HUMBUG! SEVENTH-DAY ADVENTIST CONSCIENTIOUS OBJECTORS IN WWII STANDING BEFORE THE MOBILIZATION BOARD

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ABSTRACT

This paper tells the story of Canadian Seventh-day Adventist conscripts in WWII who appeared before Mobilization Boards to verify their claim to be conscientious objectors (CO). The Boards acted as gatekeepers. Early in the war, to be classified as a CO meant the young man was sent off to an alternative service work camp. While the loss of personal freedom was regrettable their lot was much more agreeable than those denied CO status. Religious men who were denied the CO status meant he faced ridicule, imprisonment, and hard labour for maintaining their refusal to bare a rifle in the regular forces. The Board's refusal to exempt such men was due, in no small part, to the capricious nature of its chair.

INTRODUCTION

"There is however a lot of humbug put forward by some of these men who lay claim to conscientious objections," declared Judge A.M. Manson. "This particular man says he is a Seventh Day Adventist (sic) and therefore a con-combatant (sic)." He continued,

> *There is nothing in the tenets of the Seventh Day Adventists so far as I know that prohibits a perfectly good member of that organization from bearing arms, and while their Sunday is not our Sunday, nevertheless they lay claim to be followers of Christ and certainly Christ made it clear in his teachings that the Sabbath was made for man, not man for the Sabbath. In the emergency of war there is no reason why the Seventh Day Adventist should not continue with his Army duties on Sunday as the Jews do who are in the Army.*[1]

Thus Manson declined to recognize Private Linden Watts, born and raised a Seventh-day Adventist, as a conscientious objector in WWII. The treatment that Watts and other Adventist conscripts suffered was indicative of a Canadian society that had much to learn about the complexities of religious freedom and the extent to which people of faith were willing to resist government action that violated their conscience.

THE SEVENTH-DAY ADVENTIST CHURCH

The Seventh-day Adventist Church (hereinafter "Church") is a Protestant Christian church officially organized in 1863. The name "Seventh-day Adventist" derives from two of its distinctive teachings – keeping the weekly Sabbath from Friday sunset to Saturday sunset, the seventh day of the week (the Fourth Commandment), and the teaching of the imminent return of Christ (the Second Advent).

Currently, the Church has some 17 million adult members worldwide. It is still a relatively unknown entity and is often confused by the public with Mormons and Jehovah's Witnesses.[2] During WWII the Church in Canada had some 9,300 adult members.[3]

THE ADVENTIST POSITION ON BEARING ARMS

The Church had a robust tradition of encouraging its members not to bear arms arising from the crucible of the American Civil War. In 1864 the General Conference Executive Committee addressed a statement to the Michigan Governor informing him that Adventists took "… the Bible as their rule of faith and practice…" of which "…its teachings are contrary to the spirit and practice of war; hence, they have ever been conscientiously opposed to bearing arms."[4]

In 1940, the Church published a detailed statement on the relationship between itself and civil government.[5] In this, the Church stated, "…the first and highest duty of the Christian is embraced in his relationship to God; that he should also… be subject unto the "powers that be" – that is, the civil government – and that he will perform his obligations to the civil government, not because of fear, but "for conscience' sake."[6] While the Christian will be loyal to government, "The requirements of God come first. This has been attested through the centuries by the loyal martyrs who have gone to the stake rather than compromise their conscientious convictions."[7] "Non-combatants conscientiously object to taking human life ... They do not, however, condemn those who take part in war."[8]

In essence, the non-combatant will do whatever he can to assist the government, even in time of war, except the bearing of arms. Thus, being a cook for the army, being a field medic, caring for the sick and wounded, burying the dead, transportation of men, food, and clothing – though indirectly assisting the government at war - was nevertheless non-fighting. "The non-combatant is not a coward; he simply and conscientiously and courageously objects to taking human life, so far as his participation is concerned."[9]

CONSCRIPTION CRISIS

Prime Minister King won the election of March 1940. There was concern over conscription in Quebec. King maintained that should there be conscription, no conscript would be forced to go overseas. He had hoped there would be no need, but Germany's Blitzkrieg hammered the allies to the shores of Dunkirk, France. More men were needed. Ottawa, the "quietest war capital in Christendom," suddenly became "a cauldron of excitement."[10]

On June 21, 1940, Parliament passed the National Resources Mobilization Act[11] (NRMA) giving government broad powers.[12] It implemented compulsory military service but only conscripts who volunteered would go overseas.

CONSCIENTIOUS OBJECTION

During the NRMA debate in the House, King made reference to conscientious objectors and promised to respect the rights of the Mennonites and other religious communities who were promised on their settlement in Canada that they would not have to bear arms.[13] An order-in-council in 1873 exempted the Mennonites and in 1898 exempted the Doukhobors. The National War Services Regulations stated the protection was a "postponement of their military training."[14]

In December 1940, the regulations were changed, broadening conscientious objection to those who were not members of the Mennonite and Doukhobor communities.[15] Adventists claimed their access to the exemption under this provision before the Mobilization Boards.

