

1913.  
NEW ZEALAND.

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# JOINT DEFENCE LEGISLATION COMMITTEE

(REPORT OF THE) ON THE MATTERS OF CONSCIENTIOUS OBJECTORS, ALTERNATIVE SERVICE, PUNISHMENT, AND MILITARY CAMPS.

(MR. STATHAM, CHAIRMAN.)

*Report brought up on the 11th Day of December, 1913, together with the Minutes of Evidence brought up on the 15th Day of December, 1913, and ordered to be printed.*

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## ORDERS OF REFERENCE.

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*Extracts from the Journals of the Legislative Council.*

WEDNESDAY, THE 30TH DAY OF JULY, 1913.

*Ordered*, "That Standing Order No. 295 be suspended, and that a Select Committee be appointed, consisting of ten members, with power to confer with any similar Committee appointed by the House of Representatives, to consider the amendments made in the defence legislation by the Act of 1912 in their relation to military custody, punishment, alternative service, and such other matters as may be referred to it by the Government; the Committee to have power to call for persons and papers, and to report to this Council within twenty-one days; three to be a quorum: the Committee to consist of the Hon. Mr. Anstey, the Hon. Dr. Collins, the Hon. Mr. Duthie, the Hon. Mr. George, the Hon. Mr. Hardy, the Hon. Major Harris, the Hon. Mr. Rigg, the Hon. Sir W. R. Russell, the Hon. Mr. Smith, and the mover."—(Hon. Mr. BELL.)

TUESDAY, THE 9TH DAY OF SEPTEMBER, 1913.

*Ordered*, "That the name of the Hon. Mr. Johnston be added to the Defence Legislation Committee."—(Hon. Mr. BELL.)

THURSDAY, THE 2ND DAY OF OCTOBER, 1913.

*Ordered*, "That the name of the late Hon. Sir W. R. Russell be discharged from the Joint Defence Legislation Committee, and that the name of the Hon. Mr. Callan be added thereto."—(Hon. Mr. BELL.)

*Extracts from the Journals of the House of Representatives.*

THURSDAY, THE 17TH DAY OF JULY, 1913.

*Ordered*, "That a Select Committee be appointed, consisting of ten members, with power to confer with any similar Committee appointed by the Legislative Council, to consider the amendments made in the defence legislation by the Act of 1912 in their relation to military custody, punishment, alternative service, and such other matters as the Minister of Defence may refer to it; the Committee to have power to call for persons and papers, and to report to this House within twenty-one days; three to be a quorum: the Committee to consist of Mr. Bradney, Mr. Coates, Mr. Davey, Mr. Escott, Mr. Isitt, Mr. Myers, Mr. E. Newman, Mr. Statham, Mr. Veitch, and the mover." (Hon. Mr. ALLEN.)

WEDNESDAY, THE 3RD DAY OF SEPTEMBER, 1913.

*Ordered*, "That Standing Order No. 219 be suspended, and that the name of the Right Hon. Sir J. G. Ward be added to the Defence Committee."—(Hon. Mr. ALLEN.)

## REPORT.

THE Joint Defence Legislation Committee has considered the various matters enumerated below, referred to it by the Honourable the Minister of Defence, has taken evidence thereon, and has the honour to report as follows :—

1. *Conscientious Objectors.*—The Committee recommends the Government to consider the advisability of placing religious and conscientious objectors on the same footing, and of allowing exemption from military service to both these classes of objectors, on their application to a Magistrate, provided that they agree to give adequate alternative service.

2. *Alternative Service.*—The Committee is of opinion—

- (a.) That the supervision and the control of such alternative service should be by the Civil authorities.
- (b.) That such alternative service should, in point of time and personal attendance, be equivalent, as nearly as possible, to the compulsory military service required under the Defence Act.
- (c.) That persons rendering alternative service which involves their going into camp or residing away from home for any period should receive remuneration as nearly as possible equivalent to the amount payable for a like period in camp under compulsory military service.
- (d.) That such alternative service should take the form of some work for the public benefit.

3. *Punishment.*—The Committee recommends that persons failing to render military service or alternative service (as the case may be), or who commit any breach of the Defence Act or of regulations made thereunder (except breaches in the course of the actual performance of military duties), should be dealt with and be punished by the civil Courts.

