have any questions. We need your support on May 16, so mark your calendars!

## ••••• The Executive Director Has a Blog!!!

• If you are reading this, chances are you enjoy reading the "From the Desk of the Executive Director" column by CCW's Executive Director J. E. McNeil. • forward to reading the quarterly call for hope and persistence. The column is a favorite for many readers because it calls peacemakers to be hopeful and persistent. Now you get the same persistence and hope on a regular basis, and ONLINE. Please check out the Executive Director's blog on the CCW website at [www.centeronconscience.org](http://www.centeronconscience.org).

# GAO Report Fails Congressional Mandate

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*(Continued from page 1)*

having the highest number of applicants, for conscientious objector status. Applications for CO status rose from 2002-2004 and dropped significantly from 2005 to 2006. The total number of applicants, which were recorded in the discharge forms that are collected by the Defense Manpower Center, is extremely small relative to the total size of the armed forces which numbers around 2.3 million. Of these 425 applications, 53% were approved, 44% were denied, and 13% were pending, withdrawn, closed, or no information was provided. Ninety-two percent of applicants were enlisted personnel while 8% were of the rank of officer. The Navy had the highest approval rate at 84%. Of those denied a discharge as a conscientious objector about 61% were discharged for other reasons. The top occupation area for both enlisted personnel and officers who applied for CO status were those involved in ground combat arms operations.

The application process took on average seven months despite data given in the GAO report which suggested otherwise. The report suggests that each branch's conscientious objector process is basically the same. Of those applicants who were processed as conscientious objectors and granted CO status, 92% of discharges were honorable, 6% were general discharges, and information on the remainder was unavailable. The report found that the type of discharge received determines access to benefits and that being discharged as a conscientious objector has no adverse effect on accessing these benefits. All branches stated that attempts are made to assign conscientious objectors to noncombatant duties while their applications are pending. The Air Force and Marine Corps reported that if a CO applicant's unit was deployed while the application was pending, then the applicant would not be deployed.

While this information gathered for the report may indeed be "sufficiently reliable to demonstrate overall trends in the numbers of applications, approvals, and denials for applications submitted for conscientious objector status," as the report states, it does not

answer queries mandated by Congress.

number of conscientious objector applications for the active and reserve branches, we found the report saw the tip of the iceberg by only including those applications that had gone all the way up the chain of command and were either approved or denied. The query from Congress requested information on ALL conscientious objector applications, not just the applications that were fully processed and recorded on discharge forms. The methodology utilized in the research for this branch of the report omits the applications that did not reach the highest level of the Armed Forces Branches. For example, many conscientious objector applications do not make it up the chain of command. One prominent example is Camilo Mejia, court-martialed for desertion for refusing to return to Iraq because of his CO beliefs. Mejia was convicted of desertion, sentenced to prison, and given a dishonorable discharge. These proceedings suspended his CO application, so his case would not be counted in the GAO study.

As a participating member of the GI Rights Hotline we speak with many conscientious objectors within the military who have begun the process of applying for CO status. From looking at the number of CO applications reported during calendar year 2006 we can conclude that we have spoken to the majority of the applicants. Of course we know that such a conclusion would be false. Many of the applicants we speak with go unreported because they are discharged, like Mejia, through other channels.

The second question the GAO report sought to answer—how does each branch administer its CO claim process?—went unresolved. In this section, the GAO report failed to answer whether the branches actually adhere to their own regulations in administering the conscientious objector process. The report merely described the process designed in the regulations. The information included in the GAO report addressing this question is readily accessible in each branches CO regulations available online. The report missed an opportunity to assess and evaluate the

# WW II CO Works at Psychiatric Facility

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*The following excerpt is from a letter by Elmo Leroy Fischer to his children describing his experience performing civilian alternative service in World War II:*

The work was demanding and stressful, especially for those who worked in the wards. Even with our group the institution was still woefully understaffed. Colony was one of seven institutions which made up the Virginia State Hospital System. Unlike most of the others which were more specifically hospitals for the mentally disturbed, Colony had something of a “mixed bag” population. Its 1200 patients consisted of epileptics, feeble-minded, birth anomalies, and other abnormalities. The work was long and hard but we were allowed more freedom than at Magnolia. We made use of it occasionally to take day and week-end trips, when we could find the transport (sometimes provided by Brethren friends in the vicinity), to nearby historical sites and other places of interest. Those of us with wives to support us were more privileged than our unmarried comrades so we would share “our good fortune” with them by financing group events. We were a latter day first century Christian community.

A few weeks after I arrived at Colony my prior business training and experience again paid off when I was assigned to the office of the title Steward (business manager. Virginians are addicted to using old English titles!). This elevated me to the exalted rank of “staff” which carried with it additional perks such as weekends off. When Ruth [my wife] came she was “staff” automatically so we were able to have our noon meals in the staff dining room.

*(Continued on page 6.)*

## GAO Report cont.

The report also contained errors. The report states that a GI who is discharged under honorable conditions (general) is bereft only of the Montgomery GI Bill-Active Duty Education and Training Benefits. A

GI given a general discharge is also ineligible for VA Educational Assistance (38 USC 1411) and the Civil Service Retirement Credit (5 USC 8331, 8332).

