

## **The Conscientious Objectors in Iraq: Placing them in an Historical Context.**

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The conscientious objector “has never been eulogized by well-meaning persons, who understand neither the conscientious objector himself nor the national interest in a time of war, and he has, on the other hand, been roundly abused and reviled by a large part of our citizenry as a coward and a slacker. Apparently, there is no compromise ground: he is diabolically black to his critics while to his defenders his raiment is as the snows” (Kellog 1919: 1).

Ruminating over war is as ancient as the bloody craft itself. Philosophers through the ages, from Plato (1992) and Kant (1903) to James (1906) and Walzer (2004) have wrestled with the subject. Wondering how supposedly rational beings could partake in such madness, Erasmus queried, “how can I believe them to be otherwise than stark mad; who, with such a waste of treasure, with so ardent a zeal, with so great an effort, with so many arts, so much anxiety, and so much danger, ... purchase endless misery and mischief at a price so high?” (1521). Hindus examine the same moral quandary. In the opening chapter of the *Bhagavad Gita*, the protagonist Arjun faces on the battlefield:

In both the armies relatives,  
Fathers-in-law, and companions...

Teachers, fathers, sons, grandfathers,  
Maternal uncles, and grandsons,  
Fathers-in-law, brothers-in-law,  
And many other kinsmen, too.

Thus, in the middle of the battlefield, “Arjun cast away / His bow and arrows and sank down / His mind overcome with sorrow” (*Bhagavad Gita*, Chapter 1).

Soldiers of today face the same dilemmas when deciding whether or not to engage in war. The United States military calls those who opt out of war making “conscientious objectors.” The Department of Defense defines conscientious objection simply as, “a

firm, fixed, and sincere objection to participation in war in any form or the bearing of arms, by reason of religious training and/or belief” (2007). This paper briefly reviews current conscientious objector (CO) rationality as related to the Iraq war, and seeks to give some historical context to the recent spate of CO applications. Many Iraq war COs are blazing a new path in this pacifist tradition by staking out juridical claims as justification for their positions as conscientious objectors.

Ideally, for state policy, war is a last resort. Yet neither states nor great scholars can determine the conscience of the individual when it comes to deciding to participate in the same enterprise. Committing oneself to a violent action is a very personal matter; it is a decision that rests ultimately in the conscience. “In conscientious objection,” opines author Norman Thomas, “...(is) a challenge to the basic ideas of men and their instinctive obediences on which the philosophy of the modern state and the practice of modern war are built” (1927: 3). Indeed, in some cases, participating in war ceases to be, or never is, an option. “Pacifism” and “conscientious objection” to violence are two distinct anti-war positions founded on very similar ideas. On the one hand, pacifism is “moral opposition to war” and encapsulates a broad range of positions, from absolute pacifism to selective or pragmatic grounds against a particular conflict (Borchert 2006). Pacifists often work towards achieving peace. Conscientious objection, as mentioned before, is simply an objection to participation in war. The manifold rationalities for choosing pacifism are often the same as those given for conscientious objection. Thus, a few themes emerge in pacifist and CO literature for the legitimization of these positions, including:

- religious (faith denounces use of violence as a policy tool)
- anti-war (against war in general)
- political (against the ruling party’s politics)
- socialist (international brotherhood mentality)
- humanitarian (killing people is morally wrong)
- individualist (for those who do not fit cleanly into another category)
- absolute pacifism (Kantian, Gandhian, MLK - moral basis)
- epistemological pacifism (impossible to know sufficiently to warrant killing humans)
- pragmatic pacifism (traces empirical failure of war to accomplish anything)
- nuclear pacifism (social and ecological considerations of modern warfare)

(Borchert 2006: 67-8; Wright and Dixon 2008; Thomas 1927)

In recent American conscientious objection movements, the justifications for objection often fit neatly into one of the above categories. Yet, in studying numerous CO cases in relation to the current conflict in Iraq, I have discerned a further category. Many of today's Iraq war COs cite the illegality of the American invasion as their justification for seeking this status. Thus, a classification of "juridical" or "legal" must be amended to the above list.

