

# Crisis of Conscience



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**Crisis of Conscience:  
Conscientious Objection in Canada  
during the First World War**

*Amy J. Shaw*



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# Crisis of Conscience



## Introduction

TO MANY CANADIANS, the First World War seemed a great opportunity. Participation in the war seemed to signify Canada's coming of age: the country would be fighting on an equal basis with the mature European nations. And the cause seemed fine – the rescue of small nations, the defence of democratic values. The war offered not only a chance to promote the young nation's greatness, but also a rare and coveted opportunity for personal heroism. Furthermore, it seemed to bring a sense of accord and common purpose to the country. The formation of the Union Government, the backing of the major churches, and the support of the suffragists all offered a unity that, it was hoped, would live on after the war.

The national myth created around this interpretation of the war is persistent. The rift that the war in general and conscription in particular exacerbated between French and English Canada is, of course, acknowledged, but the sense remains that, excepting that conflict and the discontent of a few radicals, the picture of unity was basically accurate. However, one quiet and disorganized minority of young men found themselves particularly at odds with the conscription legislation. They were conscientious objectors: men who refused military service when conscripted because of religious or ethical beliefs that forbade killing or, often, joining the military in any capacity. Their experience is a useful lens, offering insight into the developing relationship between Canadians and their government, expectations of appropriate masculine behaviour, religious freedom and identity, and questions of voluntarism and obligation in a democratic society.

The Borden administration's Military Service Act (MSA) of 1917, which introduced conscription, included a clause offering limited exemption on the grounds that the conscript "conscientiously objects to the undertaking of combatant service and is prohibited from so doing by the tenets and articles of faith, in effect on the sixth day of July, 1917, of any organized religious denomination existing and well recognized in Canada, at such date, and to which he in good faith belongs."<sup>1</sup>

Conscientious objectors, then, were members of an officially recognized category, but one with significant limitations. Although there were important differences in legislation, similar recognition existed in Britain, New Zealand,

and the United States. In Canada, conscientious objection was an option taken not only by members of the historic peace churches – the Mennonites, Doukhobors, Brethren in Christ (Tunkers), Hutterites, and Quakers (Society of Friends), for which the framers of the act made a certain allowance – but by smaller sects such as the International Bible Students Association (Jehovah's Witnesses), Plymouth Brethren, and Christadelphians, as well as by members of the mainstream Protestant and Catholic Churches. Just as the conscription of an individual's body was intensely personal, so too were the individual beliefs that led some Canadians to refuse compulsory military service.

The term “conscientious objector” covers a wide range of very different young men who, for an equally wide variety of reasons, “could not see [their] way to join the military.”<sup>2</sup> Most of those whose objections were recorded used Christian and biblical arguments to support their stance. Becoming a soldier went against the commandment “thou shalt not kill” and did not harmonize with the New Testament doctrine of turning the other cheek in response to a blow. Members of several sects also believed that military service violated the biblical proscription against being “unequally yoked” with unbelievers. Some objected to being put in a position of having to obey military orders that might conflict with their religious and ethical scruples. The Christian discourse of the war, and the limitations the government put on acceptable objection, encouraged such biblical frames of reference.

The limited interpretation of bona fide conscientious objection meant that conscientious objectors (COs) in this period were predominantly religious, rather than espousing more general personal ethical objections. The restriction also meant that the position of another type of CO, one who disagreed with the aims or means of this war but not with all wars or potential conflicts, a response sometimes termed “selective conscientious objection,” was not recognized.<sup>3</sup> Some men who defined themselves as conscientious objectors, or were labelled as such by the press, expressed their objection primarily in political or nationalist terms, although the tribunal system did not recognize such diversity. In Canada, although objectors also came from mainstream Catholic and Protestant Churches, or were individuals with no religious affiliation, only members of established churches with non-resistant principles had a chance of recognition for their objection.

Just as objection was based on a range of beliefs, the manner in which individuals responded to conscription legislation was far from homogeneous. Many conscientious objectors, by accepting non-combatant service, found a way of reconciling their personal moral obligations with the state's need for a collective response to the war. “Absolutists,” in contrast, were those who remained committed to non-resistance and opposed to all forms of military service.

When they venture beyond this degree of diversity, studies of conscientious objectors invariably run into problems of definition. In terms of this study, what the Canadian government recognized as a legitimate conscientious objection could not be the sole criteria for inclusion; many young men spent time in jail and at least one died because they did not qualify for exemption on conscientious grounds. Furthermore, the Borden administration's definition of allowable objection, and its response to COs, evolved over the course of the war. Questions of legitimacy, as well, cannot be addressed here to any extent. I have not attempted to discover whether an objection was valid, or the extent to which it might be, as many tribunals supposed, a pose to mask fear or lack of patriotism. What this disparate group of young men had in common was simply their decision to identify themselves as objectors, thus taking a public stand for their beliefs, rather than opting to resist through various forms of draft evasion. Some of the men who took to the woods to avoid being drafted no doubt did so for conscientious reasons. But they cannot be counted, or their decision discussed here in any detail. Problems of records and the need for some degree of concision in an already nebulous category mean that only those who defined themselves publicly as COs, and defended their position as legitimate under the exemption clause of the Military Service Act, have been included here.

Conscientious objection in Canada has received relatively little scholarly attention. There is work on Second World War COs, as well as some valuable collections of memoirs, but almost nothing on their First World War counterparts.<sup>4</sup> This is a significant lacuna, partly because the First World War was the template in many ways for conscription in the second. Scholarship that has addressed conscription during the Great War has focused on the division it caused between French and English Canada, as in Elizabeth Armstrong's *The Crisis of Quebec* or Jean-Yves Gravel's *Le Québec et la guerre, 1914-1918*.<sup>5</sup> The implications of opposition from radical labour are ably examined in A. Ross McCormack's *Reformers, Rebels, and Revolutionaries*.<sup>6</sup> The larger pacifist religious denominations have included discussions of their experiences with conscription in their histories. Valuable here are Frank H. Epp's *Mennonites in Canada, 1786-1920: The History of a Separate People*, Arthur Dorland's *Quakers in Canada: A History*, and E. Morris Sider's *The Brethren in Christ in Canada*.<sup>7</sup> These, however, are broad surveys, and they do little more than touch on the experience of adherents who conflicted with the government and wider Canadian society over conscription. Scholarship that focuses on members of specific religious or political groups is also limited in that it can relay only their own experiences, with no means of assessing the degree to which those experiences paralleled by or differed from those of other objectors. Thomas Socknat's *Witness against War: Pacifism in Canada, 1900-1945* provides a much-needed survey

of pacifism in Canada. Some biographical work has also been done on anti-war activists, such as Kenneth McNaught's study of J.S. Woodsworth, *A Prophet in Politics*. There is also some valuable work on women pacifists, especially Barbara Roberts' "Why Do Women Do Nothing to End the War?" *Canadian Feminist-Pacifists and the Great War*, and "Women against War, 1914-1918: Francis Beynon and Laura Hughes," but, even taking these studies into account, the field of Canadian peace history is clearly in its infancy.<sup>8</sup>

There are many broad but valuable theoretical and sociological studies of conscientious objection as a political and philosophical phenomenon.<sup>9</sup> In *Consent, Dissent, and Patriotism*, Margaret Levi discusses what makes citizens comply with or resist government demands such as conscription. The political and religious implications of such pacifist reaction are also debated in Charles Moskos and John Whiteclay Chambers' *The New Conscientious Objection: From Sacred to Secular Resistance*. Moskos and Chambers review the religious and philosophical evolution of conscientious objection, and James Childress, in his study *Moral Responsibility in Conflicts: Essays on Nonviolence, War, and Conscience*, discusses the bases of individual non-violent resistance. But the response of conscientious objection needs to be historicized. To the task of discovering who these self-marginalized figures were must be added that of placing their objection in its appropriate context. It is important to examine what elements in Canadian society affected the decision to object, the experience of objection, and how mainstream society viewed the COs. Contextualizing their response should also help provide an answer to the key question of why objectors in Canada were unable to organize or to mount any effective resistance to conscription.

The concept of obligation is a central theme in the discourse of the First World War. The Canadian government's main narrative was the successful prosecution of the war, seen in terms of the country's duty as well as its safety. Most citizens shared a similar view. But at the same time, a second, albeit less vocal, narrative of obligation existed – the duty of the Borden administration to respect both the promises made to the historic peace churches and the tradition of liberal individuality inherited from Britain. These competing responsibilities were not new. Moskos and Chambers describe the CO as a figure that goes back to the origins of the Western state and as durable a type as the citizen-soldier: "Conscientious objection is at the core of the individual's relationship to the state because it challenges what is generally seen as the most basic of civic obligations – the duty to defend one's country." At the same time, allowing refusal has become the hallmark of democratic society.<sup>10</sup> Balancing the fundamental tension between these two species of obligation lies at the heart of the Canadian government's treatment of, and allowances for, conscientious objection.

Canadian peace historian Thomas Socknat has argued that the First World War marked a transformation in pacifism, a move from the primarily religious pacifism of the nineteenth century to the primarily political dissent of the twentieth.<sup>11</sup> In terms of the history of anti-war protest, it is, then, a crucial time to examine. Socknat's discussion centres on liberal pacifism more than religious non-resistance. As the conscientious objectors in the present study were primarily religious pacifists who found it necessary to make a political expression of their non-resistant beliefs, an exploration of their experience offers a new angle from which to examine the politicization and radicalization of pacifist dissent.

Scrutinizing this kind of pacifist reaction to conscription is also important because the First World War was the first experience of large-scale overseas conscription in the Commonwealth countries and because it served as a model for conscription in the next war. Political scientist Margaret Levi, among others, has argued that the First World War marked a turning point in the relationship between the citizen and the state.<sup>12</sup> A discussion of the provision for, and reaction to, conscientious objection is central to understanding the evolution of this relationship.

The First World War is also a critical period in the context of war resistance because of the importance of this conflict in Canadian nation building. Conscientious objectors chose to stand outside the picture of solidarity and sacrifice that was such an integral part of the nation-building process. War typically intensifies the perceived need for a scapegoat and for an "other" to define oneself against; thus, a consideration of the reaction to the COs offers a fresh perspective on Canadian self-perception during the war.

Their study adds to the history of minority rights and religious freedom in Canada. It is important to remember that the experience of conscientious objectors in the First World War took place before the "rights revolution."<sup>13</sup> Their assertion of their right *not* to serve in the military was part of that transformation in the discourse of citizenship. Thus, a discussion of how and why these men challenged accepted ideas about obligation and the necessity of a unanimous response to the crisis is needed. That they were an unpopular, harassed, and often quite badly treated minority in wartime also makes them an important object of study in terms of the evolution of ideas about minority and individual rights in Canada.

