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Sümbül Kaya

Özgür Heval Çınar and Coşkun Üsterci, Conscientious Objection, Resisting Militarized Society

London, Zed books Ltd, 2009, 268 pages

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- 1 *Conscientious Objection, Resisting Militarized Society* is an original book that includes 27 contributions from a variety of academics and militants on conscientious objection (CO) in the world and especially in Turkey. The book is divided into four parts. The first part offers a historical and philosophical approach to conscription and the motivations for resisting conscription in a “militarized society”. The second part of the book introduces a gender analysis of conscientious objection and criticizes patriarchy, sexism and heterosexism. The third part presents concrete examples looking at conscientious objection in South Africa, Greece, Paraguay, the Americas, Chile, Spain, Israel and Turkey. The last part analyses international, European and national laws concerning conscientious objection in comparison to the Turkish Constitution to shed light on the problem of the criminalization of conscientious objectors.
- 2 The historical account of conscientious objection is crucial to understanding the evolution of the concept. According to Ulrich Brocking’s, the first objectors can be traced to Roman antiquity, followed by protestant communities in the sixteenth century who declared their refusal to fight on religious grounds. Motivated only with the increasing individualization, secularization and politicization at the end of the nineteenth century and especially during the twentieth century young men began quoting non-religious reasons for refusing to serve. Erik-Jan Zürcher demonstrates that objectors in the Ottoman Empire emerged at the beginning of the twentieth century; but the movement was limited to the non-Muslim minority and the refusal to fight “on the basis of religious or political motivation was unknown” (p.46). Curiously, the author concludes “that Islam is the only religion without a significant pacifist legacy” (p.46). Suavi Aydın’s contribution notes that conscription and the resulting “army of the masses” were important to the development of citizenship in nation-states; starting in Europe and reaching other countries toward the end of the eighteenth century. The Ottoman empire, for instance, first adopted the French and later the Prussian model of conscription.
- 3 The historical introduction is complemented by interesting philosophical contributions looking at the difference and the relationship between conscientious objection, civil disobedience and anti-militarism. Nilgün Toker Kılınc notes that “when actions of refusal to bear arms and perform military service are motivated by an anti-militarist trust and express themselves in its system-critical language, they should be regarded as a political action of civil disobedience rather than a moral action of conscientious objection” (p.70). For Taha Parla conscientious objection is a “humanist’s social duty and responsibility” and not “a fundamental right as it has been defined in liberal thought” (p.73). However, many contributors, except Melek Göregenli, fail to clearly define the concept of militarism. For Göregenli, the concept of militarism is not universal and can take different forms to match “societies and geographies” (p. 43), but generally means “the moulding of every day life by military structures and practices formed for the purpose of establishing and maintaining the system” (p.37).
- 4 The second part of the book also interrogates the role of women in the debate of conscientious objection. Ayşe Gül Altınay equates militarist values and practices such as military service to masculinity, and notes that “questioning militarism also requires questioning the dominant