*WWI and WWII – Some Perspective (in Brief)*

Conscientious objectors were present in all of the U.S.'s 20<sup>th</sup> century major conflicts. For example, of the 2,810,296 enlisted soldiers in the United States military, 3,989 personnel filed as COs during World War I (Thomas 1927). A strain of international brotherhood, or the socialist category listed above, underpinned the philosophy of a large portion of these COs, more so than in any other American conflict. While the overwhelming majority of these COs were Christian pacifists (10-11), they often questioned the moral limits of state control over the individual; after all, for them, god as an authority takes precedence over the state. With the Christian faith raising the question of the limits of state authority, in the end, many COs decided that the state should exercise control over the common good, not the consciences of men (8-9). It was up to the individual to decide if he should fight or not.

To be sure, many WWI COs based their decisions on precepts of their faith. Maurice Hess, for example, professed his willingness to endure imprisonment, torture and death "rather than to participate in war and military service." Hess, like many of his fellow COs, was willing to endure persecution as a true soldier of Christ, and not of the American government (Thomas 1927: 26). Yet perhaps just as often Christianity was invoked, so too was solidarity with the global, working class.

Carl Haessler exemplified much of the WWI CO population, invoking the language of international camaraderie when choosing not to fight. At his court martial, Haessler, a former Rhodes Scholar and philosophy professor, stated, "...America's

participation in the World War was unnecessary, of doubtful benefit (if any) to the country and to humanity, and accomplished largely, though not exclusively, through the pressure of the Allied and American commercial imperialists” (Thomas 1927: 24-5). Combining his religious and political convictions to justify his resistance to fighting, Roger Baldwin eloquently proclaimed, “I do not believe in the use of physical force as a method of achieving any end, however good.” He felt himself representative of a larger struggle “against the political state itself, against exploitation, militarism, imperialism, authority in all forms...” (27-8). At a time when socialist principles enjoyed a broad audience in the United States, those asked to fight for their country decried imperialist exercises in the name of solidarity with their working class, Christian comrades afield.

World War II saw the galvanization of the American spirit, mobilizing the entire country to fight a two-front war. Volunteerism amongst the “Greatest Generation” to fight the “Great War” was high, pressuring the decisions of conscientious objectors who may have otherwise opted out of fighting in any other conflict. While WWII saw its fair share of COs, the way many of them approached the issue differed than their brethren from the previous war. Rather than adopt a wholly, non-participatory stance, many opted for the title of “conscientious cooperator.” At the time, “it was an honor to serve god and country,” said WWII CO Desmond Doss (Benedict 2007). WWII COs were not “political objectors” because they felt the war was justified; yet, largely due to religious convictions, these soldiers could not bring themselves to personally kill another human.

Harry Truman presented the Congressional Medal of Honor to Desmond Doss, the only conscientious objector ever to receive the nation’s highest military honor. Invoking the Christian tenet of “thou shall not kill,” Doss, like many of his fellow COs, filed for conscientious “cooperator” status, deciding to serve as a medic rather than a soldier. “I was saving life... because I couldn’t imagine Jesus out there with a gun,” Doss recalled. Like many of his contemporaries, Doss told his superiors that in battle he would be right beside them helping the effort, and that he was “willing to go to the front line to save life, not take life” (Benedict 2007). In short, because the U.S.’ engagement WWII was seen as just, COs dropped the mantle of international solidarity and justified their stance on Christian faith.