The report also states, “there were 188 applications for conscientious objector status,” even though a table also in the report states that the total number of conscientious objector applicants is 425. The number 188 that was referred to in the report as the total number of applicants was actually the total number of applicants who were denied conscientious objector status.

The report also states that “in the event of an applicant’s [Marine or Air Force] unit deploying while the application is pending, then the applicant will not be deployed.” Experience at the Center suggests otherwise. CCW has actually handled a case of a conscientious objector in the Marines who was deployed to Iraq while his application was pending

The report also says that “Army, Navy, and Air Force regulations state that conscientious objectors must be given one of these two types of discharge (honorable or general).” However, upon reading the regulations cited in a footnote in the GAO report, CCW staff did not find language that would substantiate this conclusion.

CCW staff hoped that the report on military COs would provide the American people with an assessment of the CO application process, and crucial insight into governmental policy. We also believe Congress needs a good report in order to review policies for possibilities of reform. We believe that conscientious objectors in the military depend upon accurate information so that they can make informed decisions when they begin the process of filing a claim of conscientious objector status. It is a shame that this report did not fulfill these crucial needs. We hope Congress holds the GAO accountable, and that demands a report that satisfies their mandate.

# Remembering Alternative Service in WW II

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Ruth approached her new position with all the vigor and zeal of a newly minted professional. She reorganized the food service, changed menus, taught employees better practices of preparing and serving meals, and instituted badly needed improvements in sanitation. She even initiated a class to train the more intelligent patients in cooking and domestic skills with the expectation that they might be employed outside the institution. Unfortunately this experiment came to naught. There were just no patients who were that intelligent.

And so the months went by. It was December again and we celebrated our first wedding anniversary. We were about to enter 1945. We did not know it yet, but this was the year that the war finally ended. In fact, some of the worst fighting and most awful destruction was still to come. We went about our work as usual. Living amidst our patients we had come by some twist of the mind to think of our little isolated community as being normal and the world outside as being abnormal. When the end came in August, 1945, we faced the same challenges of adjustment to a normal society as did the returning GIs. We in the mental hospitals decided that “normal” was not good enough and we were determined to change conditions at least in that one area in which we felt we had become pros.

Over a period of months we had developed a sophisticated network of communication between the units in more than sixty hospitals. As we became more aware of the terrible conditions that prevailed in these institutions and the cruelty and maltreatment to which the patients in them were often subjected, we came to the conclusion that reforms were desperately needed and that we should be their agents. We exchanged ideas about more humane patient control, better evaluation and diagnosis of patients, real treatment regimens, the use of drugs in both therapy and control, good nutrition as an element in the treatment of the mentally ill, and many other issues. Out of this welter of ideas came an organization called the National Mental Health Foundation whose members, at first, were almost all CPS men and women. It broadened its membership after the war and would evolve

into the National Mental Health Association which is to this day the leading advocate for the mentally ill and the foremost center for research in mental illness. A very considerable number of CPS. Men and women went on to become leaders in promoting mental health and in caring for the mentally afflicted. They became psychiatrists, researchers, social workers, institutional managers, teachers, and an array of other vocations associated with the care and treatment of the mentally ill. My own interest in the care of the elderly, whose aging process is often accompanied by dementia, was aroused by my CPS experience.

World War II came to an end with a super-bang on August 14, 1945, and we in CPS prepared to pick up our interrupted lives. As we were the first to be inducted so we were the last to be released. GIs were demobilized on the basis of accumulated points earned in various ways during their service. There were no points for COs so it was not until January 10, 1946, that I received notice that my obligation to serve my country in “work of national importance under civilian direction” had been fulfilled. No “thank you,” no recognition, no compensation or benefits for four years of my life. Ironically, Ruth and I stayed on an additional five months, this time with pay. Our Superintendent asked us to stay in our positions until permanent employees could be found and trained. We arrived back in Austin in June, in time for me to enroll in summer classes at UT. After another year I finally received my BA and BBA degrees, ten years after I had first entered the University. In the meantime, Ruth was doing a dietetic internship at Brackenridge Hospital and in the food service department at UT. Then the babies started coming and, as they say, the rest is history—our children’s and ours. The story of Ruth’s and my later life is a matter of record which can be accessed by anyone who is interested.

# Upending the ‘Just War’

*The Horrors We Bless: Rethinking the Just-War Legacy*, By Daniel C. Maguire  
www.fortresspress.com

Book Review by Andrew Gorby, CCW Staff

“Do you know what Hanukkah is? Do you remember when Jesus observed the celebration of Hanukkah?” I was asked. I hesitantly replied, “I know it means festival of lights...I don’t really remember when Jesus celebrated Hanukkah.” I should have had a better answer. I was pretty confident that Jesus did celebrate Hanukkah because He was Jewish, but the passage surely didn’t stick out like all those passages about love, tolerance, compassion, and sacrifice. “Well do you know what Hanukkah celebrates?” I was enthusiastically quizzed. Feeling quite ignorant about Hanukkah and stumbling for an answer I took what would appear to be a wild guess and inquisitively replied, “War?”