MOBILIZATION BOARD

The federal government appointed "Mobilization Boards" to determine the veracity of a conscript's assertion that he was a conscientious objector. The government claimed that the Board "spared no efforts to make the soundest possible decisions," recognizing that it was the application of judgement and opinion.[16] The Board had broad powers of investigation, including access to the questionnaire that each applicant had to answer, the investigative services of the RCMP, the National Employment Service. It was also authorized to compel a claimant to answer any question arising from his application.

The Boards acted as gatekeepers – they decided the fate of the young religious men that stood before them seeking conscientious objector status.[17] A religious man who refused to take a rifle and who was denied the CO status by the Board, faced an extremely trying time as he navigated life in the regular army. Such faced ridicule, imprisonment, and hard labour for maintaining their refusal to bare a rifle. The Board's refusal to exempt such men was due, in no small part, to the capricious nature of its chair.

The Boards were generally chaired by a local superior court judge. As he had experience determining the truthfulness of witnesses while on the bench, much deference was given to him. The Boards took on the chair's character – for good or ill. Two individual Board chairs stand out as the epitome of the flagrant abuse experienced by Adventist men in this study. They are Judge A.M. Manson of the Vancouver Board and Judge J.F.L. Embury of the Regina Board.

JUDGE A.M. MANSON

The Hon. Mr. Justice A. M. Manson, chairman of the Mobilization Board Administrative Division "K" in Vancouver. Manson has been described as a "feisty old judge" who made no particular effort to hide his bias.[18] Private Linden Watts, born and raised into the Adventist faith, appeared before Manson in the summer of 1943. He was denied conscientious objector status, though he stated that he was a Seventh-day Adventist. Manson ordered Watts to take the regular military training.[19] Inevitably, trouble ensued as Watts refused to take the rifle. He along with two other Adventists and a Mennonite refused the rifle.[20] He was given 14 days for disobeying an order by a superior officer. Upon the completion of his sentence he was again ordered to take the rifle. He refused. He further exacerbated the situation when he refused to do any work on Sabbath during incarceration. It was evident to the officers in the camp that Watts should have been classified as a conscientious objector and sent to a work camp – not the army. In a subsequent court martial Watts was found guilty for disobeying a lawful command and sentenced 28 days detention. Manson's prejudice was indicative of the systemic prejudice throughout the military toward Adventism (as well as other religious minorities).

JUDGE J.F.L. EMBURY

Judge John Fletcher Leopold Embury was another Board chair in the same vein as Judge Manson – opinionated and self-assured as to his own view of things and just as troublesome to the Ottawa bureaucrats.[21] A decorated veteran of WWI who was wounded during the Battle of the Somme,[22] – he ensured that those who appeared before him knew of this negative opinion of conscientious objectors.

Alexander Aab was unable to go to the National War Services Board in time during the summer of 1941 because he received the notice too late. His subsequent application to meet the board was denied.[23] He was sent to Regina and told his platoon sergeant that he was a conscientious objector. The sergeant threw the rifle at him to catch, but he stepped back and let the rifle fall on the pavement. "And if you ever heard anybody swear he could swear, he put me right from there into the guard house."[24] He was given 28 days detention. During detention, Aab applied again for conscientious objector status – a rehearing of the Board was held on September 18, 1941 before Judge Embury. When asked what he would do if a German attacked his sister, Aab said, "God would give me grace to help me." The Judge pressed, "What would you do to protect your sister?" "Well sir," replied Aab, "I do not know what I would do. I couldn't protect her if I had to kill." At that point Judge Embury proclaimed, "I do not believe you are a Christian if you would not protect your sister and I will not admit that you are a Conscientious Objector."[25]

After his 28 day detention, he was marched to the equipment office for the issuing of the rifle. For a second time he refused a direct order. The sergeant demanded whether he knew the seriousness of his refusal. He replied that he did. He remained firm. During the subsequent court martial the sergeant noted that Aab "was calm and courteous, but refused to take the rifle because of his religion."[26] He was arrested and placed in further detention until the court martial which was more than six weeks later. The defence argued that the court should "take into consideration not only Army Law, but also the laws that bring the soldiers into the Army," particularly section 18 of the National War Services Act, as Aab was a member of the Seventh-day Adventist Church. Despite the evidence, Aab was found guilty and sentenced 15 days. The Church made multiple contacts to both the military and the civil service to educate the particular nuances of Adventist belief in the hope that once its beliefs were explained, allowances would be made – yet the Church was consistently rebuffed.[27]

CONCLUSION

The Adventist experience is unique amongst the other Christian peace churches of WWII in that not only were the young men refusing to bear arms, but they had the additional matter of conscience – i.e., not performing unnecessary work on the Sabbath. These young men were ripped away from the their farms and family during a time of national crisis. They loathed the term "cowards" and wanted to prove their patriotism by serving the country – even if that meant going on the front lines as medics.