*Vietnam*

More often than any other American (or foreign) invasion/occupation, the debacle in Iraq is compared to the Vietnam War. The mainstream press has certainly jumped on this “Iraq as Vietnam” bandwagon. *USA Today* highlighted the comparison before the invasion (Moniz 2003). “Bush Accepts Iraq-Vietnam War Comparison,” ran one headline in *The Guardian* (Tran 2006), and writing for the *Washington Post*, Thomas Ricks drew similar comparisons (2006). Intellectuals got on board too: Ronald Bruce St. John, a widely published expert on Mid-East affairs, penned an article titled, “Sorry, Mr. President, but Iraq Looks a Lot like Vietnam,” for a think tank publication (2004). Whether there is a parallel to be drawn, in terms of military strategy, tactics, the anti-war movement, press coverage and propaganda, or any number of fronts, is a topic for another paper. What is of interest here is whether there are similarities to be teased out of the conscientious objector movement. For instance, are the rationales behind the filings for CO status similar between the Vietnam and Iraq conflicts?

The American military did its best to dehumanize the Vietnamese people. In the eyes of American soldiers, the “inhuman” Vietnamese were “gooks” or “slopes,” and everyone, even the children, innocent or not, were VC (Viet Cong) or VC-sympathizers. The military “concocted such phrases as ‘kill-ratios,’ ‘search and destroy,’ ‘free-fire zones,’ and ‘secure areas,’” in order to “mask the reality of their combat policy in Vietnam,” recalled Army CO Edward Sowders (Davis 2002). More than just a policy, this denigrating mindset underscored the very psychology of those running the war. “The Oriental does not put the same high price on life as does the Westerner,” pontificated General William Westmoreland. For the Oriental, “life is plentiful, life is cheap in the Orient...,” and in Oriental philosophy, “life is not important” (Davis 2002).

Issues of race and class dominated the discourse of resistance amongst conscientious objectors. Largely, those who fought in Vietnam were people of color and the white, working class poor. “Why do poor people have to go into the military for a college education, or for a job?” asked CO Michael Simmons (2008). Ironically, while the opposition to a supposed, imperialist endeavor in Vietnam sought to unite the

working class in the U.S. with those around the world, there were divisions within the peace contingent at home. No “white” peace groups would help Simmons, for example, because, it was thought, his being black would “dilute” the “white, upper-middle class” driven CO action in the U.S. (2008). With race and class divisions apparent at home it was difficult to link the war-resister campaign to a larger, international movement.

A number of individuals, because of their celebrity stature, stood above the rest when they took the torch of war resistance. Martin Luther King, Jr. perhaps the most eloquent of this group, fought against the popular current of Vietnamese-dehumanization to reveal the war for what he saw it as: a war against the poor. Seeking “worldwide fellowship” Dr. King sought to close real and perceived racial and class divisions in his opposition to the war. In order to get on the “right side of the world revolution,” King corrected his own habit of not speaking against violence at home without speaking against violence abroad (April 30, 1967). Class conscious and a “preacher by calling,” Dr. King listed seven reasons he was against the war in Vietnam:

- 1) Poverty connection – the war took away from programs for the poor at home;
- 2) Only the poor are sent to fight;
- 3) Violence cannot be used to solve problems, at home and abroad;
- 4) America can be better;
- 5) Felt the burden of the Nobel Peace Prize;
- 6) Believed deeply in the peaceful ministry of Jesus Christ and his teachings;
- 7) International solidarity and brotherhood (April 4, 1967)

Disappointed in the militaristic and racist policies of his home country, King decried American policies that spend more on military than social programs. A country, he said, that behaves as such approaches nothing less than “spiritual death” (April 20, 1967).

A truer conscientious objector, in that he outright refused military service, was Muhammad Ali. Considering his chosen profession as a boxer, Ali was not exactly a pacifist. Much like Dr. King though, Ali viewed the war in Vietnam through the prisms of class and race. As fierce as he was in the boxing ring, Ali pulled no punches in voicing his opposition to participating in a war on the other side of the globe. “I couldn’t see myself taking part in nothing where I would help and aid in any way, shooting and killing these Asiatic, dark, black people, who haven’t called me ‘nigger,’ haven’t lynched me. They haven’t deprived me of freedom and equality. They haven’t assassinated my

leaders,” he cried out (Jacobs 2002). How, he wondered, was he expected to free the people of South Vietnam while his own people were being abused at home in Kentucky? Indeed, Ali harbored resentment against “white power,” segregation, and inequality. “No nation, no people can be free when they have no land. And we are a whole nation of twenty-two million without a toothpick factory” he once professed (2002).