4. *Military Camps.*—The Committee recommends that the Government be requested to consider the advisability of limiting or of eliminating altogether the evening parades and the half-day parades for the members of any corps in which it may be found desirable, and of substituting increased attendance at camp in lieu thereof.

Thursday, the 11th day of December, 1913.

CHAS. E. STATHAM,  
Chairman.

## MINUTES OF EVIDENCE.

WEDNESDAY, 29TH OCTOBER, 1913.

Colonel HEARD examined.

1. *The Chairman.*] The Committee would like if you will give some evidence in regard to alternative service—any suggestions that you have to make?—Well, I have been thinking over it a good deal, and I find it a very difficult question. There are certain difficulties in the way that are not insurmountable. It is only a question of whether any particular Department would be willing to take over the organization. The whole point and the whole crux of the position with regard to alternative service is this: to have adequate supervision to ensure that the alternative service is performed in a proper and efficient manner—that is to say, that those young men who elect to take alternative service, conscientious objectors or whoever they may be, really do perform the work that is set; and whatever Department takes it over will require a proper organization of foremen or overseers. More than that, in the case of young men who might prove obstreperous, you will require some form of police to keep order or to hale the young men before the Magistrate if necessary. The way I should propose that this alternative service should be performed will depend a great deal on the numbers that are involved in the question. If you find in regard to a great many young men that their conscience prevents them from carrying out military service or that their religion equally prevents them carrying out military service, you will have very large numbers to deal with, and the only way to deal with large numbers of this description is to have in various districts a camp situated in some locality where useful work can be done for the benefit of the State, and where remunerative work can be carried out by these young men. It is no use putting them on any work that will produce no result. The work should be remunerative, so that the State will get some return for the expense it is put to in carrying on this organization. To my mind there is no doubt that it is no good putting these young men to work that is unproductive. Broadly, those are the lines on which I should go, and it only remains to be determined what Department—whether the Public Works, Labour, or Agricultural Department—would undertake the organization. Of course, we cannot have anything to do with it because the young men are not soldiers, nor have we an adequate staff to see to such a thing. It is not military work and we are not concerned with it. These camps would be held at certain times in the year which would be most convenient for the young men and for their employers—some slack time of the year. The suggestion has been made that they should be used in beautifying the city. Well, I do not think you will find that the Corporations will undertake it, or that they will undertake to supervise the work, because they probably have not the necessary staffs. These young men would be at work only odd days, and it would be very unsatisfactory. I think it is very much better that the whole thing should come in one lump—equivalent service to that performed by the Territorials, which amounts in all, including drills, annual camp, and musketry, to about twenty-four days, or 147 hours at six hours a day. It is much better to have them in the camp for all that time and have done with it. It would be more satisfactory, and you would get something to show for it—far better than would be the case with isolated days' work here and there. That, in the main, gentlemen, is my proposition, and it would only remain to work out the details of the organization and how the work should be supervised, and what should be done to ensure that the work is properly carried out. You want some powers behind you to deal with the young men in camp, because you must remember that they are young men who will have no discipline, and you may find them truculent and difficult to deal with. You have only got to remember the class of young men who came before the Committee the other day—they were truculent and showed disrespectful behaviour. If you have a lot of young men of that class to deal with you will have no discipline but a lot of trouble, so that you will want something in the form of police at these camps to enforce orders. It is a big question, and the more you look into it and more difficult you will find it. That is the only thing I can think of. As far as the Senior Cadets are concerned, I was not thinking of them. I doubt whether the Senior Cadet is entitled to a conscience at his age. After all, it is military training. As far as the Senior Cadet is concerned, he is not liable to service as a Senior Cadet. He is liable to training for defence purposes, but does not go into the Defence Force until he reaches the age of eighteen, and is not considered as available for service until he is a Territorial. The difficulty that arises as far as the Senior Cadet is concerned is that you cannot put him into camp. That is all I have to say on the subject.

2. *Hon. Mr. Callan.*] Were you present when those two young men, Worrall and Williams, were being examined?—I was, yes.

3. When you suggest that these men should be put into a camp and put to certain remunerative work, do you think that these young men, having seen their demeanour here, and men of that class would obey instructions and do any work of any kind whatever?—Well, I know that those two young men would not because they said so. Of course, where they will not do it you have either to make them or they must suffer the consequences.

