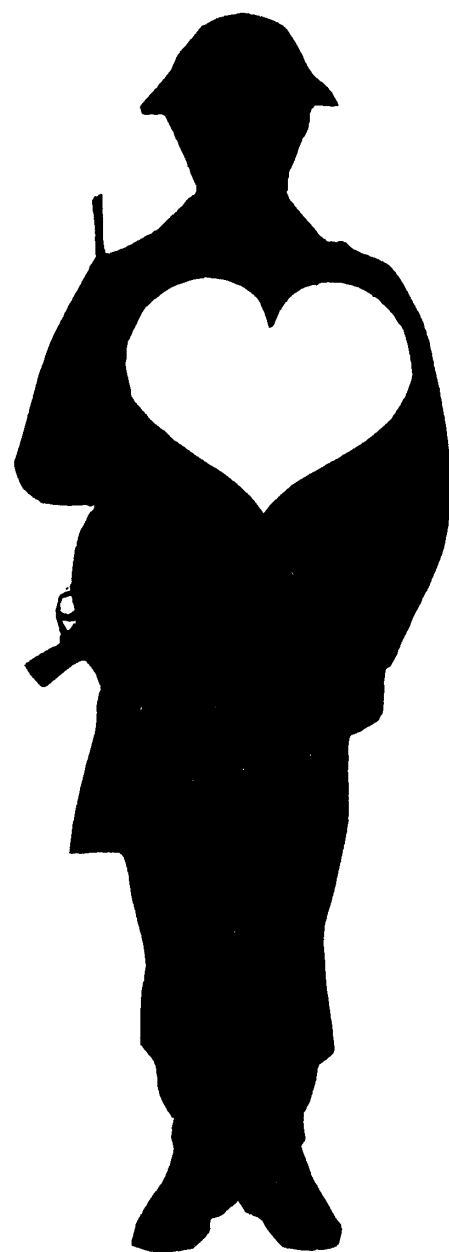


# PEACE NEWS

FROM NORWAY 1/71



JON GREPSTAD

CONSCIENTIOUS  
OBJECTION  
IN  
NORWAY

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## CONSCIENTIOUS OBJECTION IN NORWAY

### I. Conscription and provisions for conscientious objection.

The fundamental principles of conscription are laid down in article 109 in the Constitution of 1814, which says: "It is the general duty of every citizen of the state, without consideration of status of birth or economic position, for a fixed period of time to defend his native country". In practice, however, conscription was first introduced through the General Conscription Act of 1866. At that time, no legal provisions were made for exemption on professional or conscientious grounds. However, conscripts who refused to bear arms were usually assigned to the non-combatant branches of the army. Those who refused non-combatant service were punished as defaulters.

In the 1890's the number of conscripts refusing military service increased, and conscientious objection was for the first time debated in the Norwegian Parliament. In the following years temporary provisions were agreed upon by the military, not by decision in Parliament. Meanwhile, a new group of political or non-religious, humanitarian objectors emerged, alongside the traditional group of religious objectors. Several propositions for a C.O. Law were set forth, but were not debated or were rejected by Parliament. The first law for conscientious objection was voted in 1922, making provisions for religious and ethical absolutist objectors. Since then, several minor modifications have been introduced, most interesting being the liberal law of 1925, exempting also objectors on political grounds, that is, non-absolutist objectors. This law was more liberal than the present one, and must be seen in the context of the anti-militaristic position of the Labor movement at that time.

The present requirements for exemption from military service are formulated in the Alternative Service Act of 1965, which says:

"If there is reason to believe that a conscript cannot do military service of any kind without serious conflict of conscience, he is exempted from such service by the proper ministry or by court in accordance with this act."

The interpretation of these requirements are to some extent controversial, both among lawyers and politicians. With a few exceptions, the law had been interpreted as requiring an absolute opposition to military service under any circumstance imaginable. The expression "military service of any kind" is construed as applying to, not only military service of any kind in Norway at the present time or in the near future, but to military service (or use of direct violence as a political means) in principle. The so-called "situationally conditioned objection", objection being contingent upon the present political system, is thus not accepted by the authorities. (It should be mentioned, however, that there was a dissension on this point in the Supreme Court a few years ago). As a consequence of this interpretation, objectors openly supporting violent liberation movements in the Third World will normally not be exempted from military service in the Norwegian forces.