As many objectors were deemed "foreign" – of German or Russian ethnic origin – an examination of conscientious objection should add to the study of several aspects of identity in Canada. The issue of ethnicity was certainly a significant aspect of their experience and the public stereotype of the CO. Indeed, for the Doukhobors and the Mennonites of Western Canada, ethnicity was the

primary determinant in their status as exempt. The insularity of many conscientious objectors, along with the fact that some spoke the same language as the enemy, raised nativist hackles and made many Canadians suspicious of their loyalty and value as citizens. Public discussion of conscientious objection often focused on the need to educate people with such peculiar views in order to make them “better” Canadians. This attitude saw objection itself as foreign, something not done by “real Canadians.”

Discovering the economic background of objectors will also add to the discussion of class relations and identity in this country. In his study of objection in Britain, John Rae asserts, “For the majority of politicians and public men involved, concern had been prompted by the imprisonment of one man – Stephen Hobhouse.”<sup>14</sup> Hobhouse was an absolutist objector who came from a wealthy and politically prominent family. Historian Thomas Kennedy further maintains that “While it is obvious that the Government reacted positively to the complaints of prominent persons and organs of opinion, it is questionable whether, in the light of hostile public feelings, they were willing to respond to the suffering of unknown men without influence.”<sup>15</sup> In Britain at least, a class bias existed; conscience was easier to recognize, and appease, in prominent persons. Another aim of this book is to assess the degree to which a similar situation existed in Canada, although it was complicated by an absence of conscientious objectors from among the elite.

A discussion of the response of conscientious objection, and of attitudes towards men who took on such a role, is also important in terms of gender and identity. Margaret Higonnet, among others, has shown that war throws aspects of gender identity into sharp relief.<sup>16</sup> Refusing to join the military left a man vulnerable to charges of cowardice and selfishness, at a time when being a “team player” constituted a significant characteristic of appropriate manliness. Going to war when called was also a prime aspect of the male responsibilities of citizenship. The decision of COs to give primacy to other duties challenged this idea and was a component of why and how they were maligned. Their refusal to perform the masculine duty of wartime soldiering resulted in the removal of the masculine prerogative of voting: they were disenfranchised under the Wartime Elections Act 1917. A closer examination of a group of men who were perceived as failing to fulfill their appropriate roles in this crisis contributes to the discussion of gender and masculinity in Canada.

Both Canadian and British COs were derided in language that criticized their masculinity. The rising popularity of imperialism and the influence of social Darwinism cultivated an ideal masculinity in which intellectualism was subordinated to physical robustness and a patriotic team spirit. British objectors

in particular were prey to charges of unhealthy over-intellectualism. The idiosyncratic response of conscientious objection in both countries was suspicious at a time when comradeship was a strong component of manly virtue. By failing to join with their fellows, objectors were not simply being cowardly or lazy, but were privileging an individual, contemplative response over one of group loyalty and action.

The stereotypical Canadian objectors, however, had another, equally important characteristic. Their perceived refusal to listen to “reason” – to accept the war as just and therefore properly in accord with their religious principles – worked to brand Canadian COs as prohibitively stubborn and rather stupid. For a young man, the tribunal system set up to publicly judge the sincerity of his exemption claim was unfamiliar and frightening. Newspaper accounts of conscientious objectors’ exemption tribunals often ridiculed the COs’ inability to express their desire for exemption convincingly, or according to the terms laid out by the government. The Canadian vision of the objector as obstinate and uneducated was also connected to nativist attitudes against the Mennonite and Doukhobor Churches, with their foreign languages and separate schools. This vision of the oafish objector was sharpened by the fact that many of them relied on a literal interpretation of the Bible, although the tribunal judges generally responded in kind, using biblical references to show instead the propriety of war in the Christian tradition.

I am also curious as to why the tradition of conscientious objection made up a relatively small aspect of the contemporary discourse of the First World War and is not part of our collective memory of the conflict. True, objectors were few in number, but such was the case in other countries as well. In Britain, John Rae, acknowledging problems of definition, estimates that throughout the war there were only about 16,500 COs and that, “as a percentage of the total number of men recruited voluntarily and compulsorily during the war, 16,500 conscientious objectors represented 0.33 per cent.”<sup>17</sup> In Britain, there were fewer than a thousand absolutist COs – those who could not reconcile themselves to any form of non-combatant or alternative service and were imprisoned and often badly mistreated. Objectors in Britain caused a shocking amount of trouble in relation to their numbers and received a great deal of attention in Parliament and the press.

One problem in making comparisons between Canada and Britain is that figures for conscientious objectors were not kept in Canada, and many of the records that might have been used to ascertain the number of men who fell into this category have been destroyed. However, because of the strict limitations the Borden government imposed on recognized objection, it is possible to make

a rough estimate of how many Canadian men might have fallen into that category. The 1911 census reveals that approximately 15,077 men of military age belonged to sects that had protection under Orders-in-Council for their pacifist religious beliefs – the Society of Friends, Mennonites, Tunkers, and Doukhobors. A further 11,321 belonged to sects that appealed to the Central Appeal Tribunal that their adherents ought to receive exemption on the grounds of membership in a denomination with pacifist tenets – the Christadelphians, International Bible Students Association, Plymouth Brethren, Seventh-day Adventists, and Pentecostal Assemblies.<sup>18</sup> Attempts to offer an estimate, however, are complicated by problems with nomenclature. Several small sects, some with specific pacifist beliefs, some without, referred to their members as “Brethren.” As a result, when such a term is applied to an objector, it is not always clear to which sect he belonged.<sup>19</sup> Furthermore, some members of pacifist churches went to war, and some members of mainstream churches objected. Some men, as well, objected but received exemption on other grounds. Still, it seems safe to argue that there were in the neighbourhood of twenty-six thousand potential conscientious objectors in Canada, some of whom would have accepted non-combatant service. Given that my focus is on how these men were perceived by the Canadian public, rather than a strict accounting of conscientious objection, I have not limited my study to absolutists. Since Canada had about a fifth of the population of Britain at the time, the fact that its numbers of conscientious objectors were probably similar to those of Britain makes their comparative silence, both during and after the war, significant and curious.

Drawing a picture of the Canadian CO can be aided by examining Canadian conscientious objection in a comparative context, using especially the British example but also those of the United States, Australia, and New Zealand. This is justifiable partly because Ottawa took the same comparative approach when trying to formulate its own CO policy, referring to the military service legislation enacted in New Zealand and the United Kingdom. It is also useful because the comparison brings out some interesting details that might otherwise have been overlooked. In Britain, conscientious objectors, despite their small numbers, received a great deal of attention in Parliament and the press. When I began my research, I expected to find something similar in this country. Canada was still very much a British colony at this point, with similar parliamentary and legal systems to those of the mother country. If increased immigration meant that the religious and ethnic background of its people was starting to diverge from Britain’s, there was still enough similarity, it seemed, that the pacifist movement in Canada would probably not diverge sharply in its broad outlines from that in Britain. It did. My first hint of this was my discovery that almost no biographies treated the men who had been COs during the First

World War.<sup>20</sup> As well, newspaper articles on conscientious objectors were comparatively few and far between. Britain and the United States both have a much fuller literature, primary and secondary, on their experiences of objection.<sup>21</sup> In Canada, the conscientious objector to the First World War is, to some degree, remarkable by his comparative absence.

This is partly because, in Britain, opposition to the war was personified, to a certain extent, by the conscientious objector. There, the stereotype of the “slacker” and the CO were closely associated. The British image of the “conshie” was quite often a sort of artistic Bloomsbury figure, an idealistic pacifist with a rather suspect masculinity, an elevated opinion of his own importance, and a tendency to think too much. In Canada, by contrast, the figure of the “slacker” and anti-conscriptionist was associated quite strongly with Quebec, and the image of the pacifist objector to military service seems to have been buried under that province’s political objection to participation in the war.

Another reason for the lack of visibility was that Canada produced no organized resistance to conscription such as the No-Conscription Fellowship (NCF) in Britain. Perhaps the Canadian objectors drew less attention than their British counterparts because, lacking organization, they constituted less of a threat. A main focus of this study has been to discover the reasons for this inability to come together. Canada’s weaker radical liberal and socialist tradition played a part, as perhaps did the eager insecurity of a colony anxious to prove its maturity and imperial goodwill on the world stage. More importantly, however, the experience of conscientious objection in this country was shaped, predictably, by who was objecting. The presence of thousands of members of non-resistant churches, mostly of Anabaptist descent, was the defining factor in pacifist anti-conscription activity in Canada. Their pacifism was, to a great extent, passive, following the biblical directive to “resist not evil.” This, combined with the tendency of many groups to live in isolation and avoid interaction with mainstream political society, worked against their ability to combine with other dissidents. For most religious objectors, obedience to authority, so long as it did not violate other aspects of their faith, was stressed. This made the discourse of their dissent distinctive and helped shape the larger experience of pacifist dissent in Canada.

Their presence also affected the wording of the Military Service Act (MSA), specifically the definition of a legitimate conscientious objector. Many of these groups had entered Canada under specific promises of exemption from military service. The exemption clause in the MSA was a means of keeping these promises, I would argue, rather than any real concession to the right of individual freedom of conscience. Thus, it was granted as a privilege to groups with specific characteristics rather than as a right available to any individual. The exemption

clause, in limiting legitimate objection to those belonging to recognized churches with pacifist tenets, served as a wedge, dividing religious from secular objectors, and members of pacifist churches from adherents of churches that supported the war but who themselves opposed military service. This worked against the organization of pacifist anti-conscription dissent.

The particular nature of leadership in the non-resistant churches also affected the wider experience of conscientious objection in Canada. Some historians have argued that because Mennonite bishops were instructors rather than charismatic leaders, and were therefore most comfortable in an unassuming role, they experienced difficulty in dealing with government officials.<sup>22</sup> I have found no direct evidence that such was the case in this country: those Mennonites who took on the unaccustomed and exhausting roles of organizers and advocates for their people seem by all accounts to have done an able and commendable job. But this feature of Anabaptist doctrine, in which leadership roles are played down, did affect the larger pacifist movement in Canada. Bolstered by tradition, belief, and at least a measure of government recognition, some of these people might have taken on a role in coordinating and supporting an organized resistance to conscription. None were able to do so.

The lack of leadership, and the subsequent lack of support necessary for such an unpopular and public stand, was also due to the absence of prominent intellectuals and political figures, or objectors from influential backgrounds.<sup>23</sup> This also affected the comparative lack of publicity accorded COs in Canada. In Britain, the long imprisonment of Stephen Hobhouse, whose family had important political connections, caused a minor sensation.<sup>24</sup> Similarly, the two presidents of the No-Conscription Fellowship, Clifford Allen and Fenner Brockway, went on to active political careers. The NCF also had support from prominent intellectuals, such as Bertrand Russell, and members of the Independent Labour Party, such as future prime minister Ramsay MacDonald. For various reasons, Canada did not attract objectors, or supporters for objection, from among the country's political and intellectual elite.

Another difference is that, though both Britain and Canada provided an exemption clause for members of historic peace churches, the countries were dealing with rather different groups. Whereas many of the religious pacifists in Britain belonged to the Society of Friends, in Canada, the greatest number of COs came from the separational pacifist churches, such as the Mennonites or Doukhobors. Mennonites and Quakers had begun entering Canada in the eighteenth century, and their pacifist beliefs were recognized in subsequent militia acts and immigration guarantees. Later amendments included recognition of the non-resistant principles of the Hutterites, Tunkers, and Doukhobors.

