

✓ **Concerning**
CONSCRIPTION

**The Experience of England,
Canada, Australia and the
United States with Vol-
unteer and Conscript
Armies**

“The fact that the Australian Government did not dare to put a conscription law in effect, without submitting it to a popular vote, is immensely significant.

“This first conscription referendum sets a precedent marking progress for democracy.”

—*St. Louis Post-Dispatch,*
November 8, 1916

**AMERICAN UNION AGAINST
MILITARISM**

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American Union Against Militarism

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Send us your name

The New Army Bill Framed by the War Department Proposes Drafting an Army of 1,000,000 Youths between 19 and 25 years of age for Service in Europe.

I

Is there any evidence that the War Department will be able to handle the volunteers, not to mention 1,000,000 conscripts?

“The citizen soldiery to be successful must largely depend upon the efficiency of the Regular Establishment.”—*Gen. Roger D. Williams.*

See testimony given before the Sub-committee of the Senate Committee on Military Affairs, Sixty-fourth Congress, Second Session on S. 1695.

Gen. Roger D. Williams.....pp. 678-696
Gen. J. F. O’Ryan.....pp. 739-744
Capt. J. T. Burns.....pp. 765-768
Maj. Robert R. McCormick.....pp. 902-907

II

The Draft in the Civil War Was a Costly Failure

In the North

At the beginning of 1862 there were 637,000 volunteers under arms, and the Secretary of War discontinued recruiting. The surplus was turned away without pledge or record.

Number raised under Act of March, 1863.....	1,369,343
<i>But of these</i>	
The number of volunteers.....	1,076,558
The number of voluntary substi- tutes.....	144,012
The number escaped service by paying fee.....	86,724
The number <i>compelled personally to serve</i>	61,947

TOTAL number of troops raised by draft from beginning to end of war, 2.3 per cent of total troops raised.—(See *Report of Secretary of War*, 1865.)

“The failure of conscription in comparison with volunteering is shown by results in this State (New York).

Total number of volunteers enlisted, January, 1863, to January, 1864..	56,156
Total number of conscripts who were delivered at military stations.....	2,575

“Like results are conspicuous in all parts of our State and in all sections of the country—in New England, Pennsylvania, and the West. The attempt to fill our armies by drafting was abortive. While it gave no useful result, it disturbed the public mind, it carried anxiety and perplexity into the workshops, the fields, and the homes of our citizens. It not only fails to fill our armies, but it produces discontent in the service; it is opposed to the genius of our political system; it alienates our people from the Government; it is injurious to the industrial pursuits of the country.”—*Governor Seymour’s Annual Message to the New York Legislature*, January 5, 1864.

“I believe that it (the enrollment act) will be found on examination to have done more to cut off the sympathy between the Government and the people of the United

States than any other measure which has passed this Congress since the rebellion.”—*Representative John Winthrop Chanler, 1865.*

In the South

“A rigid and unusual inspection, not only of company rolls but personal and also pay-rolls, will prove that more men have been received into the service irregularly since the first of January than have gone through the conscription authorities.

“In many localities it has been found expedient, indeed necessary, to suspend wholly or partially the operation of conscriptions. This has been done in localities between the lines of our armies and those of the enemy—so far as the reserve classes are concerned—for obvious reasons of preventing those classes from becoming prisoners of war.”—*Report of Confederate Bureau of Conscription, 1864.*

III

With Our Nation at War, Is It Wise to Create Internal Strife?

Civil War

“The order for the draft was the signal for violent disturbance in many portions of the loyal States and much blood was shed before these disturbances were quieted. In some portions of the country, particularly in the city of New York, certain districts in Pennsylvania, Indiana and Illinois, the draft was conducted under the protection of troops sent there to overawe the lawless, and in other districts the draft was deferred until troops could be furnished to protect the officers. The draft was not completed till late in the year, and produced but few men for the service.”—*Report of Provost Marshal General James B. Fry, March 17, 1866.*

Canada Today

"There are nearly 700,000 Germans and Austrians in Canada, many of them in the west, and they would be a dangerous force if they saw an opportunity to take advantage of domestic difficulties such as would arise from an attempt to enforce even an extremely moderate measure of conscription. . . . Ties of blood cannot properly be ignored and no right-minded man would seriously propose conscription of German citizens of Canada, most of whom deserve credit for their loyalty in the present struggle. The Dominion could not decently apply conscription to the 500,000 or 600,000 of foreign born who have become citizens within the last eight or ten years."—*Recruit Problem in Canada*. S. Roy Weaver, *New York Tribune*, November 14, 1916.