To be exempted from military service a conscript must formulate a written application, stating his reasons for objection to the Department of Justice, which is the Department dealing with conscientious objection. The objector is subsequently called upon to give a verbal explanation of his views to the local police, answering a set of questions having the aim of clarifying the objector's position in relation to the requirements of the Alternative Service Act. The police report, together with the objector's application, is then evaluated in the Department of Justice, having the final decision. However, if the Department decides that the conditions for exemption are not present, the objector may try this decision in court. In an objector is exempted from military service, he is given an alternative service of 16 months.

## II. The Number of C.O.'s Group Composition.

Today the total annual number of conscripts amounts to approximately 25,000. The number of C.O.'s has varied considerably during the last 20 years. A climax was reached in 1951, with 1137 conscientious objectors, probably due to the international climate at the period. In the following years, however, the number of young men refusing military service decreased steadily, reaching its lowest point in 1960, with only 327 C.O.'s. Up to the mid-sixties the number stabilized around 400. Since then, we have witnessed a constant increase, as shown by the following statistics:

<u>Year</u>	<u>C.O.'s</u>
1966	411
1967	575
1968	614
1969	632
1970	1000

The number of rejected applications was 92, 75 and 69 for 1968, 1969 and 1970, respectively.

The increase in the number of C.O.'s may to a great extent be ascribed to the general radicalization among young people during the last years - principally due to the overt American imperialism in Indo-China. The rather spectacular rise during 1970 is possibly due in some degree to a campaign for conscientious objection undertaken during the spring of 1970, and also, perhaps, to the publicity given by mass media to the establishment of a training school for C.O.'s. However, the real effect of these two factors is not expected to be seen before the end of the present year. It should also be mentioned in this context that the growing consciousness of alternative forms of defense (Civilian defense), to which the invasion in Czechoslovakia in 1968 contributed, may have had some effect on the increasing number of C.O.'s in Norway.

As for the recruitment to the group of objectors, exact data are not available. Nevertheless, it is evident that the ratio of conscientious objectors on non-religious grounds is increasing. Today this group probably constitutes between one-half to two-thirds of the total group of C.O.'s. The composition of the group of religious objectors has probably also changed to some extent during the last years. Traditionally a very large majority of this

group belonged to religious denominations, advocating conscientious objection as part of their ideology or doctrine. There is reason to believe that the number of religious objectors belonging to the state church (Lutheran-Protestant) has increased during the last years. The state church, of course, does not support conscientious objection.

As for educational background, a recent study by the Central Organization of the C.O.'s indicates that some 48 per cent of the Norwegian C.O.'s have gone through high school. Considering the general educational standard, this percentage is fairly high.

When it comes to political views or party affiliation, an exact reliable assessment is difficult. A general political radicalization has probably taken place during the last years, activists are normally left-wing socialists, and the general number of left-wing sympathizers is probably increasing. It should be added as a final remark that the growing number of C.O.'s seems to parallel the development in the other Scandinavian countries.

### III. The Alternative Service.

In accordance with the Alternative Service Act of 1965, the alternative service shall "have a civilian character and administration and shall have no connection with military devices or activities". The Act states further that the service shall have a maximum length of 180 days added to the duration of the service in the Army. Today, the alternative service has a duration of 16 months, the service in the Army is 12 months, 15 months in the Navy and Air Force. The call-up age is 20.