These five are considered the “historic peace churches” in Canada. The government had actively recruited many of these groups to settle, especially in the West. Mennonites placed particular emphasis on an 1877 speech by the governor general, Lord Dufferin, in which he promised that “the battle to which we invite you is the battle against the wilderness ... you will not be required to shed human blood.”<sup>25</sup> Ottawa was most concerned with meeting its obligation to the historic peace churches when conscription was introduced, and the limited exemption clause reflected that limited sense of obligation.

Canada had a smaller percentage of Quakers than did Britain, and this coloured the experience of its pacifists. Quakers tended to be members of the ethnic majority; they were also often wealthier and more politically active than other pacifists and more integrated into mainstream society than were members of the other peace churches. In Canada after the Boer War, Quakers had been making efforts to bridge religious and liberal political pacifism, being the instigators for the first peace society in Canada, the Peace and Arbitration Society, and they carried on that trend after the First World War. Historians Peter Brock and Malcolm Saunders have linked the relative weakness of pacifism in Australia during the First World War with the small number of Quakers in that country.<sup>26</sup> It seems fair to argue that the small number of Quakers in Canada also shaped objection in this country. A man claiming conscientious objection in Canada was more likely to belong to a branch of the Anabaptists, whose religious beliefs advocated varying degrees of separation from secular society, than to the Quakers. This had an effect on the prominence of the movement at the time and on its absence in Canada’s memory of the First World War. A Mennonite objector was more likely to return to his farm with an increased assurance of the iniquity of involvement with the state than to publish about his experiences or take on an activist role.

The clause in the Military Service Act providing exemption on conscientious grounds was restricted to members of well-recognized religious denominations with clear proscriptions against military service. In Canada, then, what carried most weight was not an individual’s personal objection but that of the church to which he belonged; respect was accorded to the dictates of his recognized, established denomination rather than his own conscience. An individual belonging to a mainstream church, or to no recognized church at all, was not entitled to exemption on pacifist grounds. This limitation had important significance. It reduced the provision for conscientious objection in this country from an individual right to a privilege accorded certain groups. The limitation on grounds of exemption is important because it followed a wider trend in the tendency of the Canadian government to treat its people in terms of their

corporate rather than individual identity. Given that conscientious objection is one of the few forms of dissent that does not require the mobilization of a group, it is interesting that this most individual protest was acknowledged only if it was not made individually at all. The use of the collective conscience of the church as a proxy for the individual conscience of the soldier left the political fortune of the individual dependent on the political stance of his church. Canada's constitutional principles of the value of "peace, order, and good government," with their connotations of collective stability, contrasted with Britain's more liberal attitude. The individual basis of the conscience clause in the British act seems to have been partly based on this difference. An examination of provision for, and reaction to, conscientious objection to military service, then, is a useful lens through which to examine the varying values of these countries.

I am also interested in the experience of the COs themselves. The objector was not in a comfortable position. Even before conscription, there was a great deal of pressure on individuals to conform to the goals and attitudes of wartime Canada. The memoirs of the British conscientious objectors show that the obloquy they faced from their friends and neighbours was often intense. Those most successful at standing apart from the atmosphere of national chauvinism in Canada were the members of the pacifist religious sects. They had doctrinal support, backing from their community, and less interaction with unsympathetic mainstream attitudes. To make matters easier, their pacifism, at least in the beginning, was generally respected. Their stance, at least in its basic outline, was familiar to mainstream Canadians, and they were not perceived as potential subversives like the socialist objectors or the International Bible Students' Association. Of course, attitudes towards the objectors were not uniform or static throughout the war, and that is another aspect of the experience of conscientious objection examined here. This book traces the evolving definition of who could be classified as a legitimate conscientious objector, follows the attempts made by various denominations to have their stance protected, and makes the argument that gaining exemption was closely connected to perceptions of a denomination's respectability.

Why, then, has such an important group not been the subject of previous scholarly attention in Canada? The apparent reluctance of COs to publicize their own experiences has certainly played a role here, but perhaps the primary reason for the lack of attention to First World War conscientious objectors in Canada is the dearth of records. It is not that the COs did not generate paperwork. As a precursor to conscription, Canadians filled out registration cards, and conscientious objectors were urged to identify themselves as such. There were also local exemption and appellate tribunals, whose records would have offered

clearer evidence of who actually was objecting. Tribunal records would also have helped to indicate public attitudes regarding these men, especially because local tribunal judges were generally chosen from members of the community rather than the judiciary. These records, however, are no longer extant.

David Ricardo Williams' biography of Chief Justice Lyman P. Duff, *Duff: A Life in the Law*, explains their absence. Duff, judge of the Central Appeal Tribunal, personally retained the tribunal records when the office of the appellate court closed in June 1919. "A few years later," and apparently after an illness, he burned them all. Duff justified his actions, which resulted in such a loss to historians, on the grounds of national interest: "The papers of the local tribunals and appeal bodies in Quebec were full of hatred and bitterness and would have been a living menace to national unity." Williams adds that, "whether by design or coincidence," E.L. Newcombe, Duff's colleague on the court, also burned records he had amassed as chairman of the Military Service Council.<sup>27</sup> The only explanation I have found for Newcombe's act turned up in his response to a 1921 letter asking whether the military service files had been destroyed. The correspondent was one of several people who had lost their naturalization certificates in this process, having included them in their applications for exemption. Newcombe replied that the records had indeed been destroyed: "These files, I may say, were very numerous and bulky and were thought to be of no further use after the conclusion of peace."<sup>28</sup>

The destruction of this material has caused me to rely more heavily upon contemporary newspapers, which recorded tribunal results. One problem with this is that only a few trials were discussed in any detail. Much of the time, the decisions of the judges, given as "exempted" or "not exempted," were simply accompanied by a list of names and addresses. The grounds for which exemption had been asked or granted were generally not included. Requests that were discussed in greater detail tended to be those in which an unusual element had caught the interest of the reporter. Objectors who said or did something shocking or romantic drew attention. Thus, the objector who said he could not even help the wounded if they were under military auspices merited a headline, as did the ones who sang hymns on their way to imprisonment after a general court martial.<sup>29</sup> The limitations of newspaper coverage were also evident in occasional, frustrating reports such as this one from the *Toronto Globe* on Christmas Eve 1917: "There was the usual conscientious objector, who got the usual refusal by the court."<sup>30</sup>

The lack of records compelled me to compile a provisional listing of conscientious objectors, using mainly newspaper accounts and the attestation papers in the Canadian Expeditionary Force (CEF) database (see Table 1 in the appendix).

Although I am more interested in how conscientious objectors were seen by mainstream Canadian society than in calculating how many men objected, some sort of groundwork needed to be done first. How could I examine perceptions of conscientious objectors if I did not know who was actually objecting? One interesting discovery in my search is the fact that the CEF database is composed predominantly of men who were *not* recognized as bona fide objectors at the time. Members of groups that Ottawa intended to be exempted, including Mennonites and Doukhobors *excepted* from the MSA, generated little newspaper or government attention as individuals. Thus, most of the conscientious objectors do not appear in the tables.

To the dearth of government documents is added possibly the most important problem in dealing with conscientious objection – that of definition. With some regret, I decided fairly early on that I could not discuss political objectors, or at least men who defined their own objection as purely political.<sup>31</sup> To try to treat political objection as well as religious would have rendered the scope of my study impossibly wide and taken it to ground already ably covered. One of the ironies of this focus is that I have found myself following, in some respects, the limited definition offered and accepted by the Canadian government. However, unlike the government, I recognize that the separation of political and religious objection was (and is), for many people, an artificial one. For many in the No-Conscription Fellowship (NCF) in Britain, political and ethical grounds against participation in the war were conflated.<sup>32</sup> In Canada, Ross McCormack's study of socialist dissidents has shown that their pacifism and anti-militarism were similarly complex and "grew out of Marxist integrationalism, Christian ethics, and the experiences of workers whose strikes had been broken by troops."<sup>33</sup>

Problems of definition are not limited to the sometimes nebulous boundary between political and religious objection. Although the Canadian government recognized only members of the historic peace churches as objectors, I have extended my definition to include anyone who claimed exemption on conscientious grounds in the exemption tribunals. But even that can be problematic. The *Montreal Gazette*, for example, mentioned the tribunal of Alpine Augustine Grant McGregor, a farmer from Port Arthur, Ontario, who was arrested for failure to register under the MSA and sentenced to two years' imprisonment. In an "impassioned address" to the court, McGregor declared that "the whole thing, including the MSA was illegal."<sup>34</sup> Although the headline reads "Objector Sentenced to Jail," it is not clear whether this man ought to be counted as a conscientious objector. On the face of it, his objection seems more political than conscientious. An examination of his file as a member of the Canadian

Expeditionary Force does not clarify matters. The file is incomplete, but Alpine McGregor must have reconciled himself to at least some form of military service because it did note that he was discharged as part of the general demobilization on 25 April 1919, rather than for misconduct, as unrecognized COs generally were.<sup>35</sup> Menno Gingrich was only seventeen years old and working as a shoe fitter when he joined the CEF on 21 February 1916. He disappeared shortly afterward, however, and, by 10 October 1916, was struck off strength as a deserter. A member of the United Brethren Church, he was named after a Mennonite founder. Did he develop a conscientious objection once he enlisted? Until and unless other evidence comes to light, Alpine McGregor and Menno Gingrich sit, along with several other men, in a file labelled “unclear,” their objections a casualty of definition and record keeping.

The situation in which individuals sometimes offered multiple grounds for exemption, and received it in another, more easily proved, category such as occupation or being the sole financial support of family members, presents another possible problem. I have decided that the surest way is to let the man speak for himself. If he identified himself as a conscientious objector, even if he claimed exemption on other grounds as well, I have defined him as such. An individual’s responses and principles are not static, and my examination of the CEF files of COs has shown that some rescinded their objection or modified it to accept non-combatant service. These men have also been included simply because they did make a conscientious objection and because the variety of the CO response is an important part both of their experience and of the way Canadians saw them.

THE BORDEN ADMINISTRATION chose to treat conscientious objection as a privilege accorded members of religious denominations meeting specific criteria. Although this is reductive nearly to the point of offering no right of exemption on conscientious grounds at all, it does have its uses as an organizing principle. The chapters of this book follow the experience of objection according to the different groups who claimed exemption. Chapter 1 examines the Canadian government’s decision to implement compulsory military service, the terms and workings of the Military Service Act and its component tribunals, and public attitudes regarding questions of obligation and voluntarism.

The presence in Canada of non-resistant sects of Anabaptist origin has been an important factor shaping pacifism throughout this country’s history. Chapter 2 looks at the groups generally referred to in Canada as the historic peace churches – Mennonites, Tunkers, Doukhobors, Hutterites, and Quakers. Since most of them had been induced to settle in this country under specific promises

of exemption from military service, Ottawa had a visible obligation to these groups when compulsory military service became law. I examine the historic peace churches' distinctive discourse of dissent: their interaction with the government, each other, and the particular challenges they faced in reconciling their non-resistant beliefs with those stipulating obedience to authority.