IV

Is the Draft Constitutional?

During the war of 1812 the draft was proposed in the 13th Congress (1814), but the measure was rejected on the ground that it was unconstitutional.

"I have carefully examined this conscription question with all the seriousness and attention required by the solemnity of the occasion. I have exercised that small measure of talent which it has pleased the Almighty to bestow upon me, and I have arrived at this conclusion: the plan of conscription violates the Constitution; it trenches on the rights of the States, and it takes from them their necessary security; it destroys all claim to personal freedom; it will poison all comforts of this people. In this belief I have no hesitation to say that I think it will be resisted, and that it ought to be resisted."—*Representative Morris S. Miller of Utica, N. Y., 1814*.

During the Civil War the draft was bitterly opposed in the third session of the 37th Congress on the ground that it was unconstitutional. The question never came before the Supreme Court.

“Mr. Speaker, my object in offering this (amendment) is to give an opportunity to those upon this floor who conscientiously and earnestly believe the whole system of a draft is contrary to the spirit of our institutions and opposed to the welfare of our people, to place their vote upon record. I deem it a great privilege, with those who agree with me, to say to the people of the country that we adhere to the military system under which our liberties were won, and that we are unwilling to fall away from it and the precedents of the American Government to establish the European system of raising troops and organizing armies in the midst of a civil war.”—*Representative John Winthrop Chanler, of New York, speaking on the proposal to amend the Conscription Act, 1865.*

“It is believed by at least one-half of the people of the loyal States that the Conscription Act, which they are called upon to obey because it stands on the statute books, is, in itself, a violation of the Supreme Constitutional Law.”—*Governor Seymour, of New York, to President Lincoln, 1863.*

V

Will the Conscript Make as Good a Soldier as the Volunteer?

“Unwilling men burden armies, eat its substance, retard its action and give it panic. Even if there were enough jails and constabularies to enforce universal service without riots among a people it would not

be good business to do it.”—*Maj. William C. Harllee, U. S. M. C., Hearings before Senate Military Affairs Committee, 1917.*

“It is a fundamental difficulty in every compulsory system that the active corps, the first move, are all too young for solidarity, while the reserve formations are usually far too old; and it is an admitted fact, based on the ‘psychology of crowds,’ that bodies of young men, all of about the same age, are, in spite of their dash, far more likely, not only to break down simultaneously under sickness, but to feel panic under conditions that would not materially disturb the equanimity of older men.”—*Col. F. N. Maude, of the English Army. The Nineteenth Century and After, January, 1915.*

“It remains to be proved that compulsion will get for the British Army a larger number of men than might have been obtained by volunteering. But it wants no further experience to show how gravely compulsion has in a few short months qualified the spirit of patriotic self-sacrifice.”—*London Nation, March 25, 1916.*

VI

Have We Calculated the Numbers of “Conscientious Objectors?”

“How many conscientious objectors have come before the tribunals I cannot discover. *About Twenty-five thousand*—including, presumably, a certain number of shirkers—is the average estimate, but of these nearly one-tenth have refused non-combatant or alternative service, and have been arrested and handed over to the military authorities.

The exact number on the day of writing (August 30) is 1,987. The great majority of them have been court-martialed under the army act for disobeying orders, and sentenced to various terms of imprisonment.”—*Henry W. Nevins, Atlantic Monthly, November, 1916.*

“Two thousand of them, according to Mr. Richards, are suffering all manner of torture in prison for refusing various kinds of work. Today their treatment is cruel to the last degree, he says. They are put in military strait-jackets, whipped, and sometimes scrubbed with a stiff brush until the skin peels. Some are given sentences for ten years. Not long ago, he charges, thirty-six were sent to France, sentenced to be shot. This sentence, however, was revoked.”—*The Survey, December 2, 1916.*

VII

The Volunteer System Has Not Proved a Failure in the Present War

Canada, with a population less than that of New York State, has raised a volunteer army of 400,000.—*Sir Herbert Ames.*