Until the beginning of the sixties, alternative service work largely consisted of work in forestry, agriculture (cultivation), road construction, etc. During the last decade, the alternative service has changed its character, as shown by the following statistics:

#### Percentage of work days per year:

<u>Type of work</u>	<u>1965</u>	<u>1967</u>	<u>1969</u>
Work camps	19,6	15,3	15,3
Hospital and other social institutions	25,5	55,3	69,7
Forestry, farm work			
cultivation	11,9	3,0	1,6
Civil defense camps	12,2	7,0	5,8
Archeological excavations, museum work	4,5	4,5	4,2
Educational institutions	3,8	0,2	0,2
Geographical draft work	10,6	11,5	1,1
Humanitarian institutions	1,9	1,0	1,1
Other types of work	3,5	2,2	1,1

The large majority of C.O.'s are presently assigned to social institutions (hospitals, homes for mentally or physically handicapped people, homes for old people, schools for asocial boys, etc.) They may work either as male nurses, social workers, teachers etc., or do practical work, such as carpentry, gardening, or office work. "Humanitarian institutions" applies to the UN Association, and includes possibly also the Peace Research

Institute of Oslo, which employs six C.O.'s at the present time. "Work camps" refer to the two administrative camps; the work consists of practical work such as agriculture and carpentry, or office work. Civil defense camps still employ C.O.'s, though their civilian status is doubtful. They are hardly without "any connection with military devices or activities", as required by the Alternative Service Act. If an objector refuses to do his alternative service in a civil defense camp, his objection is respected by the administration and he is transferred to some other type of work.

It should be added for contrast that in 1954 approximately 66 per cent of the Norwegian C.O.'s were assigned to forestry work, cultivation, or farm work. The change that has taken place is due partly to political struggle on the part of the C.O.'s, partly to the shortness of labor in social institutions (which again, to some extent, is due to rather low wages).

Directions defining the concrete types of work included in the alternative service are decided by Parliament. As the result of campaigns and repeated demands from the C.O.'s, Parliament has asked that the spectre of peace promoting work be enlarged. The Department of Justice, however, has rather boycotted this, and has refused, through untenable legal interpretations, to assign objectors to radical peace organizations. The radicality of the types of work included in the alternative service is, of course, heavily restricted by the general political climate or by the official foreign policy. Some C.O.'s, feeling that the alternative service is too much a concession to the status quo, and who takes the consequences of their views, refusing to perform any alternative service, are assigned to forced labor in one of the administrative camps. The same fate is allotted to Jehovah's Witnesses, who invariably refuse to do alternative service on religious grounds. At present, there are four objectors in forced labor for political reasons, and probably some 30 Jehovah's Witnesses. Refusing to do the alternative service has also been used in action campaigns for changing the alternative service and to support the demands for a training school for C.O.'s, with considerable success.

It should also be mentioned that, partly as the result of the struggle on the part of the objectors, the Norwegian Parliament in 1963 decided that the money paid to the state by institutions employing C.O.'s (presently 1,6 or 2.2 dollars per day, depending on the type of work) should be transferred to UNICEF.

#### IV. Service in Time of War.

According to the Alternative Service Act of 1965, C.O.'s having finished their 16 months' service may, after some time, be called up for "repetition", as military conscripts usually are. Normally, however, this is not done. Instead, about a year after their alternative service, C.O.'s are often transferred to the Civil Defense, according to the need in this section, and are called up for refresher courses. Rather paradoxically, they are not covered by the Alternative Service Act as the Civil Defense Law of 1953 does not provide for exemption.

Throughout the years a fairly great number of C.O.'s have refused to serve in the Civil Defense. They have normally been given a

fine and then been "forgotten" by the authorities. A bill sponsored by two liberal M.P.'s, making provisions for exemption, was rejected by Parliament in 1965. In 1970, after severe criticism from the objectors, Parliament asked the Department of Justice to consider legalizing objection in the Civil Defense. The result of this is still uncertain, but one rather expects provisions for objection on conscientious grounds. It should also be mentioned that women, on certain conditions, may be called up for service in the Civil Defense. Lately there have been some objectors also in this group.

In 1970, Parliament also decided that C.O.'s in times of war should either serve in the Civil Defense (if objection is legalized, this will only apply to C.O.'s not refusing this service), or be put at the disposal of the civilian health authorities. With the great number of C.O.'s being assigned to social institutions for their alternative service, it seems that the authorities want the alternative service (together with the projected training school, see below) to be a preparation for this eventuality. The decisions concerning war service were taken in spite of fairly vigorous resistance from the C.O.'s, who argued that this measure would impede the development of civilian resistance as an alternative form of defense, and that replacing or being substitutes for institutional staff liable to military service only meant helping the military machinery run more smoothly.