Chapter 3 discusses other religious denominations that objected to enforced military service but did not have the protection of earlier Orders-in-Council. These groups were generally small, their doctrines unfamiliar to most Canadians. The Christadelphians, Plymouth Brethren, Pentecostals, Seventh-day Adventists, and the International Bible Students Association fall into this category. The variation in the ways that COs from these groups were viewed, and the reasons that two of them, the Christadelphians and the Seventh-day Adventists, eventually managed to gain limited recognition for their conscientious objection, is illuminating of contemporary ideas about freedom of religion and what constituted good citizenship.

The Borden government chose to stipulate membership in a well-recognized pacifist religious denomination for an exemption on conscientious grounds. Chapter 4 looks at those men who had an ethical objection to military service but who were not members of an organized denomination or who belonged to a church that officially supported the war. Although apparently not numerous, some Anglicans, Baptists, Methodists, Presbyterians, and Catholics did ask for exemption from military service on conscientious grounds. Lacking the protection of a group not only handicapped these men in their efforts to convince the tribunals of their beliefs, but also meant they were more exposed and vulnerable to negative public opinion.

Chapter 5 discusses contemporary Canadian attitudes regarding the conscientious objector. It examines perceived differences between objectors and the degree to which attitudes towards these men changed over the course of the war. This chapter attempts to gather together public discussion of conscientious objection to form a picture of the stereotypical Canadian CO and to examine the ways in which it corresponded to, and differed from, both the actual experience of COs discussed in the previous chapters and the stereotypical image of the British CO.

The Conclusion looks at how the experience of objection in the First World War shaped the ways in which both the government and the historic peace churches approached conscription in the Second World War. It then draws some conclusions about the phenomenon of conscientious objection in First World War Canada and advances some reasons for the lack of an organized anti-conscription movement in this country.

The emphasis on obedience to government authority and the specifically biblical terms of reference used by many conscientious objectors might seem to distance them from twenty-first-century realities, even among their co-religionists. The divide is not so wide as it might at first seem. Debates about obedience to authority and the place of dissent in political culture still have resonance today. The search for balance between the rights and obligations of individuals and minority groups against those of the democratic majority is an ongoing one. In spite of the ostensible cynicism of a violent and secular century, governments around the world still often speak of wars in religious terms and of pacifists and war resisters as lax in their civic and religious duties. In such a climate, the experiences of these otherwise model citizens, who disagreed with their government and mainstream society about a matter of conscience, remain as relevant as ever.

# 1

## The Responsibilities of Citizenship: Conscientious Objection and the Government

IT IS GENERALLY accepted that the First World War was a crucial moment of transition in the development of the Canadian state, as it was for the other countries involved. The changes brought about by the war, not the least of which was conscription itself, meant an expanded role for the state in everyday life and altered the social relationship between Canadians and the federal government. The provisions made for conscientious objection, and the treatment of objectors, are important in this context. An examination of government definitions of and allowances for conscientious objection is crucial in understanding this transformed role of the state in the lives of individual Canadians. This chapter briefly discusses the pressures that affected Ottawa's decision to enact conscription legislation and the administration of the Military Service Act as it was relevant to those considering conscientious objection. It also attempts to contextualize their decision to object, especially in ideas about duty and obligation. The concept of obligation is central to a discussion of the legal and political experience of the CO. Canadian society placed a premium on duty, and the exemption clauses in the Military Service Act were an admission that a man might have other duties that could justifiably prevent him from undertaking military service. A man claiming exemption from such service on conscientious grounds was making a claim that his spiritual or moral obligations outweighed his duty to the state, a difficult contention because of its intangibility and a wartime atmosphere that preferred sacrifice and loyalty to the group over individual goals.

CONSCRIPTION WAS NOT a novelty in Canada, although the Great War marked its first large-scale use and the first time that Canadians were drafted for overseas service. In *Broken Promises: A History of Conscription in Canada*, J.L. Granatstein and J.M. Hitsman show that conscription had been a policy, often a problematic one, since the country's beginnings. Militia service had a long tradition in Canada, stretching back to the eighteenth century, but the first Militia Act of the new Confederation received royal assent on 22 May 1868. To the regular volunteer militia, which drilled annually, the act added a reserve militia in which all physically fit males between the ages of eighteen and sixty were liable for service unless exempted or disqualified by law. Exemption from service in the militia

extended to judges, clergymen, professors, staff of penitentiaries and lunatic asylums, and the only sons of widows.<sup>1</sup> Provision for conscientious objection had always been included in the laws surrounding compulsory militia service. The first Militia Act provided for exemption from personal military service and bearing arms for Quakers, Mennonites, and Tunkers. By 1899 this was amended to also include Doukhobors and Hutterites – together, these five groups constitute the historic peace churches in Canada. But, in spite of this long tradition of militia service, Canadians had little direct experience with military conscription. The volunteer militia had not been called out since the Northwest Rebellion of 1885, and the contingents sent to the South African War had been made up entirely of volunteers mainly paid for and commanded by Britain.<sup>2</sup> The lack of immediate experience with conscription was coupled, in many quarters, with a sense of conscription as “un-British” and a confidence in the efficacy of the voluntary system.

That confidence is implicit in the history of the Canadian Defence League, founded in 1909 as a “non-political association to urge the importance to Canada of universal physical and naval or military training in the belief that such training conduces to the industrial, physical, and moral elevation of the whole people.”<sup>3</sup> The league advocated the compulsory peacetime military training of youths between fourteen and eighteen years of age. Granatstein and Hitsman minimize its influence, showing that only one major public meeting was ever held and that, by 1913, “the organization was in an advanced state of decay.”<sup>4</sup>

For the first years of the Great War, support for voluntarism and pride in the country’s “citizen-soldiers” was the dominant note. By late 1916, however, the tone began to change. Many individual Canadians held strong views about the necessity of conscription, as evidenced by numerous letters to the editors of newspapers, and the resolutions and delegations to the prime minister from various clubs, service groups, city councils, and churches.<sup>5</sup> As recruits became harder to find, many who had initially lauded the voluntary system joined those who had supported conscription since before the war. Throughout the summer of 1917, Canadian newspapers were full of cries for compulsion. Voices in the House of Commons, however, tended to be more circumspect. Joseph-Adélarde Descarries, the Conservative MP for Jacques-Cartier, echoed a common theme when he argued that obligatory enlistment was not needed, because “the people of Canada have given noble proof of their loyalty.”<sup>6</sup>

For those calling for conscription, a primary argument was its apparent military necessity. The commander of the Canadian Corps, Sir Arthur Currie, was sure that the draft was the best and only option. He charged bluntly that “The only solution of the problem of Canadian recruiting is conscription. My experiences in France have shown me, as a soldier, the necessity of conscription if we

desire to maintain at full strength our fighting divisions to the end of the war.”<sup>7</sup> J. Murray Clark wrote to the *Toronto Globe* that he had been in favour of conscription since the beginning of the war, “as this is the only equitable and democratic method of defending the safety of the State, which certainly is in jeopardy.”<sup>8</sup> Frank Oliver, MP for Edmonton, voiced his “own individual opinion” that “with the world in arms and with the world having adopted the principle of universal military service, for a single nation to refuse to adopt, or fail to adopt that principle is to leave itself at a very serious disadvantage.”<sup>9</sup>

Advocates of drafting soldiers often portrayed the war as being fought in Canada’s own defence, overlooking the fact that Canada, as part of the British Empire, had come to the aid of the mother country. The *Toronto Globe* urged readers to remember, “For the Allied nations this is a war of defence – the defence of national independence against the immoral ambitions of Germany.”<sup>10</sup> A pamphlet put out by a recruiting organization called the Military Service Council argued the same position: “We are in the war primarily to defend and maintain freedom and self-government in Canada.”<sup>11</sup> To emphasize their argument that this was a defensive war, conscriptionists often painted dark pictures of the results of relying on the voluntary system: “We must bear in mind that if the Germans win there will be in Canada not only conscription of wealth and men, but a more horrible conscription of women.”<sup>12</sup> Lieutenant-Colonel P.E. Blondin, at a speech in Joliette, Quebec, made a similar promise: “If Germany is victorious conscription will come, but it will come for the service of Germany.”<sup>13</sup>

This argument sidestepped the negative aspects of enacting Canada’s first draft for overseas service by reminding readers that the war was defensive in nature and that, if the changes brought about by conscription were upsetting, they ought to blame the enemy rather than the current administration.<sup>14</sup> But the focus in Canadian newspapers tended to be on conscription as a positive end in itself. An editorial in the *Toronto Globe* quoted the French socialist Jean Jaurés, who had declared that the effect of conscription would be “not to militarize the democracy but to democratize the military system.” The editor extended this premise, seeing conscription as a means to “democratize citizenship.” “The freedom of the individual is bound up with the defence of the nation. The small nations that seek freedom and independence and the untrammelled development of their civil life are forced to adopt a system of universal service. This is the case with Canada. In her search for honor and military strength and freedom she finds it only in compulsory national service.”<sup>15</sup>

Conscription, therefore, was also widely advocated on democratic grounds, as a means to ensure the “equalization of sacrifice.” A *Canadian Baptist* editorial contended that “the selective draft” was “the only equitable method between man and man. It puts rich and poor on an equality in the rank and file of the

army.” After the Military Service Act was promulgated, the *Ottawa Citizen* lauded it as “a democratic measure, calling the rich as well as the poor – indeed bearing more heavily upon the rich in that it is more difficult for a young man of means to claim exemption on the ground that his labour is needed at home for the support of his relatives.” It also suggested that the MSA was equitable between provinces and “racial groupings.”<sup>16</sup> The allusion was obviously to Quebec and the French Canadians, whose rates of voluntarism, for a variety of reasons, did not equal those of the rest of the country.<sup>17</sup> To force a rough parity of sacrifice on Quebec was a prime motivation for conscription in the minds of many of its proponents.

The broad association of conscription with equality and democracy placed conscientious objectors in a most unfavourable light. The draft promised a parity of sacrifice and a recognition of group goals that many Canadians hoped would continue after the war. Objectors had chosen to differentiate themselves from that picture of unity and to retain allegiance to different, individual goals. This left them open to charges of selfishness, along with the more predictable allegations of cowardice.