I know many of you may be wondering how my elementary school definition of Hanukkah would lead me to guess that Hanukkah celebrated war. But when you are speaking with a military chaplain who wrote his Princeton Seminary thesis on “just war,” blurting out “war” is a pretty educated guess. And in the context of our dialogue about whether Jesus was a pacifist who abhors violence, it was my only logical response to a “man of the cloth” who sought to justify war as an activity that honors God and is reflective of following Christ. After getting a weird mini-history lesson on Hanukkah, followed by long frustrating circular dialogue with many tangents to the Old Testament, I came to a familiar understanding: People use all sorts of twisted logic to justify killing our brothers and sisters, and I needed to be more proactive in understanding the root of such bizarre justifications. *The Horrors We Bless: Rethinking the Just-War Legacy*, by Daniel C. Maguire was a good place to start.

This pocketbook-sized (4X7), 89 page, book is a provocative look at the just-war theory and the modern Western world’s attempts to sanitize the brutal, bloody, and hopelessly unimaginative ritual known as war. Through developing a framework which ex-

amines the just-war theory in context of the realities of war, the historical record, and the Bible, Maguire presents convincing evidence that this theory was originally developed to serve as a deterrent to war but has been twisted and manipulated to justify that which cannot ever be blessed or baptized by God. Not only can war not be baptized or blessed, it is simply absurd.

*The Horrors We Bless* is a quick, engaging, and intriguing read. The book is dense with fascinating facts and connections that raise serious questions about how freely we embrace the stupidity of war, de-construct and re-construct the just-war theory, and cede power to the morally incompetent.

War, which Maguire defines as “state-sponsored violence,” has been reduced to an “armchair spectator entertainment” as evident by our nations cavalier attitude towards violence and our natural inclination towards war instead of addressing the real issues of peace and justice. He asks the very poignant question as to why the burden of proof falls on the conscientious objector and not on the warmongers who freely call for death and destruction, although sometimes veiled under concerns such as for women’s rights (read the book to find out more!) This is best summed up by the book’s opening quote by William Sloane Coffin Jr., “War is the cowards escape from the problems of peace.”

As Maguire outlines it, the just-war theory is not a tool used to determine if a war is just but it has become a tool used to sanction something which is always unjust. Through critically examining the six criteria for a just-war, Maguire highlights the follies of believing war can be just since the practical application of this concrete theory is treated as abstract. Although the just-war theory was created to be an obstacle to violence, the practical application is anything but just.

This interesting read ends on a note of hope and challenge for us to outgrow the atrocity that is war. Maguire provides the formula, “put your main trust in justice, not weapons, trust life-power more than kill-power, specialize in diplomacy and imagination, not bludgeoning.” Now it is up to us all to plug in the formula and solve the equation.



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## *From the Desk of the Executive Director*

A short time ago I attended the funeral of a 20-year-old man who died in one of those senseless situations that seem to surround young men. He was a friend of my 21-year-old son who was with him when he died. My son was one of his pall bearers.

There were a number of young men at the funeral. Young men I had known since my son was very young. Most of them had during the time I had known them engaged in what I call “stupid boy tricks.” Actually, all of them had. And most of them still do.

My mind was brought to the young men and women who make up much of the over 3,000 U.S. military dead from the war in Iraq, the nearly 300 military dead from the war in Afghanistan—the hundreds of others who took their own lives (Suicide is the number one noncombat related death in the military.) I worried about the women in the military who have been sexually assaulted by their fellow servicemembers (Women who join the military double their likelihood of being sexually assaulted.) I thought of the thousands more who are the walking wounded, already beginning to fill the numbers of the homeless (Although Veterans make up only 11% of the general population they make up 25% of the homeless population.) I cried for the servicemembers whose futures are blighted by the military discharging them with “personality disorders” tag rather than admit so many have PTSD—post traumatic stress disorder.

For all of these young people, life is too short.

For all of us, life is too short.

This feeling reminded me why I do the work I do rather than something else. The Center could, of course, spend time and money organizing rallies and vigils. The Center could, of course, produce slick books promoting ourselves as original thinkers (even though there is nothing original about saying that War is Bad and Peace is Good. Conscientious objection is as old a war itself).

But instead, the Center spends its time and your resources on very concrete tasks: Answering the GI Rights Hotline; monitoring the Selective Service System; talking to students in the schools; providing information for local groups to use about the military and about the right to speak out against the militarization of our society; publishing stories for individuals to use to educate others; providing training for local groups to do all the things that we do at the Center. The Center focuses on concrete bills such as the Military CO Act and concrete goals such as providing support to military COs as individuals.

Life is too short not to be concrete in our work.

And young men should be free to do their “stupid boy tricks” rather than trained to fight and ordered to kill.

Yours for Peace and Justice,

*J. E. McNeil*  
 J. E. McNeil