#### V. Training School including Non-violence.

No doubt the most important thing that has happened in the field of conscientious objection during the last decade is the decision in Parliament to establish a training school for C.O.'s, whose curriculum is also to include instruction in non-violent action.

As mentioned in Peace News from Norway no.2/1970, the need for preparation for the alternative service and the importance of instruction in non-violence were pointed out by Norwegian peace organizations as early as 1953. Since then the question has been raised several times. During the last years several C.O.'s have refused to carry out their alternative service on the grounds that it is not peace promoting and that there is no non-violent counterpart to the military training school. This and other campaigns made it impossible for the authorities to ignore the demands from the C.O.'s. In 1968 the Department of Justice was asked by Parliament to set forth a proposition for a C.O. school. This was done in April last year. The proposition suggested a school of 4-8 weeks, whereas the military training school has a duration of 12 weeks. Also the proposition did not answer the demands for instruction in such subjects as non-violence, conflict theory, study of developing countries. This negative proposition had been expected to some extent in C.O. circles, and during the spring the objectors had been preparing a detailed alternative proposition, which was handed over to Parliament a couple of weeks after the appearance of the proposition from the Department of Justice. Before the final formulation of the C.O. proposition, a series of C.O. meetings had been held in various parts of the country, and the matter had received a fairly favorable covering by the mass media. Valuable contacts with some key persons in Parliament had also been established.

The debate in Parliament last June resulted in a kind of compromise between the Department of Justice and the C.O.'s, giving considerable concessions to the C.O.'s, however. It was decided that a compulsory training school for C.O.'s should be established as soon as possible and that the curriculum should include preparations for the alternative service, some general education, physical education, peace and conflict theory, information about developing countries, and - not least important from the point of view of the C.O.'s - theoretical and practical instruction in non-violent action. The order of priority among the different subjects is somewhat unclear, however, although it is evident that the authorities emphasize the preparation for the alternative service. The duration of the school will be 12 weeks. The debate in Parliament also decided that representatives from C.O.'s should participate in the planning of the school, which is left to the Department of Justice. This was done primarily to assuage the rather tense opposition between the Department and C.O.'s.

The parliamentarily warranted "co-operation" between the Department of Justice and the C.O.'s led to the establishment of a special C.O. office, being in charge of the planning on behalf of the C.O.'s. Two C.O.'s, elected by the Central Organization of the C.O.'s, have been allowed to work full-time in this office as part of their alternative service. They co-operate very closely with the C.O. Central Organization, from which they receive their mandate.

The school is expected to be started by the beginning of 1972. The concrete planning has already been going on for nearly half a year. It is, however, still somewhat too early to say much about the detailed curriculum and organization of the school. The decision in Parliament was fairly vague concerning the curriculum, and there is an overt conflict between the views of the Ministry of Justice and the C.O.'s. The Ministry takes its point of departure in the present practice, that is, sees the school as mainly an instrument for preparing the C.O.'s for the present alternative service (and war service), and especially for the alternative service in social institutions of the kinds mentioned in Section III. The department even wants to include in the curriculum two weeks of voluntary Civil Defense training. Naturally the Department does not want to discuss the aim of the alternative service, its political function. In the "negotiations" that were held recently between the Department of Justice and the C.O.'s, the Ministry set forth the following sketch of the curriculum:

Course in group work	14 hours
Civil Defense course (voluntary)	77 hours
Preparation for the alternative service in social (health) institutions	160 hours
Preparation for other types of alternative service	60 hours
Introduction to non-violence, peace and conflict theory, problems of developing countries	50 hours
General education	40 hours
Physical education	52 hours
Total	ca. 453 hours

One may expect the eventual curriculum to be based on this sketch, perhaps with minor modifications.