Linked to the supposed democratic advantages of conscription was the contention that to oppose it was to abandon the soldiers overseas. One letter to the *Toronto Globe* asked, “How will the men who are now wading through the depths of hell in defence of the Empire feel toward their fellow-Canadians who failed to stand by them in this crucial hour?”<sup>18</sup> The prime minister, in a speech introducing the conscription bill, praised those who had already volunteered and asked, “If what are left of 400,000 such men come back to Canada with fierce resentment and even rage in their hearts, conscious that they have been deserted and betrayed, how shall we meet them when they ask the reason?”<sup>19</sup> The Military Service Council warned that if conscription were not introduced, the “blood that was shed by valiant Canadians” would have been in vain: “If we falter we betray those who have ‘borne the battle’ for us. We cast the splendour of their sufferings and sacrifice in shadow forever.”<sup>20</sup> Prefacing his remarks with a recitation of “In Flanders Fields,” John Wesley Edwards, Conservative MP for Frontenac, Ontario, asserted his support for the Military Service Bill “because I believe it is the only means whereby we can do our duty to the men who have gone to the front and who are at present fighting in this great cause.”<sup>21</sup>

Advocates of conscription also linked it to efficiency. The voluntary system, they argued, was a haphazard one. Allowing men to choose whether they would go to war meant that those needed to maintain key industries at home might go overseas, and those whose occupations were not so valuable might remain in Canada. Only conscription would redress these inefficiencies and alleviate the manpower problems the country was facing. The voluntary system had a

further drawback in that many Canadians saw it as their duty to urge enlistment, often to the point of serious harassment, on all apparently eligible men. Robert Craig Brown and Ramsay Cook argue that compulsion was a political necessity in English Canada, especially in its urban areas, in large part because of the “frenzied atmosphere” created by the volunteer recruiting societies.<sup>22</sup> A *Toronto Globe* editorial maintained that conscription would end the “quasi-persecution” into which recruiting zeal in some places had been transformed. Selective service would mean that eligible men in mufti would no longer face such stigma; Canadians would know that those who remained at home did so because they were needed there or not needed at the front.<sup>23</sup> One man wrote to the *Toronto Globe* that, due to the frenzied atmosphere of the recruiting societies, he “could not go to a public meeting ... walk down a street ... go to Sunday school ... or Church ... without being told that I am a shirker.”<sup>24</sup> A large delegation representing recruiting leagues across the country came to the prime minister on 14 April 1916 to protest such recruiting methods and to argue for compulsion. The voluntary system, it asserted, was not voluntary at all, given the intense moral suasion to enlist. Conscription would end the harassment of those who were not overseas, because everyone would understand that they had bona fide reasons for staying at home.

This line of reasoning extended itself to eugenics, promising racial efficiency. Chief Justice T.G. Mathers of Manitoba described voluntary service as “iniquitous” because it distributed the burden of sacrifice unequally and drained the country of “its best blood.”<sup>25</sup> According to this argument, the “best” men volunteered first for the army. If they were lost, the sole remaining breeding stock would be the “inferior” men, usually of an “inferior” race, who selfishly and cravenly stayed home, sheltering behind the sacrifices of others. Mrs. C. Robertson wrote to Borden, “I know there will always be shirkers, but it’s awfully hard to see our very best going, and so many of the others to stay behind and reap the benefit of their sacrifices.” Clarendon Worrell, the Anglican bishop of Nova Scotia, protested more strongly: “Why men of infinite value to the community should be called upon to sacrifice themselves in order that a number of worthless and non-producing creatures may go on in their animal enjoyment is beyond comprehension.”<sup>26</sup>

Not everyone who supported conscription was advocating the same thing. Demands for conscription of soldiers were often accompanied by calls for a corresponding conscription of labour, male and female, and for conscription of wealth. E. Beveridge wrote to the *Manitoba Free Press*, “It is surely elementary in a democratic land that personal rights should take precedence of property rights: that, as a corollary, conscription of property should at least go hand in hand with the draft of man-power.” This was also the position of the Imperial

Order of the Daughters of the Empire (IODE), along with several other organizations, clubs, and labour unions.<sup>27</sup> The *Toronto Globe* stated its own position frankly: “Conscription? Conscription? Cram it with its ugliest, most inhuman significance and we stand for it, will enlist for it, will suffer for it. That first – the enlistment of every free citizen, of all his wealth, of all his power, of all his service, everywhere and always until this whole disproved and discredited and utterly pagan idol War, is smashed forever.”<sup>28</sup>

Robert Borden’s papers contain dozens of telegrams advocating conscription. Churches, city councils, unions, and all sorts of voluntary associations expressed their desire that their government enact compulsory measures for the equalization of sacrifice, not only in terms of fighting men, but also in terms of dollars and cents. “The conscription of fighting men,” wrote the *Toronto Star*, “carries with it an obligation to conscript all the essential resources of the country and to place the nation on a war footing.”<sup>29</sup>

Some Canadians did speak out against the draft. In spite of other editorial allusions to the Militia Acts, early negative responses to the calls for conscription often discussed the lack of historical precedent for such a move. Onésiphore Turgeon, long-standing Liberal MP for Gloucester, New Brunswick, found talk of conscription antithetical to the aims of the war. “We are engaged in this war,” he argued, “for the very purpose of effacing, if we can, conscription from the face of the earth.”<sup>30</sup> Fears about national unity also caused some to hesitate about conscription. A 1916 *Toronto Globe* editorial had argued that conscription was not practicable in a country “so mixed racially as Canada.”<sup>31</sup> For some Canadians, the disruption promised by conscription, especially between French and English Canada, overwhelmed its possible benefits. The Liberal leader and former prime minister Wilfrid Laurier was the strongest proponent of this view, though he also argued that conscription would deal “a severe blow to our policy of immigration.”<sup>32</sup>

Furthermore, the “citizen-soldier” was an important part of the myth of the war, and voluntary service was necessary to maintain that character of Canadian identity. Author and social reformer Nellie McClung linked conscription, at least rhetorically, to slavery.<sup>33</sup> But S.D. Chown, general superintendent of the Methodist Church, argued that resorting to conscription should have no negative effects on Canadian integrity: “It is probably no more detrimental to moral character than the voluntary system, inasmuch as since killing must be done, our men should feel that they are executing the stern and righteous will of the nation rather than performing a self-imposed task.”<sup>34</sup> If some men felt they could not kill, conscription, in this light, could offer an abdication of personal responsibility: the country as a whole, not the individual, had decided on the necessity of fighting.

One letter to the *Toronto Globe's* editor called for a plebiscite and for a conscription of wealth along with that of men. The author felt that most of the country opposed conscription but remained silent to avoid making trouble for the government in such an important time. It is interesting that voices against conscription also used democratic rhetoric to support their contentions. They focused, as well, on class issues. Many radical labour leaders opposed conscription, seeing it as a precursor to industrial conscription and vowing that workers would lay down their tools if Ottawa enacted such a policy.<sup>35</sup> Some labour leaders even argued that, though conscription might be necessary for the upper classes, the labouring classes were already sufficiently well represented at the front.<sup>36</sup>

Almost absent from this debate was any mention of pacifism. Pro-conscriptionists talked of efficiency and equality, whereas anti-conscriptionists countered with predictions of social division and labour strife. That some people might have a conscientious objection to conscription hardly registered. Given what was to come, this was not surprising.<sup>37</sup>

THE PRECURSOR TO CONSCRIPTION, although the Borden administration never admitted as much, was national registration. In the first week of January 1917, Canadian males between the ages of twenty and forty-five were asked to fill out cards with information on their age, parentage, nationality, physical condition, profession, and whether or not they were willing to perform national service by enlisting in the Canadian Expeditionary Force (CEF) or taking up special employment. The stated goal of national registration was the more efficient use of Canadian manpower, but it elicited some trepidation. Social reformer J.S. Woodsworth objected to registration because the people had not been consulted and because he believed that conscription of material possessions should rightly precede conscription of manpower.<sup>38</sup> Editorials and letters to the editor, however, were mainly supportive. The *Manitoba Free Press* argued that Canadians had a duty to comply with registration and tried to calm those who feared it as the vanguard of conscription: "The question as to the use to be made by the Government of the information supplied does not affect the duty of the citizen to reply to the question ... If no compulsion to service of any kind follows, no citizen will have cause for complaint. Should compulsion be proposed it can become effective only if assented to and supported by the majority of the people. And the question how far the majority is justified in imposing its will on the minority, especially in matters of conscience, will then have to be decided."<sup>39</sup>

The *Free Press* likened the registration to a simple census and advised against making trouble where it was unnecessary. There was some opposition to registration from organized labour, who feared conscription of labour, but very little

on pacifist grounds.<sup>40</sup> Some members of the historic peace churches had qualms about filling out the cards. The Bergthaler Mennonite Church in Manitoba refused to participate in the registration process and instead submitted a list of its members. Apparently, this was deemed sufficient, as the government made no attempt to force the issue. The other historic peace churches, after reassurances from Ottawa, complied with the request.<sup>41</sup> Approximately 80 percent of Canadian men filled out the cards, and returns showed that the estimated pool of available men numbered 286,976.<sup>42</sup>

The results of national registration were not yet tabulated when Robert Borden left for England on 12 February 1917 to attend the Imperial War Conference, the War Cabinet, and to visit the front.<sup>43</sup> The British prime minister hoped to convince him that conscription was necessary. David Lloyd George, on opening the War Cabinet, was clear about what he needed from Borden and Canada: “the first thing we must get is this: we must get more men.”<sup>44</sup> Borden also visited the four-division Canadian Corps and found the need for reinforcements to be “urgent, insistent and imperative.” Keeping the corps up to strength would require seventy-five thousand men a year, but there were only ten thousand in England and eighteen thousand in Canada; fewer than five thousand had joined the Canadian Expeditionary Force in March, and almost none of these had joined the infantry.<sup>45</sup> What Borden saw at the front was apparently the key element in his decision: “What I saw and learned made me realize how much more critical is the situation of the Allies and how much more uncertain is the ultimate result of the great struggle.”<sup>46</sup> Whatever had been in his mind before he left Canada, he returned home convinced of the necessity of conscription. Borden stressed that the decision to end the voluntary system was an independent one, effected by his meeting with the Canadian soldiers, and denied the suggestion that he was influenced by any request for conscription from the British prime minister.