Ali, a converted Muslim, also cited religious principles for declining to join the United States military. Acknowledging his faith allowed Ali to obey the law of the land as long as it did not conflict with Muslim precepts; he once boldly affirmed the “draft is another thing that’s against my beliefs” (Jacobs 2002). Declining to join the army (after being drafted) Ali declared he would rather face death than denounce Islam or violate the teachings of Elijah Muhammad, a powerful leader in the Nation of Islam.

Despite their extraordinary positions as leaders in American life and culture, King and Ali represented the views of a large swath, if not the majority, of Vietnam War resisters, including conscientious objectors. Their objections were illustrated by combining religious doctrine and concerns over American, neo-imperialist ambitions in South East Asia. If these COs had to be compared to previous, American COs, their ideas would find intellectual and spiritual comfort with those opposed to fighting in WWI—not with those fighting in the Middle East today. Vietnam era conscientious objector Bill Evers illuminates the generational and intellectual gap between his compatriots and today’s war resisters: “I have had to learn that my experiences are ancient history to the students I see in the college classroom today,” he laments (Evers 2006: 6). By contrast, Iraq War COs, many of whom continue the tradition of citing religious beliefs as a condition for their position, have also carved out a new approach in this pacifist tradition.

### *Iraq*

Since March 2003, tens of thousands of American soldiers have gone AWOL (absent without leave), but not all have done so because they are anti-Iraq war. 25,000 soldiers have deserted their posts so far, and the number rises each year. To put this in perspective: “At the height of the Vietnam War in 1971, 33,000 military personnel ...had deserted” (Ehrenreich 2008; Wright and Dixon 2008: 139). The U.S. Government Accountability Office (GAO) reports between 2002 and 2006, 425 conscientious objector

applications had been processed (2007). Further, “of the 425 applications... 224 (53 percent) were approved; 188 (44 percent) were denied; and 13 (3 percent) were pending, withdrawn, closed, or no information was provided.”

Religious sensibilities often motivate the conscientious objectors of Iraq. Christian soldiers, like Mark Wilkerson, quote passages from the Bible in which Jesus intones the promise of peace or praises peacemakers, and they take to heart the dictum, “love thy neighbor” (2008: 175; Tonn 2004). And despite being denied his conscientious objector status, army medic Agustin Aguayo refused to deploy to Iraq. To do so, he argued, “would be taking part in organized killing and condoning war missions and operations, even though I object, on the basis of my religious training and belief, to participating in any war” (2008: 169). These are just two examples of how the Christian faith still plays a significant role in steering soldiers toward conscientious objection.

Conscientious objectors opposed to the Iraq invasion on religious grounds were not only Christian. Abdullah Webster, for one, affirmed, “My faith forbids me to participate in an unjust war.” A convert to Islam, Webster maintained his religion “prohibited him from participating in any aggressive war, or in any oppression or injustice to Muslims or non-Muslims” (2008: 153). Yet, Aidan Delgado’s religious objection to the war presents the most fascinating religious, CO case study. A student of Buddhism, Delgado sought to leave the army and the Iraq war based on Buddhist teachings. A man who, previous to his deployment would not consider killing animals or insects, let alone people (2007: 33), Delgado could not stand the constant “dehumanization of the enemy.” The regular bombardment of anti-Arab and anti-Muslim sentiment from the American military, including slurs such as “towelheads,” “ragheads,” “terrorists,” and “hajii” are reminiscent of the ugly bigotry of the Vietnam era’s epithets “Charlie” and “gook.” Delgado and other religiously-minded COs could not handle such negative disposition.