A proposition from the C.O.'s, giving the frame of reference for the more detailed elaboration of the school, says that the "aim of the training school must be seen in close relation with the aim of the alternative service... This service must stand in a positive relation to the grounds of objection held by the C.O.'s. This means that the alternative service must be an instrumental part in the work for promoting non-violent solutions of conflicts between individuals, groups, and nations. Peace cannot exist together with social, economic, and political oppression - and the solutions of conflicts must take place on the premises of the oppressed. ...We recognize that what threatens our life-style or our form of life today equally much as a potential military invasion, is the fact that individuals, groups and districts do not participate in the decision and construction of their own future".

The C.O.'s ask that more objectors be placed in peace-promoting work (in the more traditional sense of the word) and in work countering the tendencies of centralization of the present political system, e.g. work in districts being threatened by depopulation (the "flight" from the countryside). They also ask that non-institutional work in the social sector be given preference to work in institutions, because institutions tend to hide the problems behind walls, making the dark side of society invisible for the society itself. Non-institutional work, in contrast, often consists of solving problems in the original milieu, not hiding them behind brick walls.

The C.O.'s want the different subjects included in the curriculum to constitute an integrated whole, oriented toward the general political goal of the alternative service - that of furthering non-violent solutions of conflicts between individuals, groups and nations. They want the school to be a kind of non-violence center, giving the C.O.'s the necessary theoretical and practical background for practicing non-violence in their alternative service. They also want the school itself to be a small scale active participatory democracy, where decision is decentralized, taken by the community of C.O.'s, not by an authoritarian leadership. They want a school marked by creativity and "alternative thinking".

Much of this is probably utopian. The aim of the alternative service cannot break radically with the official policy. Nor do the authorities want the school to be too attractive, being a factor that might stimulate conscientious objection. At the present time, the plans of the Department of Justice are rather negative concerning the curriculum of the school. However, gathering several hundred objectors in one school is in itself a very significant advantage for the C.O.'s, who will then get a far better basis for co-ordinated collective action and better organization. The real struggle concerning the curriculum will start in the school, where C.O.'s will use non-violent action in order to change the curricular contents of the school. They will then be far more powerful than in the present phase of so-called co-operation or negotiations with the Department of Justice.

## VI. Organization of the C.O.'s.

According to the rules laid down (after pressure from the C.O.'s) by the Department of Justice objectors in alternative service shall elect a representative in each of nine administrative sub-districts. These nine sub-districts constitute the two



administrative districts. There are thus two representative C.O. organs, one in each administrative district. The representatives usually have meetings with the administration for the alternative service once a month. In each of the nine sub-administrative districts C.O.'s are granted four plenary meetings per year.

Together with a secretary elected by and among the C.O.'s the two representative organs (the nine representatives) constitute the Central Organization of the C.O.'s ("Sivilarbeidernes Hovedsekretariat"). This organization or committee is not fully accepted by the authorities, however, that is, it is not considered a formal or legal representative body. The reluctance to accept the Central Organization is due to the political character of the organization, also the principle of divide et impera practiced by the authorities. Not fully accepting the Central Organization has made it easier for the authorities to avoid collective action from the C.O.'s and negotiations. To some extent the work of the Central Organization has also been impeded by the somewhat heterogeneous group that C.O.'s constitute, making it difficult to get really massive support for radical direct action, or larger strikes and boycotts. The lack of contact between the C.O.'s and rather weak group feeling or consciousness has also been an impeding factor. The various institutions employing C.O.'s are scattered and often far apart, and the average number of C.O.'s in the institutions is probably somewhere between 2 and 3.

Some contact is established through the C.O. newsletter, which is edited by an elected staff of two or three C.O.'s. Some economic support has been granted by the authorities, but very scant, and conditions are difficult. Lately, because of the offensive and politicized character of the newsletter, the administration has tried to gain control of the publication, wanting to appoint a representative from the administration to the editorial job, thus imposing censorship. Up to now, this has been avoided.

During the last year or so, one has tried to establish a network of activist groups in the various parts of the country. Some C.O. groups (study groups, groups undertaking political action projects) have come into existence in some of the larger towns, but they are still not very numerous. The problem of organization is still being discussed, but the optimal solution is still to be found. Conditions are expected to improve when the training school is established, which through improving contact and group feeling may lay the basis for real group action.