Several letters to newspapers and to Borden had argued that conscription did not need to be the subject of an election, as it had always been law in Canada. However, the Borden administration chose to have Solicitor General Arthur Meighen draft a new act, because the old Militia Act raised men by lottery, which was deemed too inefficient for a time of total war, when selective service was needed to keep necessary industries going. But Borden emphasized that the Military Service Bill was not a novel measure: “The compulsory clauses in this Bill are precisely of the same character, and based upon the same principles, as those which have been in force in this country since 1868.”<sup>47</sup>

By this time, the matter of conscientious objection had entered the discussion. W. Lambert wrote to offer his congratulations to the prime minister, calling the conscription bill “the best thing you ever did.” He had some advice for Borden,

however, about what grounds for exemption should be included: “But for Gods sake dont [sic] put in any conscientious objector’s clause. I was in England when Mr. Asquith brought his bill with the conscientious objectors clause in. And that clause caused no end of worry and headache for the tribunals. It also caused a great deal of injustice.”<sup>48</sup>

That same day, Borden received another letter offering contrary counsel. On behalf of the Christadelphian Church of Canada, Edwin Hill expressed concern that, “In their excusable anxiety in directing public affairs,” His Majesty’s government “may when drafting ‘Public Conscription’ for Military and National service overlook those of His Majesty’s Royal subjects, whose religion forbids their being engaged in war, Military or Naval, and may not provide such provision for them as was done in Section 11 and 12 of the Militia Act II and VII, Chap III.”<sup>49</sup>

Acknowledging Borden’s busy schedule, Hill inquired politely whether a formal petition might best be made in person or by mail. Like Lambert, he cited the example of protection for conscientious objection in Britain and in the American Civil War; unlike Lambert, he urged that the Borden administration follow these precedents.<sup>50</sup>

The Military Service Bill was introduced in Parliament on 11 June 1917. Its debate centred largely on exemption for farmers. The conscientious exemption clause was discussed in the House only once, when Emmanuel Devlin, a Liberal MP representing Wright, Quebec, questioned Minister of Justice C.J. Doherty about which religious denominations would be exempt and whether a man “who declares before a tribunal that he cannot conscientiously take up arms for the killing of another human being” would be exempt. Doherty explained that an individual conscientious objection would need to be paired with membership in an organized and well-recognized religious denomination, and clarified the benefits of this: “Now the questions, what are the tenets and articles of faith, and what is an organized religious denomination well recognized in Canada, are all matters of fact susceptible of proof otherwise than by the mere statement of the applicant.” In response, Devlin observed that “a man [would] have no right to decide according to his conscientious beliefs.” So too did C.A. Wilson, MP for Laval and another Liberal, who argued for some further consideration, using the illustration of the courts’ flexibility in allowing affirmations for those whose religious beliefs prohibited them from taking oaths. There was some discussion about the necessity of three levels of tribunals and some deliberation about which specific religious groups might properly be included in the act. Meighen, however, refused to specify denominations. He demonstrated the need for an exemption clause based on “question[s] of fact” (proof of church membership, rather than a statement of conscience) by describing the problems

faced in Britain by the larger-than-expected number of men taking advantage of that country's conscientious objection clause.<sup>51</sup>

The Military Service Act was signed into law on 29 August 1917. It declared that all male British subjects between the ages of twenty and forty-five were liable for military service and grouped them into six classes according to age and marital status. When a man's class was called up, he was deemed to be an enlisted soldier subject to military law. The MSA contained a schedule of categories for exemption from service. These included workers in essential war occupations, certain specially qualified workers, those whose enrolment would result in serious hardship for their families due to financial or business obligations, and those suffering from ill-health or infirmity. The last ground for exemption from military service was that a conscript "conscientiously objects to the undertaking of combatant service and is prohibited from so doing by the tenets and articles of faith, in effect on the sixth day of July, 1917, of any organized religious denomination existing and well recognized in Canada, at such date, and to which he in good faith belongs."<sup>52</sup> This was a much narrower definition than in Britain, which, though it arguably had as its main focus the scruples of groups such as the Society of Friends, did not specifically require religious affiliation as grounds for conscientious exemption from compulsory military service. The British act simply offered as the fourth and last possible ground for exemption that a man have a "conscientious objection to undertaking combatant service."<sup>53</sup>

The framers of the MSA had followed the progress of conscription in Britain, and the limitations in the Canadian act seem in part a response to the difficulties raised by the rather more generous grounds for conscientious objection in the British act.<sup>54</sup> The Military Service Council explained the decision to restrict exemption to religious organizations simply by reminding Canadians that "the thought of man is not triable."<sup>55</sup> Religious affiliation, by contrast, was more easily verified. The exemption clause in the original British legislation had also led to problems with tribunals unsure about whether they could offer absolute exemption or exemption from combatant service only. The conscientious objection clause was eventually clarified: "Any certificate of exemption may be absolute, conditional, or temporary, as the authority by whom it was granted think best suited to the case, and *also* in the case of an application on conscientious grounds, may take the form of an exemption from combatant service only, or may be conditional on the applicant being engaged in some work, which, in the opinion of the tribunal dealing with the case, is of national importance."<sup>56</sup>

This was the most open conscientious objection clause of any country during the First World War. However, John Rae also describes the British act as having "the defect of its virtues ... The provisions of the other countries might have

been narrow, but they were unambiguous; and they did not leave the crucial role to bodies of locally elected men.”<sup>57</sup>

In drafting conscription legislation, Canadians had a further example in New Zealand, which had also had conscription since 1916. In New Zealand, a man could appeal against military service on the grounds “That he was on the fourth day of August, 1914, and has continuously been a member of a religious body the tenets and doctrines of which religious body declare the bearing of arms and the performance of any combatant service to be contrary to divine revelation, and also that according to his own conscientious religious belief the bearing of arms and the performance of any combatant service is unlawful by reason of being contrary to divine revelation.”<sup>58</sup>

Like Canada, New Zealand provided exemption only to members of religious groups, not on individual grounds. The act in that country also provided that the Military Service Board – the judicial body to which all appeals were to be made – should not allow any appeals on the grounds of conscientious objection “unless the appellant shall signify in the prescribed manner his willingness to perform such non-combatant work or services, including service in the Medical Corps and the Army Service Corps, whether in or beyond New Zealand, as may be required of him at such rate of payment as may be prescribed.”<sup>59</sup> Appellants, therefore, could not gain absolute exemption from military service on conscientious grounds.

The United States had also enacted conscription legislation soon after its late entry into the war. Its clause providing exemption on conscientious grounds developed and expanded over the course of the conflict but was relatively vague for the first part of the war.<sup>60</sup> The Selective Service Act of 18 May 1917 offered only the option of non-combatant service and only to members of recognized peace churches.<sup>61</sup> A December 1917 directive of the US Army adjutant general’s office urged draft boards to treat those with “personal scruples against war” as conscientious objectors. On 20 March 1918, President Woodrow Wilson issued an executive order allowing secular and unchurched religious objectors to opt for non-combatant service.<sup>62</sup>

Australia was the only country to have a plebiscite directly on the subject of conscription, and Australians twice voted against the draft. The governor general blamed its defeat on “the Irish Catholics, the women’s vote, and a large section of the agricultural population who, he claimed, objected to the land being denuded of labour.”<sup>63</sup> Australia did have conscription for home service and, since 1903, had had compulsory military training, or “boy conscription,” under the Commonwealth Defence Act. Exemption from combatant service alone was provided to “persons who satisfy the prescribed authority that their conscientious beliefs do not allow them to bear arms.”<sup>64</sup> Hugh Smith posits that this

wider basis for exemption existed because Australia did not have an established church: “In a country without an established religion the individual’s religious beliefs were not to be the sole criterion for exemption.”<sup>65</sup>

Canada had chosen a more clearly delineated definition of acceptable conscientious objection to military service than Britain and the United States, but even that was open to a degree of interpretation. A further limitation and development of Ottawa’s definition of conscientious objection came when the central appeal judge ruled that only sects for which pacifism was integral, that is, for which acceptance of military service would mean expulsion for the individual concerned, would fall under the terms of the exemption clause. Since the religious groups qualifying for exemptions were not specifically named in the MSA, registrars depended on rulings by the central appeal judge to determine the legitimacy of certain claims. Central Appeal Judge Lyman Duff, who also sat on the Supreme Court of Canada, eventually ruled that Mennonites, Tunkers, Christadelphians, Seventh-day Adventists, and Quakers all qualified as bona fide pacifist sects eligible for exemption. Denominations such as the Plymouth Brethren and the Pentecostal Assemblies did not meet Duff’s criterion of having pacifism as an integral doctrine. Significantly, individuals from the eligible denominations did not receive a blanket exemption but were required to prove both their membership in an exempted group and their own personal objections. In practice, this tended to apply less strictly to the Quakers and the Mennonites than to the other groups.

In addition to this, and rather confusingly, certain groups were *excepted* from the act, including “Those persons exempted from military service by Order-in-Council of August 13, 1873, and by Order-in-Council of December 1884.”<sup>66</sup> This referred to the Doukhobors and Mennonites whose immigration to Canada had been based largely on explicit pledges of such exemption from military service. Borden explained this exception in an otherwise intentionally universal measure: “It is absolutely clear that the faith of a country thus pledged must be kept.”<sup>67</sup> The framers of the MSA believed they had found a solution to the important and awkward problem of how to define conscientious objection. However, the definition was not fixed and would evolve during the war, as various religious groups made their cases for inclusion within the terms of the act and as these claims were accepted or rejected.

CONSCRIPTION BECAME LAW in Canada on 29 August 1917, but the new Military Service Act had no immediate effect upon the number of men sent to the front. To give legitimacy to such a potentially divisive law, the Borden administration decided it needed to form a coalition government. The Conservatives had already extended their mandate once, and although the British government offered to

pass an amendment to the British North America Act to enable it to be extended a second time, Borden deemed this likely to undermine “the moral authority of the Government.”<sup>68</sup> There had been calls for a Union Government, and an end to supposedly divisive and wasteful party politics, since early in the war. But, on 6 June 1917, Sir Wilfrid Laurier, the leader of the opposition, advised Borden that he could not accept conscription and would therefore not enter a coalition government that adopted such a policy. Many members of his Liberal Party, however, did support conscription and defected to Borden’s new Union Party, formed on 12 October 1917.<sup>69</sup>

The election of the Union Government on 17 December 1917 gave Borden’s Unionists a strong majority (outside of Quebec) and seemed to offer proof of the overwhelming preponderance of pro-conscription sentiment.<sup>70</sup> However, the true situation was less straightforward than this. Prior to the election, the Conservative government had passed the Wartime Elections Act, which enfranchised the mothers, wives, sisters, and daughters of soldiers. Under the act, naturalized immigrants from enemy countries who had arrived in Canada after 1902 lost the right to vote. Also disenfranchised were enemy aliens, conscientious objectors, Mennonites, and Doukhobors. Opponents saw these changes as egregious machinations whereby those who might be relied upon to vote with the government were enfranchised and those who might not, or who had earlier been Liberal supporters, had their right to vote removed. Wilfrid Laurier remonstrated that “this act is a blot upon every instinct of justice, honesty and fair play ... It takes the franchise from certain denominations whose members from ancient times in English history have been exempt from military service, and who in Great Britain never were, and are not now, denied the right of citizenship.”<sup>71</sup> Also decried was a new Military Voters Act that allowed a soldier to vote simply for the government or the opposition and, if he could not specify his riding, permitted organizers to choose the constituency where his vote would be counted. Neither was the election campaign an exemplary one. Desmond Morton has called it “one of the ugliest in Canadian experience.”<sup>72</sup> Because of the deliberate and spiteful portrayal of French Canadians as slackers at whom conscription was aimed, Granatstein and Hitsman refer to the campaign as “one of the few in Canadian history deliberately conducted on racist grounds.”<sup>73</sup> Thomas T. Shields was merely representative of the general tone of the election when he wrote to the *Canadian Baptist* calling Henri Bourassa a traitor and asking, “Shall Quebec, which has done nothing to help win the war, dominate the rest of Canada?” For Shields, as apparently for many Canadians, a vote against the Union Government was a vote “for the Kaiser.”<sup>74</sup>

Under the Wartime Elections Act, conscientious objectors were deprived not only of the right to vote, but also of the right to claim CO status if they did vote.

