

Military Defaulters' List

Electors are particularly asked to examine carefully the legislation of last session of Parliament dealing with conscientious objectors to military service and the effect of that legislation upon the rights and privileges of citizens generally in this Dominion.

The following resolution was passed by the National Peace Council as a pro-

That in so far as the Expeditionary Forces Amendment Act, 1918, deprives of their civil rights men who have shown determined opposition to service in the military forces during the war, and as under the Act the Minister of Defence (Sir James Allen) has named some 2400 "Military Defaulters" for such exceptional treatment whereby they and the whole people of New Zealand are made to suffer, this Council protests against the harshness and brutality of the enactment.

The Council further urges and trusts that no candidate, of whatever party, at the forthcoming Parliamentary elections, will be deemed worthy of the support of any honest citizen unless he is pledged to the immediate repeal of this measure.

In support of this contention the National Peace Council would point out:—

1. That Parliament acted vindictively as well as against the spirit of the Constitution in passing the measure, in that:—

(a) The Act was passed in December, 1918, when the armistice had been already signed, and after recruiting for the Army had ceased and the measure, therefore, had no practical objective in influencing the conduct of citizens towards the war.

(b) As already a large number of those named in the "Defaulters' List" have served or are serving one or more terms of imprisonment—the punishment provided for these offences by the Military Service Act, 1916, and the Army Act; and as other defaulters are still liable to imprisonment under these Acts; therefore the additional punishment being imposed is constitutionally unsound as it creates a precedent which if followed generally would make life intolerable for any offender against any one of our laws. For whatever, nominally, might be the penalty prescribed by the Act of Parliament for the offence, the possible duration and nature of the punishment is, by this precedent, made indeterminate, and such practice is inimical to the maintenance of stable Government.

2. With regard to the nature of the treatment of "Military Defaulters" under the Act, its incidence is very uneven and purely haphazard, some being

deprived of employment altogether in the only occupations to which they have been trained; others finding no disability in this respect.

In the matter of political disabilities, likewise, some suffer punishment, others will not, though the alleged offence is the same in the different cases.

3. The political and economical disabilities placed upon these men, though supposedly aimed at them alone, do in practice react equally against the whole body of electors, and the Public Service of New Zealand. This becomes apparent from the following considerations.

(a) Political.

Say 2400 men have become ineligible for candidature to Parliament or for any other elective body; this is equivalent to saying the electors of New Zealand—municipal and parliamentary—have been debarred from a free choice in the selection of their representatives. They are, to that extent, disfranchised, and treated as untrustworthy or as children.

(b) Economic.

Say 2400 men are debarred from earning a livelihood in the employment of the New Zealand Government in any capacity whatever. This edict also applies to employment under any local body or other public authority. This is a prohibition against any State Department or other public authority making use of the skill or energy of any one of these men, however good or even exceptional are his qualifications.

(c) These men are not "bad" men, not criminals in the eyes of their actual persecutors, the members of Parliament, who have put them thus under the ban. This has been acknowledged by the Government in their gaol treatment of these men. Of the many hundreds who have gone into our prisons it would be difficult to find one who has not won the esteem and respect of all who have had to deal with them, even to Sir James Allen himself. There is evidence in this matter in the Minister's possession which it is sincerely hoped will be placed before Parliament directly it meets. This evidence is contained in the report of his own Commission of Inquiry into the beliefs of conscientious objectors and others in the various prisons throughout the Dominion; and there can be no doubt whatever that that report will rebound entirely to the credit of the men in gaol.

This being the case, why should the whole country be penalised to gratify the spleen and vindictiveness of Ministers and politicians because their fiat has been thus courageously defied?