Delgado’s position was strengthened by his assignment to Abu Ghraib prison. For instance, on hearing that unarmed prisoners were shot and killed at Abu Ghraib (4 dead, 12 injured), he recorded in his diary: “I feel the last ounce of my attachment to [his unit] wither and disappear. I’m not one of these people. I’m not one of *them* anymore. What happened today was wrong: shortsighted and trigger happy at best, and downright

vicious, at worst. From here on out, I don't want any part of what we're doing at Abu Ghraib" (Delgado 2007: 152-3). Like his fellow, religiously-focused COs, Delgado could not abandon his religious principles, despite strong feelings to stay with his brothers-in-arms. In a written report surely characteristic of the hundreds of others religious CO applications, Captain George T. Ferguson IV, wrote of Delgado:

He stated that it is not a preference but rather an imperative that he leaves because military service places him in a moral quandary. [Specialist] Delgado also believes it is rigorously important for him to make a public statement. He believes a religious sentiment is not something you can put off, he works everyday to support our organization that is not congruent with his beliefs (Delgado 2007: 130).

To be sure, a goodly number of Iraq war COs (Debartolo 2003; Jashinski 2008) also espouse humanitarian and pacifist reasons for voicing their opposition to America's war efforts overseas. "I have come to the conclusion that there are no valid arguments for the destructive forces of war" stated army CO Kevin Benderman. Moreover, humanity "should evolve to a higher mindset" of conflict resolution because "war is the ultimate destruction and waste of humanity" (Benderman 2008: 150, 152). In the same vein, Marine CO Stephen Funk proclaims, "I refuse to kill. I object to war because I believe that it is impossible to achieve peace through violence." Indeed, Funk confesses, "I would rather face the military's punishment than act against my beliefs" (2008: 153). Still others, disturbed and appalled by the atrocities they witnessed or committed, turned away from war-making to embrace humanitarian ideals (Wright 2008: 181-2, 185-7). "I left the war in Iraq because the American Army made no distinction between [combatants and civilians]" remarked one (Key 2008: 180). Having seen the military from the inside, first hand, Sunny Raleigh of the Navy found war to be disheartening and morally objectionable" and determined that "...peace is the only method for solving any conflict" (2006: 4). Thus, for many, seeing the horrors of war up close is enough to provoke a change in sentiment.

Beyond the usual, religiously-slanted or humanitarian-based justifications for becoming a conscientious objector, the number of COs in the Iraq conflict legitimating their position on the basis of international law is surprising. For its uniqueness and the

evolution in thought it represents, the juridical claim in contemporary American CO discourse is worthy of attention.

In just a cursory review of Iraq war conscientious objectors, an exceptional number appeal to international law to justify their stance: in my rudimentary research, I could not find a single case from previous conflicts in which a CO made the same claim. Beyond lacking “any high ground in the topography of morality,” Pablo Paredes sings a typical refrain: “I am convinced that the current war in Iraq is illegal” (Paredes 2008: 146). “If you were given an order to participate in an unlawful occupation that is resulting in the deaths of thousands of innocent people with no justifiable cause, would you be able to live with yourself if you carried out that order?” asked Army CO Brandon Hughey (Wright and Dixon 2008: 179-80). Ghanim Khalil, a believer in Sufism, expressed his dismay at American policy toward Iraq: “Just because you sign a contract doesn’t mean that you’ll go along with everything you’re told, especially if the orders are illegal under international law” (Khalil 2003). “Refusing and resisting this war was my moral duty, a moral duty that called me to take a principled action. I failed to fulfill my moral duty as a human being, and instead, I chose to fulfill my duty as a soldier,” stated CO Camilo Mejia. Afforded “moral clarity” while on leave from Iraq, Mejia realized “I was part of a war that I believed was immoral and criminal, a war of aggression, a war of imperial domination” (Mejia 2008: 142).