Few Canadians protested. Even the *Toronto Globe*, though in gentler language than most, agreed with the new ruling: “War service should be the basis of war franchise.” The COs themselves, the paper believed, would probably share its viewpoint: “We find no fault with them for their beliefs. This is a free country and they have been welcomed to our shores, but they will, I am sure, deem it not unfair that those who are liable to do battle and to all the sacrifices of the war should constitute the democracy which controls the destiny of the country in the time of war.”<sup>75</sup> Many of the disenfranchised, including the Mennonites, Doukhobors, Christadelphians, Plymouth Brethren, and the International Bible Students’ Association, did see participation in politics as an interaction with the sinful secular world that should generally be avoided. The *Globe’s* contention, then, had at least some substance.

Conscientious objectors, to the many who agreed with their disenfranchisement, were deprived of the vote because they were not fulfilling the normal obligations of a citizen. In an article for the *North Atlantic Review*, British economist and social reformer Sidney Webb agreed, arguing that an individual, no matter what his conscience told him, was obliged to defer to whatever his government decided was right: “The individual citizen has committed the conduct of the nation’s collective affairs to the Government, and whether the Government acts as he thinks unwisely, his obligation and duty as a citizen is, so far as action is concerned, to acquiesce in their judgement at any rate until the next Election Day comes round.”<sup>76</sup> Webb’s argument is eloquent, though based on the conception of a limited and obedient citizenship.

It is important to remember that voting was the prerogative of masculine, adult citizenship. Because of this, removal of the franchise was not just a punishment for the objectors’ dissenting behaviour, but also a slur on their manhood. That the Wartime Elections Act enfranchised female relatives of soldiers made patent the sense that war service was the basis of citizenship and that, in these terms, conscientious objectors were beyond the pale.

Their disenfranchisement involved more than ideas about appropriate masculine behaviour. Although it is not explicitly stated, the CO separation from the unifying patriotism of the war was, arguably, seen as most serious in that it threatened the brave new world that Canadians hoped and believed would follow the Great War. This offers a partial explanation for why CO disenfranchisement sparked so little protest. At best, objectors were opting out of the bright future that lay ahead; at worst, they were sabotaging it. In diverse ways, various individuals and groups imagined the remade world that would arise from the sacrifices of the war. The focus was variously on church unification, political equality for women, social improvement for the poor, or Canada taking a leading role in the British Empire. Sacrifice improved character, and the sacrifices

of the war, individual and national, *had* to mean a better post-bellum political, social, and religious environment. Conscientious objectors seemed to be shirking the sacrifices of the war and giving the lie to the optimistic picture of Canadian unity.

Some Canadians did protest the disenfranchisement, on the grounds that its limitation of individual freedom greatly resembled the “Prussianism” the Allies were avowedly fighting to destroy. Quoting Lord Hugh Cecil, speaking in the British Parliament against a similar disenfranchisement, A.W. Keeton reminded the *Christian Guardian* of the German chancellor’s reputed quote of “*Salus populi suprema lex*” – the safety of the state is the highest law. He warned readers that if they accepted this disenfranchisement, they were becoming that which they wished to destroy.<sup>77</sup> James E. Lawrence asked,

What manifestation of the true spirit of democracy can be expected from such political autocrats as they who, fearing an appeal to the electorate of the country as a whole on the merits of their past conduct and present policy, and, presumably upon a former, though expired, mandate from that same constitutionally enfranchised electorate, deliberately repudiate its unimpeachable qualification, and substituted therefor one based, as to its negative effects, upon racial sentiment, and as to its affirmative effects, upon family affection and patriotism of a sort most favourable to their policy – a policy furthermore, framed on an issue which has heretofore been practically tabooed in Canada?<sup>78</sup>

The platform of the Union Government was for a vigorous prosecution of the war, the immediate enforcement of the MSA, and the extension of the franchise to certain women. It promised measures to prevent excess war profits and to encourage cooperative management of transportation and agriculture.<sup>79</sup> The Union Government offered an image of “standing together” and necessary harmony. It was not an easy one to vote against.

It is also important to be aware that the election was not simply a referendum on conscription. It was a vote for or against the Union Government, and a negative vote, for many people, implied dissatisfaction with the entire war effort. In the *Canadian Baptist*, S.J. Moore of Toronto urged readers to understand that “the faults of the Borden administration are not the issue.”<sup>80</sup> What did seem to be the defining issue was the need for equality of sacrifice, which meant that a defining issue was also Quebec. Sergeant-Major Gordon M. Philpott voted for the Union Government from a hospital in France and wrote a letter to his mother that was published in *The Chancellor’s Correspondence* of McMaster University: “An officer came in to get my vote in the Dominion Election and I voted for conscription. The nurse smiled approvingly and said we should have

had conscription long ago. I replied that I was not voting for conscription but against the French Canadians, and on a straight vote for conscription would vote against it.”<sup>81</sup> Whatever their individual reasons, Canadians voted the Union Government into power on 17 December 1917. G.W.L. Nicholson credits the votes of soldiers overseas with having a significant effect on the outcome. Desmond Morton generally agrees. It seems fair to infer from his study that the soldiers would probably have voted as they did without the intervention of the Military Voters Act and that the legislation itself had little impact on the election.<sup>82</sup>

With the election of the Union Government, the Military Service Act finally came into force. If conscientious objection had seemed a selfish and undemocratic response before, it was even more so now, after the majority of Canadians had apparently deemed conscription necessary. The decision not to join the military seemed to many people a repudiation of the democratic consensus that had agreed on the necessity of military conscription. Even though the MSA contained a clause admitting exemption on conscientious grounds, few expressed sympathy for those who chose this route.

BY THE TIME the new Parliament met on 18 March 1918, machinery for the enforcement of the MSA had been set up under the control of the Department of Justice, as “it is not desirable that these inquiries should be conducted by the department which is to take charge of the men when they are once enrolled. These matters are rather of a judicial character until the question of exemption or liability is finally determined.”<sup>83</sup> A Military Service sub-committee representing the Department of Militia and Defence was headed by the chief of the general staff, Major-General W.G. Gwatkin. On 3 September 1917, a Military Service Council, acting directly under the minister of justice, was created “to advise and assist in the administration and enforcement” of the act. On 15 June 1918, its duties were taken over by the Military Service Branch of the Department of Justice under its director H.A.C. Machin.<sup>84</sup> To judge the validity of an individual’s grounds for exemption from military service, 1,395 local tribunals were set up nationwide. A man unhappy with the decision of his local tribunal had recourse to one of the 195 one-man appeal courts throughout the country. The final step was the Central Appeal Tribunal, where the merits of the case were decided by Justice Lyman P. Duff of the Supreme Court of Canada. If the military authorities were unhappy with a tribunal’s decision, they could appeal it to the higher courts as well.

The slow process of setting up exemption tribunals and selecting judges began with an effort at fairness. Each tribunal had two members, one appointed by the county judge in the district concerned and one selected by a joint committee

of Parliament. However, in practice, some problems did occur. The local tribunals, in general, were made up of respected local figures who represented the patriotic elements of society. A *Toronto Globe* article announcing the names of those appointed for Toronto and York County commented approvingly, "Almost all of these men are lawyers and well known in the profession, and hold the respect of citizens generally. A number of them are represented at the front by sons or close relatives, which augurs well for the strict enforcement of the act." Senior County Judge Winchester, for example, had a son wounded at the front, as did Judges Coatsworth and Denton, who would serve with him at the City Hall tribunal. E.J. Hearn, K.C., who had one son wounded and another at the front, would sit at the tribunal in the Canada Life Building. Horace G. Ramseden, who would serve in the Mount Albert tribunal, had one son at the front and another wounded and returned home.<sup>85</sup>

The system of local tribunals was similar to, and based partly upon, the system in Britain. The tribunals were locally based because, presumably, members would be likely to know the applicants and their situation, or their history of doing religious, social, or pacifist aid work. A September article in the *Montreal Star* explained the benefits of the system to readers: "Questions of exemption will be determined, not by military authorities or by the Government, but by civil tribunals composed of representative men who are familiar with local conditions in the communities in which they serve, who will generally have personal knowledge of the economic and family reasons which those whose cases come before them have had for not volunteering their services and who will be able sympathetically to estimate the weight and importance of such reasons."

An advertisement issued by the recruiting organization the Military Service Council also promoted this means of selection. The tribunal members' familiarity with local conditions made them "well-fitted to appreciate such reasons for exemption as are put before them by men called up."<sup>86</sup> One letter to the editor of the *Toronto Daily Star*, predating the implementation of compulsion, agreed with the need for locally based tribunals. The writer saw little trouble for the court in distinguishing between the conscientious and the unscrupulous objector: "A conscientious objector is altogether likely to be a marked man in the neighborhood where he lives, and to have made his convictions known long before the war. An examination of a few of his neighbors would reveal the facts, and allow the tribunal to judge his sincerity and general character."<sup>87</sup> Although this seems simple enough, it also illuminates the difficulty in relying on popular opinion to assess the appropriateness and legitimacy of an individual's stand. The tribunal would be assessing not just the strength of a conviction, a difficult task in itself, but also the "general character" of the neighbour in question, a

decision whose results could be quite arbitrary and open to abuse, especially when the use of a phrase such as “marked man” suggests where sympathies might usually lie.

The tribunal system was not as efficient as it might have been, and Canadian tribunals faced problems with real and apparent inconsistencies in decisions.<sup>88</sup> Granatstein and Hitsman mention one army officer from St. Catharines, Ontario, who reported that his tribunal “is not likely to grant many exemptions, they are the hottest bunch I have seen, they will hardly excuse E-men [those of low medical category], and I believe a dead man would even have to show good reason.”<sup>89</sup> Tribunals in Quebec, conversely, were perceived as overly willing to exempt appellants. Every student at Laval University, for example, received exemption. Borden deplored this situation, commenting in his diary that, in Quebec, “wholesale exemptions seem to have been granted.”<sup>90</sup>

An impression of the elements of a typical tribunal, and of attitudes concerning those who claimed conscientious objection, can be gleaned from the *Toronto Daily Star* account of the tribunal of Arthur Bourgeois, a member of the International Bible Students Association (IBSA). The reporter likened the proceedings to a battle: “Bible quotations flew around Tribunal 362 Saturday afternoon like shrapnel around Passchendaele last week. The engagement, which opened with a few little preliminary skirmishes and raids Thursday and Friday, came to a general engagement Saturday afternoon and it was long after union hours when it ceased.” Who represented the Allies in this contest was obvious: “Bourgeois wasn’t downed without a lively battle. He spat and sputtered Biblical quotations like a Boche machine gun and gave the tribunal quite an argument before he was finally downed.”<sup>91</sup> By the same token, though the tribunal members were identified respectfully as Mr. Irwin, Mr. O’Rourke, and Major (Canon) Dixon, Bourgeois was referred to simply by his last name.