- constructions of masculinity” (p.100). She also clarifies the position of Turkish women within the framework of the “myth of the military nation”, and analyses “the refusal of women to identify themselves as obedient wives, sacrificing mothers and proud warriors” (p.88). For Serpil Sancar “discussions of conscientious objection also open the way for criticism and transformation of the violent male values associated with militarism” (p.105). Alp Birirçik shows how military medical services contribute to the perpetuation of hegemonic masculinity.
- 5 Cynthia Enloe describes the active role played by women in campaigning against the First World War, and the constitution of a group of women in today’s Russia to help mothers obtain exemption for their sons. Cynthia Enloe also cites the example of Turkish women who are active in the conscientious objection movement, and concludes that they themselves can be seen as objectors.
- 6 The third part of the book is dedicated to the study of experiences and problems of conscientious objection around the world. Each country is considered in its own political context. The recognition of conscientious objectors and the introduction of alternative civilian service was often a long struggle as seen for instance in South Africa where conscription contributed to maintaining the system of apartheid (Andreas Speck and Rudi Friedrich).
- 7 Generally conscientious objectors adopted a ‘non-violent popular defence’ (p.150) as in Spain (Cthuchi Zamarra) or a “non-violent direct action as in Turkey” (p.169- Coşkun Üsterci and Uğur Yorulmaz) or in Chile (p.147 - Pelao Carvallo). However, recognizing conscientious objection does not automatically resolve the problems associated to militarization more generally. For instance, in Paraguay this recognition does not prevent people from rural areas from being exposed to “forced recruitment and psychological pressure” (p.129); in fact Paraguay seems to have experienced an increased militarization (p.129- Andreas Speck and Rudi Friedrich). According to Pelao Carvallo Chile also remains a “highly militarized country” (p.145) in which fundamentalism is fed by a militarist culture (145). Indeed, during the Pinochet dictatorship, “the military managed to indoctrinate Chileans into being submissive, obedient, xenophobic, hierarchical, less creative, authoritarian...” (p.145). In Spain, the struggle for conscientious objection was intimately linked to broader efforts for “the demilitarization of society” (p.155) and when conscription was finally abolished the movement continued its anti-war campaigns (Cthuchi Zamarra). Similarly, the Izmir War Resisters Association in Turkey “was established in order to struggle against militarism as a whole”; working the issue of conscientious objection, but as also on democratization, human rights, the environment, racism, sexism and the Kurdish question (p.169- Coşkun Üsterci and Uğur Yorulmaz).
- 8 Matthew C. Gutmann, on the other hand focuses on the militarization of the United States. While there is no formal conscription, and even professional soldiers can apply for conscientious objectors status, the “War on Terror” is also a form of militarization targeting in particular youths and even recruiting nationals of other countries. Mexico has a particularly original conscription system. Draftees are selected by lottery and must serve every Saturday morning for a year. Gutmann considers that the “US and Mexican militaries can reasonably be characterized as ‘caste armies’ as they illustrate the extreme social schisms along class, gender and racial lines that prevail in their respective lands” (p.141). Before the recognition of objector status, objectors were usually imprisoned, commended, tortured and excluded from social life. Tali Lerner examines the case of Israel as a striking example of how those who refuse to serve in the occupied territories and try to obtain exemption on psychological grounds suffer from social exclusion. Objectors have difficulties finding a job or applying to university. The new status of “special needs soldiers” allows men to “take only specific roles, most of them civilian jobs that the army takes charge of” (p.158).
- 9 The book’s final section focuses on the variety of legal approaches to the enforcement of the right to conscientious objection. According to Özgür Heval Çınar, Rachel Brett and Friedhelm

Schneider, the right to conscientious objection is linked the right to freedom of thought, conscience and religion as for instance enshrined in article 9 of the European Convention on Human Rights, article 18 of the International Covenant on Civil and Political Rights, as well as article 18 of the Universal Declaration of Human Rights. Özgür Heval Çınar in particular analyses the relevant resolutions, comments and recommendations of the United Nations, the European Union and the Council of Europe, and offers useful statistics on the recognition of conscientious objection. Kevin Boyle focuses his attention on the case of Osman Murat Ülke before the European Court of Human Rights, in which the Court asked Turkey to modify its laws, acknowledging that it had no proper legal regime for conscientious objectors. Boyle argues that this case “has indirectly advanced the full recognition of the legitimacy of the exception to any general conscription law for military service for those who have an ethical, religious, or philosophical conviction against undertaking military service” (p.221).

10 To this date, Turkey does not recognize conscientious objection. As Osman noted: “not providing an alternative service violates the wording of the constitution” because article 72 of the Turkish Constitution stipulates three types of national service: “in the armed forces; or in the public service; or considered as performed otherwise” (p.235).

11 Finally, Hülya Üçpınar discusses the criminalization process of conscientious objection in Turkey describing how objectors and journalists that offer a platform for objectors to express their opinions were often punished under article 318 of the Turkish Penal Code for “alienating the public from military service”, under article 216 for ‘inciting hatred and enmity among people’, or under article 301 for “denigrating Turkishness, the Republic and the organs the of State”.

12 The book brightly illustrates the necessity of an interdisciplinary approach to analysing and understanding the phenomenon of conscientious objection to military service world wide. The book was first published in Turkey in February 2008 and its translation into English will hopefully contribute to the wider debate.

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