## VII. Conscientious objection and politics.

By way of conclusion we shall give a summing up of the most important political tasks facing the Norwegian C.O.'s at the present time.

Peace work: For many years C.O.'s and peace organizations have asked the authorities to give the alternative service a peace-promoting objective. In 1966-67 Parliament stated that the service should have a constructive social end or be peace promoting. It is doubtful whether Parliament's definition of "peace" corresponds to the concept held by the politically conscious C.O.'s. At any rate work in radical peace organizations is still rejected by the Department of

Justice, without tenable legal justification. The struggle for enlarging the field of peace work will continue.

Progressive social work: More than 70 per cent of the C.O.'s do their alternative service in social institutions. Lately the objectors have been concerned with the possibility of increasing the radicality of this work, that is enlarging the field of progressive social work, e.g. non-institutional work for handicapped or discriminated groups, Cfr. section V.

Service in developing countries: For several years C.O.'s and peace organizations have asked that service in developing countries be given the status of alternative service both for conscientious objectors and conscripts. This has been rejected by the Department of Defense on the grounds that the present quota of conscripts does not allow any exemption from military service in addition to exemption for reasons of conscience. The Department of Justice has rejected the same proposal by referring to the statement from the Department of Defense. Such service is, however, accepted in Denmark (and in several other countries, of course), and one may expect the work for acceptance of this type of alternative service for C.O.'s and conscripts to go on, provided the service has a progressive character.

Acceptance of situationally conditioned (non-pacifistic) objection: The present Alternative Service Act does not allow for clearly non-pacifistic objection, e.g. objection conditioned by the present foreign policy. In 1967 a campaign for acceptance of this type of objection was launched, a number of court trials ensued, and several objectors were imprisoned. The campaign put the Government in a dilemma. But situationally conditioned objection was rejected and the law, or the interpretation of the law, was not changed, despite assertions from a prominent Professor of Law that the present law actually allows for this type of objection, and also in spite of a dissension in the Supreme Court on the matter. The campaign faded away, and left-wing youth organizations presently advocate political infiltration in the forces, or so-called "politicized military service" (See Peace News from Norway no.2/70). At the present time, all political youth organizations are in favor of accepting non-pacifistic objection. The struggle for acceptance, supported by many C.O.'s will continue, and if the campaign for political infiltration or politicized military service proved effective, a change may be expected.

Exemption from the Civil Defense: The question is being considered by the authorities (See section IV), meanwhile C.O.'s have launched sporadic campaigns for objection to service in the Civil Defense. Other campaigns may be expected.

Increasing the number of C.O.'s: Information about conscientious objection and the alternatives to military defense is still scarce among ordinary people and even among the conscripts. During the two last years campaigns for conscientious objection have been undertaken, including leafletting draft offices and schools, advertising C.O. material, newspaper campaigns etc.

Civilian defense and non-violence: The interest for these subjects has increased during the last years, also among C.O.'s. During the last year for instance three large C.O. seminars in non-violent action and civilian defense were held. One very important task for C.O.'s (and peace organizations) in the future will be the spread

of information about these subjects, especially in other radical groups. If the objectors are successful in shaping the training school according to their own interests, this school may to some extent be an instrument for this task.

The nightmarish development of the modern war machine, the capitalist economy revealing its true character more and more, the growing American imperialism, and other factors will probably lead to a marked increase in the number of C.O.'s in the near future. The political effect of conscientious objection may then become far more important politically than at the present time, and may exert an important influence on the way of thinking about defense of territory and life-style. At the same time one may expect stronger repression from the authorities. Whether it will be effective is doubtful.

February 1971.

Jon Grepstad

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Oslo, April 1971.

Jon Grepstad gives in this special issue of "Peace News from Norway" a fact-based outlook over the present situation for C.O.s in Norway. He writes among other things about the new training school including nonviolence, the provisions for conscientious objection, the number and the alternative service. In the last part of the paper he gives some informations about the organization of the C.O.s and the most important political tasks facing the Norwegian C.O.s at the present time.

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Ed.