4. To my mind it was quite clear that those two young men, and there must be many of the same way of thinking, would positively refuse to do any work?—I may say they would.

5. Have you considered what you would do with young men of that class?—Well, all you can do is to bring them before the Magistrate in the ordinary course for not obeying the law, and they must suffer the consequences. I do not say that all conscientious objectors would behave as they did. They belong to a certain section of the Peace Society, or whatever they call themselves; but you would have a certain number of conscientious objectors who would not object to

alternative service. We must give credit for there being a large number of decent young men. Those before the Committee came from a certain particular section.

6. Your suggestions seem to me to be worthy of consideration, but when one thinks about it one is driven back to what is to be done with the young men who absolutely refused to do any work of any character at all: what is to be done with them?—They lose all their civil rights so long as they refuse, and they cannot be employed in any Government employment: those are two penalties under the Act. If they do not do their work they get no vote.

7. *Mr. Isitt.*] I do not think the question of remuneration matters very much. We are up against this difficulty: we have got in some way or other to solve this problem, and my opinion is that as soon as we take it in hand it will disappear to a large extent?—I think so.

8. It is proposed to pay the same remuneration to these men?—Only for the days they would be in camp—that is, nine days at 4s. a day—because for the rest of the training the Territorials do they get no pay: they are only paid for nine days.

9. Still, those drills do not interrupt the ordinary work?—The farmers find it very inconvenient. I have heard a great deal from the farmers' point of view, and it is a very large section indeed.

10. You are counting in the time attending the drill?—But there is the going to and coming back from the drill, and the farmers' boys sometimes waste half a day each time. If you take the whole-day parade—that is six hours—and take into consideration, in addition, the time it takes going to and coming back from parade.

11. What we want is a sufficient penalty to prevent any lad assuming a conscientious objection who is not really a conscientious objector. Could it not be worked in this way: that if a lad does his eighteen or twenty-one days' drill cheerfully and well he would receive remuneration?—A bonus.

12. You say he received nine day's drill?—Yes.

13. If he sulks and will not do any work, you lengthen his work to four weeks?—Yes.

14. And pay him no remuneration?—Yes; that is a matter entirely for the House to determine in an amending Act.

15. He then practically receives four week's confinement for refusing the alternative service?—Yes.

16. That seems to be a way out of the difficulty?—It is a question whether that is sufficient punishment—whether he buys immunity from rendering any personal service simply by sulking and then having a sort of rest cure. If he goes into camp and does nothing, he is having a rest cure at the Government expense—he is fed and housed, and so on. You want to prevent that and put on a little more than an extension of time.

17. I fancy you would find that most boys would not care about four weeks in camp even if they did not do any work?—At the same time I think you want to be prepared for an eventuality though you might not enforce it. You ought to have an extra deterrent up your sleeve, because you might go on like this year after year.

18. *Hon. Mr. Rigg.*] Can you suggest any other means of enforcing the law except by alternative service?—For the conscientious objector?

19. For anybody who refuses to serve?—The law as it stands says that every young man between certain ages has to render personal service to the State in the form of military training. Well, the defence of the State is a personal service, and a very right and proper one. If a young man says that his religion forbids his taking part in any military work, or if he says that his conscience prevents him from doing so, unless you make him render some equivalent service he is evading his responsibility not only according to law, but according to his honourable obligation, and the question is, what are you going to do? How is he to fulfil his obligation to the State of which he is a member and in which he lives? He has all the advantages and protection of the State without taking any responsibility in the matter. In those circumstances he is better off than the lad who shoulders his responsibility and does his duty to the State. Is it right, therefore, that the man who has religious and conscientious objections should evade all his responsibility? It would mean that if you did not make him render some equivalent service you would have a considerably larger number of conscientious objectors, and the danger would be that we would not be able to keep up our full establishment of Territorials, and so the democratic principle of every one being treated the same way falls to the ground.

20. It would be easy enough for the Magistrate to decide, would it not, as to the religious objector?—Yes. Take the Society of Friends: there is a very definite principle there that they are not to take part in any military work. I think that is the only Church in existence that really does have that principle. I know of no other; but it is quite possible that a man may make out that he is a religious objector. That is for the Magistrate to decide—we have nothing to do with that; and the same with the conscientious objection.