In Bourgeois’ hearing, the conscientious objector and the local tribunal shared a Christian discourse, their arguments tending to focus on how to weigh and properly interpret biblical injunction. Some of the biblical arguments that Bourgeois employed to justify his pacifist stance were used by conscientious objectors of many other religious backgrounds. He “insisted that he was not of this world” and said he followed the biblical mandate to love one’s neighbour.<sup>92</sup> The members of his tribunal, also following a general pattern, responded with the same language and evidence, offering the biblical directive to obey laws and citing the precedent of Jesus driving the money-changers out of the temple to show that the use of force was biblically justified.

The *Star* article reported that Bourgeois had been heard discussing conscription with Clay, “another conscientious objector of the same ilk ... for a year or so.”<sup>93</sup> The two men had been overheard declaring that they would rather be shot

than go to the front. The judges did not interpret this as evidence of their sincerity. When conscription became a possibility, Bourgeois, like many Bible Students, had sworn an affidavit stressing his objections to undertaking military service. The affidavit was presented at his tribunal, but the members responded to it with annoyance: “‘This is getting a bit too thick,’ remarked Chairman Irwin as he examined the papers. ‘Here is a Class A man, who claims that he is a conscientious objector, presenting an affidavit setting forth his objections to military service on a printed form. That looks too much like an organized attempt to evade military service. It is astonishing that such things should be permitted. This affidavit looks as if it came from England.’”<sup>94</sup> The affidavit challenged accepted notions about the unworldliness of the standard CO and seemed to present a dangerous level of organization. The somewhat cryptic remark regarding the document’s English origin is probably a reference to the No-Conscription Fellowship in that country. This organization provided support and counsel to conscientious objectors of all religious and political affiliations, and was distrusted by most of the British government and tribunal system.<sup>95</sup>

Other reports suggest that the biblical discourse characterizing Bourgeois’ hearing was common. In one incident, somewhat amusing given the biblical focus, a conscientious objector expressed surprise and disbelief when members recounted the episode in which Jesus drove the money-changers from the temple. They in turn were apparently shocked at his ignorance of it, but collectively could not find the passage themselves, “so their assurances had to suffice until Wilson [the CO] had time to find out for himself.”<sup>96</sup>

Another objector, David J. Nichols, a thirty-four-year-old grocer who gave his religion as “Brethren,” referred to himself as an “ambassador of Christ” and a “citizen of heaven” when he appeared before his own tribunal.<sup>97</sup> Twenty-year-old Arthur Clarence Guest used the same terms. These specific phrases, and the general sense of separateness from political events, were common to many objectors. In their tribunals, COs often referred to the biblical injunction to “turn the other cheek” and insisted that bellicose behaviour was not justified in the Bible or in the example of Jesus’ behaviour. Hugh Roberts told his tribunal that the group with which he worshipped “followed the teachings of the New Testament to live in peace with all men.”<sup>98</sup> Johnston Marks, too, quoted Bible verses to his tribunal judges, showing that a Christian must love his enemies. Marks, a Tunker, also defended his position using the biblical directive not to be unequally yoked with unbelievers.<sup>99</sup> This was a common component of conscientious refusal and a plank in the doctrine of denominations of Anabaptist origin.

The attitude of many tribunal judges showed a limited comprehension of conscientious objection, something that is understandable in such a heated

atmosphere presided over by judges largely untrained in the specifics of the subject. The newspaper records show that objection often included (and includes) both a negative obligation not to kill and a positive obligation to resist the state machinery that sponsored killing, but the tribunals did not recognize this. In addition, they expected objectors to oppose all war and all violence. Tribunal judges typically asked COs how they would behave if their sister or mother were being attacked. Newspaper accounts of tribunal proceedings nearly always reported this question, treating it as if there were no difference between defending family members and participating in state-sanctioned killing. Robert Thomas Wilson replied to this ubiquitous question that he would give battle to a man attacking his mother but would not kill him.<sup>100</sup> In the discourse of Canadian tribunals, acceptance of any level of force under any circumstances was read as evidence of hypocrisy in claiming conscientious objection.

Many objectors argued that they could not participate even in non-combatant service, because they could not put themselves under military authority. For instance, this was a component of Christadelphian efforts to gain exemption from non-combatant service as well as from actual killing.<sup>101</sup> During the Second World War, provision was made for objectors to undertake work of national importance under civilian direction, but during the First World War, the makeshift character of conscription and lack of familiarity with COs mitigated against such a flexible response.

The tribunal system's difficulties in judging intangible consciences, especially at a time of such national stress, were exacerbated by the fact that it tended to sift out less-established and less-articulate believers. For many objectors, the appearance before a tribunal constituted their first public expression of their beliefs. Many, especially those from Anabaptist groups, came from isolated communities, and some had a limited grasp of the English language. The adversarial and public setting would obviously have been traumatic, especially for the youngest men. For those who claimed a conscientious objection, success depended, to a significant degree, less on the strength of their conviction than their ability to articulate it effectively.

The manner in which some men attempted to explain their position also highlights another aspect of the language problem. The account of Arthur Clarence Guest's tribunal reported his efforts to claim exemption: "In the course of a long epistle he endeavoured to show the tribunal that he did not believe in killing and said he was an 'ambassador of Christ.' He also referred to himself as a 'citizen of heaven,' and was only 'temporarily here on earth.' His religious professions availed him nothing and the court refused exemption."<sup>102</sup> Guest, who was twenty years old and an IBSA member, gave his profession as canvasser. He spoke for some time but seemed not to realize what information the tribunal

was looking for. In the accounts of some cases, the earnestness of the objectors is touching, but in the tribunals' eyes, their energies were often misdirected. Sincerity alone would get them nowhere, even in the unlikely event that it did elicit sympathy. These men were trying to convince their judges that they truly believed they could not serve in the military. The strength of their convictions was immaterial, however, because their convictions were their own, not the established pacifist tenets of an organized church, the sole grounds on which the tribunals could accept conscientious objection.

James Patterson's statement to his tribunal offers a more formal and well-rehearsed explanation, although the grounds are similar to those expressed by Guest: "As a Christian, disciple of our Lord Jesus Christ, and member of the fellowship of God's son, I claim exemption from military service under the 8th clause of the MSA, being a member of the community for seven years. Believing that the teachings of our Lord Jesus Christ for his disciples are that as 'they are not of the world even as I am not of the world.' John 17, 16. I take no part in the ruling of this world, not exercising a vote for either municipal, Provincial or Federal Government."<sup>103</sup> What is interesting about Patterson's statement is that its arguments are very similar to those used by the historic peace churches. Patterson, along with men making a similar claim, differs only in that he made it on an individual rather than a group basis.

The exemption hearing of Hugh Roberts, an Eaton's salesman, also illustrates the problems faced by the judges in trying to reconcile the individual claim for conscientious objection and the limited definition under the MSA. Roberts told the tribunal that he belonged to no particular church, but to a religious, non-sectarian group that met in a house. They were known simply as Christians. The *Toronto Daily Star* reported the subsequent exchange:

"We want some proof that you belong to this religious body," said Mr. T.W. Self, at Tribunal 371. "Is your church recognized?" "Yes, by God." "Are you organized," asked Mr. Wilkie. "Yes sir we are organized according to the New Testament. We have an overseer. The religious body meet in his home. From twelve to fifteen meet there every Sunday." "Is the overseer on salary?" asked Capt. Beaty. "No sir." "How long has this body been in existence?" asked Mr. Wilkie. "Since the time of Christ." "How long have you been a member?" "For about 5 1/2 years," replied the applicant. "Have you any doctrines?" "None but what are in the New Testament."<sup>104</sup>

Although the tribunal's military representative did wonder what Roberts' group would do were a regiment of Germans to come over, the judges in this case seem to be struggling to be fair and to find some way in which the group might meet MSA requirements.

It is easy to be critical of the tribunals, but important to remember that the judges faced a difficult task and were quite overworked. The tribunals were under a great deal of pressure to provide reinforcements, and Thomas Socknat argues that the judges tended to look especially askance at requests for exemption on conscientious grounds because “they and the majority of Canadians were not well acquainted with religious pacifism, and neither understood nor trusted the variety of claimants.”<sup>105</sup> Many Canadians had never encountered these people and their beliefs before. For example, when asked for his religious affiliation, CO Clifford Leroy Fletcher told his recording officer that he was a Seventh-day Adventist. The name apparently meant nothing to the officer, who replied “I asked you what religion.”<sup>106</sup>

IF THE GROUNDS on which these men sought exemption were unusual, the fact that they were asking for it was anything but. Once Canadian men began to report, it became evident that almost all of them were seeking exemption. On 18 October 1917, the *Montreal Star* noted that, of the 896 men who had reported in Montreal thus far, all but 59 had sought exemption, only “a trifle over 7 per cent” being ready to serve. Other cities reported similar results. By the end of 1917, when the final results of the year were available, 404,395 Canadians had reported; of those, 380,510 had sought exemption, leaving only 24,000 men who had been willing to serve in the army from the outset. In Ontario, 118,000 of 125,000 had sought exemption, in Quebec, 115,000 of 117,000. Nationally, 93.7 percent of those called asked to be excused from serving.<sup>107</sup> And many of them were granted exemption. By the war’s end, local tribunals had heard over 300,000 appeals, granting exemption in 86,000 cases. Approximately 42,000 persons were involved in appeals before Justice Duff at the Central Appeal Tribunal, and roughly half of these were ordered to service.<sup>108</sup> Although the majority of Canadians had supported conscription as a means of equalization of sacrifice, they had apparently supported it as appropriate for someone else.

The Borden administration’s response to this widespread disinclination to be drafted – and to the German spring offensive of March 1918, which put the Allies’ backs to the wall – was to pass an Order-in-Council that cancelled all exemptions. In April 1918, all single men between the ages of twenty and twenty-three were deemed to have enlisted. This was controversial, and there was some protest that it was illegal. R.B. Bennett took it to the Supreme Court, but pacifists voiced little public protest.<sup>109</sup> The farmers, however, were outraged. They had been promised exemption for their sons under the Wartime Elections Act; the removal of that exemption seemed no more than government skullduggery, as well as poor policy at a time when food production should have been paramount. The cancellation of exemptions affected the traditionally agrarian peace

churches in another way because many members had applied for, and received, exemption on the basis of occupation: producing food was work of national importance. Exemption on this ground was surer, and easier to prove, than on conscientious grounds. The Order-in-Council, then, had raised the stakes as far as COs were concerned.

Because conscientious objectors were members of a legally created category, they encountered the coercive mechanisms of the state more directly than did other wartime Canadians. As long as their objections could be articulated in the terms that were laid out for them in bureaucratic regulations, objectors could use the law as a protective shield. Those who did not fit the definition, and did not share the government's discourse, had a more arduous experience. The bureaucratic difficulties raised by Canada's first conscription for overseas military service were considerable. Conscientious objectors, with their intangible claims of fidelity to an alternative duty, were a problem for the tribunals and the government. In accordance with Ottawa's decision to treat conscientious objection solely as a corporate response, the following chapters will examine the similarities and differences in the experiences of conscientious objectors from various groups and of those with no ecclesiastical affiliation.