England, in January, 1915, had enrolled 2,500,000 men out of a total male population of 4,600,000 between the ages of nineteen and thirty-five. This is almost two-thirds of the total men available under forty and almost exactly the same proportion as the strictest law of compulsion in Europe (the French) would have given her. It is one-sixth more than the Germans had been taking out of their annual contingents.—*Col. F. N. Maude, Nineteenth Century and After, January, 1915.*

“The voluntary system has already raised about 3,000,000 men and under it nearly 3,000,000 more have offered themselves as recruits to replace wastage.”—*The London Army & Navy Gazette, January 8, 1916.*

Australia, with a population considerably less than that of Illinois, has raised 264,000 volunteers for service in a war 12,000 miles from home.—*Premier Hughes, September 18, 1916.*

A referendum vote defeated overwhelmingly the proposal to draft men for service overseas.

“In Canada, and I believe the same is true in all the Overseas Dominions, the difficulty has been with armament and equipment—all that is necessary for the organization of a great modern army—and not with the provision of men, for the men came faster than we were able to organize the armour to equip them.”—*Premier Borden, August 4, 1915.*

VIII

Conscription Was Forced upon England by the Energetic Propaganda of One Man Whose Powerful Newspapers Threatened to Break Down the Coalition Government unless Conscription Was Adopted.

“The prime minister’s statement on the Derby scheme (for recruiting volunteers) is withheld; but Lord Derby’s success in bulk is, I am told, beyond even the forecasts. The total ‘haul’ is about 2,500,000. This is

gigantic, a sympathetic statesmanship would call it magnificent; but (need I say?) it does not stay the hot-foot conscriptionists. They are out to prove conscription against the success of the Derby scheme no less than against its failure. With these devotees it is no longer a question whether the voluntary system will give us all the men we want, and many thousands more. It must do so in a particular way (which they try ingeniously to bar) or not at all.”
—*The London Nation*, December 24, 1915.

“We confess to a deep concern at the prospect that this war, which was begun by a united nation, is now likely to be concluded by a divided one. But we are hardly less concerned that the Cabinet’s surrender of the principle of voluntary service in war in the hour of its vindication should have been taken under circumstances which reflect so little credit on the wisdom and character of our rulers.

“If we were to have conscription, it was clearly wise to avoid the greater dangers associated with it. The plan should have been as well considered as possible. It should have been adopted from conviction and not from newspaper pressure, and it should have been made clear to the world that the Derby scheme had had the fair trial that was promised it.

“In the absence of any urgent reason for refilling the ranks of the army, and with a full flow of recruits secured for many weeks, conscription should not, even in principle, have been hustled through the cabinet. . . . Thousands of men have never been canvassed. . . . They cannot be classed as ‘slackers’ for their mind has never been sounded. In a word, the Derby canvass has never been given a chance. It is left an uncompleted operation, its true results unknown and uncalculated.

“For want of a little patience, a little imagination, a great principle of government goes by the board, and conscription is rushed through in a single meeting of the cabinet before any serious attempt is made to discover whether it is necessary or no.”—*The London Nation*, January 1, 1916.

"In fact, compulsion is found wanting, whether we measure it by its contribution to our material strength or by its psychological effect on the national concord—the two prime factors in the conduct of the war. And we are not surprised at this result. In accepting compulsion we sacrificed one of the most deeply rooted principles of our political tradition. We hoped to reap a Prussian reward; but to give up one's own strong points is no talisman for acquiring one's enemy's."—*London Nation*, March 18, 1916.

"After the continental system of conscription had been imposed on the nation, without consideration or proper preparedness, the danger signal ran up in agriculture and other staple industries. In his important speech last Wednesday, Mr. Runciman showed what this excessive depletion of labor had meant. . . . Conscription of necessary labor has now put hundreds of thousands of acres out of use, and will cause a further serious diminution of home supplies next year."—*The London Nation*, November 18, 1916.

The only possible conclusion from this evidence is that conscription is impracticable, ineffective and utterly inexpedient as compared with the volunteer system.

It alienates the people from the government; it violates the fundamental traditions and instincts of a liberty-loving people. The case against it is complete from every standpoint. It is wholly unjustified in the United States at this time.

No nation in the world (except England in the present struggle) has ever adopted conscription for overseas duty.

AMERICAN UNION AGAINST MILITARISM

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From Geo W Ring