As of late March, 2008, there were a known 225 American military COs seeking refuge in Canada. Jeffry House, a lawyer representing many of them, explained why so many had fled to America’s northern neighbor: “They tend to say they aren’t opposed to all wars in principle—just to the one they were ordered to fight. ...a war of aggression” (Ehrenreich 2008). In defending these COs in Canadian courts, House’s argument:

...relied largely on his reading of international law. The United Nations High Commissioner for Refugees lays out a slender possibility for relief. Mere disagreement with the ‘political justification for a particular military action’ is not sufficient. The action must be ‘condemned by the international community as contrary to basic rules of conduct.’ Only in that case can punishment for desertion or draft evasion ‘be regarded as persecution.’ (Ehrenreich 2008).

House appears to be acting in accordance with a general trend. “Many international attorneys and military personnel see the war in Iraq as an illegal act of aggression, which is a war crime. This belief is at the heart of the actions of most of the resisters,” claim Wright and Dixon (2008: 139). While the Afghanistan engagement met criteria of just war under international law, Iraq, understood in the light of the Nuremberg Principles or the Geneva Conventions, “would be a war of aggression, a war crime” (xii). Thus, while those who join the military know they may be ordered to war by the country’s leadership, “when given an order to perform an illegal action, servicemen and women are duty bound to refuse” (138). Many are doing just this.

Other COs in Iraq focus on the legal issues surrounding more specific elements of, or tactics used in the broader war. Rick Clousing, an army interrogator, for example, was concerned about brutality of tactics, and the ambiguous legality of particular, interrogation actions (Wright and Dixon 2008: 170-3). “The mentality is to shoot anyone who gets close to you, and especially those who look like insurgents. I know that killing people just because they are of a different race is wrong no matter what the rules of engagement are. That is why I left” declares Marine Chris Magaoay (182). Indeed, the ambiguous nature surrounding official orders of who should or should not be shot was a factor contributing to the decision of many to opt for CO status (184-5). “I believed that if I returned to Iraq and followed military procedures and orders, that I would eventually kill innocent people. I believed it was my human right to choose not to do so, and my military duty to resist this war,” professes Army CO Darrell Anders (183).

Beyond the perceived unjustness of the Iraq invasion on the macro (a state making war on another without provocation) and micro (deciding between civilians and combatants) levels, soldiers are vitriolic in their indictment of American leadership. A lieutenant in the U.S. Army, Ehren Watada, for example, denounces “...elected officials [who] intentionally manipulated the evidence presented to Congress, the public, and the world to make the case for war” (2008: 164). Officers swear an oath to the Constitution, not to an individual, Watada reminded military veterans present at his 2006 lecture. Officers swear to fight “against all enemies, foreign and domestic, [but] what if elected leaders became the enemy? Whose orders do we follow? The answer is the conscience that lies in each soldier, each American, and each human being. Our duty to the

Constitution is an obligation, not a choice” he argues (Wright and Dixon 2008: 165). In sum, the citations of illegality for the Iraq war, be it in the broader realm or at the individual level of engagement, represent an interesting, emergent trend in the conscientious objector movement in the United State military.

### Conclusion

Decidedly absent from the discourse amongst Iraq War COs, are sentiments of international brotherhood. The dearth of solidarity is one characteristic distinguishing today’s generation of COs from their Vietnam era predecessors. The other, the insistence of citing domestic or international law, is another, more illuminating contrast. The tendency to reference juridical reasons for the anti-war stance is not only unique amongst modern CO discourse; it marks an interesting evolution in the mindset of generations coming of age in a highly networked, globalized world.

One reason for the increase in juridical reasoning for conscientious objectors in the Iraq war may be that Generation X, Y, “Millennial” (or whatever the latest generation of youth is termed), is more open to and aware of the rest of the world than previous generations have been. In an era where news and images of other people is instantly accessible via television and the internet, awareness to the interconnectivity of the world paired with access to more knowledge from more sources may be contributing to a hesitancy to rush into war without international, legal (i.e. United Nations) support. While further inquiry is warranted, the COs of the Iraq war could very well be setting a precedent for future generations of American conscientious objectors.

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