Certainly there are no excuses for judgeship such as Manson or Embury in today's society. Yet there are cases in Canada that cause one to question the extent to which our courts properly understand the predicament of religious conscience of minorities vis-à-vis the state.[28]

The question now is, "Does there exist in Canadian jurisprudence a 'domain of conscience being a moral power higher than the State' and what can we learn from the real experiences of our past, like these Adventists, to assist us in our quest of a Canada that exhibits the ideals of a liberal democracy?"

NOTES

[1] Letter Hon. Mr. Justice A.M. Manson to Lt. Col. F. J. Simpson, V.D., 15th November 1943.

[2] Malcolm Bull & Keith Lockhart, *Seeking a Sanctuary* (Bloomington and Indianapolis: Indiana University Press, 2007) at page 1.

[3] W.B. Ochs, "President's Report, Second Quadrennial Session," *The Can Un Mess*, March 25, 1942, p. 1, the exact number was 9,275.

[4] As quoted by Francis McLellan Wilcox, *Seventh-day Adventists in Time of War* (Takoma Park, Wash., D.C.: Review and Herald, 1936) at p. 58.

[5] Gen. Conf.Com. of Seventh-day Adventists, "Seventh-day Adventists and Civil Government," September 25, 1940.

[6] Ibid., p. 3.

[7] Ibid., p. 4.

[8] Ibid., p. 12.

[9] Ibid., p. 12.

[10] Kaplan, p. 46 quoting C.P. Stacey, *Canada and the Age of Conflict II: 1921-1948* (Toronto: University of Toronto Press, 1981), p. 298-9.

[11] The National Resources Mobilization Act, 1940, George VI, Chap. 13, *Acts of the Parliament of Canada*, 1939-1940 (Ottawa, 1940), 43.

[12] NRMA, 43.

[13] Debates (H.C.), 1940, Vol. 1, p. 904, as quoted in J.A. Toews, *Alternative Service in Canada During World War II* (Winnipeg: Canadian Conference of the Mennonite Brethren Church, 1959), at p. 43.

[14] National War Services Regulations, 1940, (Recruits) as consolidated in 1941 and approved by Order-in-Council P.C. 1822 (March 18, 1941) as noted by Toews at p. 44.

[15] Section 18(1) of National War Services Regulations, 1940 (Recruits) as amended by the Order in Council December 24, 1940, PC 7215.

[16] Toews, p. 45.

[17] Letter, Westman to Divisional Registrar, July 14, 1943, as quoted by Toews, p. 46.

[18] See Thomas R. Berger's biographical account of appearing as a lawyer before Justice Manson in *One Man's Justice* (Vancouver: Douglas & McIntyre, 2002) p. 39, 61.

[19] Interview, Linden Watts, Reel 20, 20:21:20, May 30, 2008.

[20] Interview, Linden Watts.

[21] Michael D. Stevenson, *Canada's Greatest Wartime Muddle*, (Kingston and Montreal: McGill-Queen's University Press, 2002), p. 26.

[22] Obituary for Judge J.F.L. Embury, 1948. Mennonite Heritage Centre vol.1159 file 1. http://www.alternativeservice.ca/uncertainty/judge/judgeembury.htm.

[23] Letter J.P. McIsaac, Divisional Registrar, Court House, Edmonton to F.C. Wilson, Divisional Registrar, National War Services, Regina, September 2, 1941. Library and Archives Canada Reel T-15545, File 55-A-99 Pte. Aab, Alexander.

[24] Interview, Alexander Aab, Reel 19, 19:07:22, May 29, 2008.

[25] National War Services Board decision – L-601862 – Pte. Aab, Alexander. Library and Archives Canada Reel T-15545, File 55-A-99 Pte. Aab, Alexander.

[26] Proceedings of a District Court-Martial held at Regina, Saskatchewan, November 7, 1941. Library and Archives Canada Reel T-15545, File 55-A-99 Pte. Aab, Alexander.

[27] On November 11, 1941, A.E. Millner, and C.G. Maracle met with the Acting Dep. Min. of the Dept. of Nat Def seeking a review of the case - it proved to be unsuccessful. Library and Archives Canada Reel T-15545, File 55-A-99 Pte. Aab, Alexander.

[28] Albert v. Hutterian Brethren of Wilson Colony, 2009 SCC 37, July 24, 2009.