21. The difficulty is to decide whether the conscientious objector is sincere or only using it as a cloak?—Yes; but, as Mr. Isitt suggested, if we make this alternative service sufficiently burdensome he may find his conscience will allow him to undertake military work afterwards which he will find more pleasant and less burdensome.

22. Are there any objectors who refuse to drill who object on any other grounds than those you mentioned—conscientious objectors and religious objectors?—I do not think so. I do not know what grounds those young men like Worrall and Williams have. I do not know whether it is conscientious objections or cussedness. I rather think it is the latter.

23. *Hon. Mr. Callan.*] Williams's objection was that this country would never be attacked?—That is a futile objection. You might have no army anywhere under those conditions.

24. *Hon. Mr. Rigg.*] You are aware that General Godley has suggested that in the case of those who refuse to register and refuse service that an attachment of wages should be extended?—Yes.

25. Do you not think that could be applied in the case of those conscientious objectors?—An attachment of wages if awarded by the Magistrate for infringement of the law, and if you are going to take the conscientious objector into consideration, the mere fact that he is a conscientious objector to military service does not make him a breaker of the law, and therefore it would be unjust to attach his wages simply because he has a conscientious objection.

26. I understood that this conscientious objection was being used as a cover and as an excuse for refusing?—It might be, but it would be very difficult to prove that a man is using it as a means of evading military service, and it is for that reason we want to have alternative service to ensure that he does something for the State.

27. You do not think it would be right, then, to apply the attachment of wages to the conscientious objectors?—Yes, if he refuses to do alternative service. If he says, "I have a conscientious objection," you say, "Very well, we will grant it: you need not do military work, but you will do this alternative service, which will be civil work of some kind." If he says he will not do that either, then he goes before the Magistrate to be dealt with, and his wages can then be attached if he has any. On the West Coast there were a certain number of young men who had an order against them for attachment of wages, and they simply went off to camp in the bush, were fed by their friends, and they had no wages to attach.

28. Are you aware that there is provision in our industrial laws to attach wages hereafter to be earned?—No, I was not aware of that, but it seems to me that the attachment to be any good must be awarded at once. It is all very well to say a young man will get wages in time and then you will attach them, but he may go out of the country or hide in another district and you lose sight of him. Any punishment that is to be given should be given at once if it is to be any good. I do not believe in holding things over a man's head on the chance of being able to punish him afterwards.

29. If a man refuses to do alternative service, what punishment do you suggest?—After all, what is the punishment for the infraction of any civil law—for instance, refusal of a parent to send his children to school? It is not a matter for us to deal with: it is a matter for the Magistrate. We are not concerned in punishments: we are concerned in reporting infringements of the Act. The rest lies with the Civil power.

30. You suggest that it should be enforced by imprisonment?—You might have imprisonment of such a nature that it would not leave the taint of the gaol—imprisonment under a separate class, so to speak. But I do not know whether it is possible. Whatever the punishment is it should be a deterrent; it should be unpleasant. The detention of these boys at Ripa Island is no good. They are simply doing rest cure. That is no punishment.

31. *Mr. Bradney.*] I think you stated that the onus of determining conscientious objection is thrown on the Magistrate?—No, it is thrown on the individual, but the decision is that of the Magistrate.

32. He has to decide as to whether a conscientious objector is genuine or not?—There is no conscientious objection allowed at present: there is a religious objection only.

33. You are recommending that the Magistrate should determine whether it is a religious objection or not?—Yes, he does now.

34. After he has once determined that, do you not think it is as well from a military point of view to leave them alone?—We do not want them.

35. Do you not think that, in the interests of the State, it would be better to leave them alone altogether and ignore them?—No. Those young men who have no religious objection and do their duty to the State faithfully will turn round and say, "Why are we bearing the burden and these people getting off and doing nothing?" And, mind you, they have a very reasonable objection.

36. Granting that, those in question may be a very small percentage?—It is a matter of principle. Everybody should be treated alike. It is a democratic principle and a very right principle. If you do not want to serve the State in one way you should serve it in another.

37. What is the custom among the Regulars if a man becomes insubordinate: have you not a military system of dealing with him?—Oh, certainly.

38. Do you think we can carry out military service here if we do not have a strict military discipline and ignore sentiment altogether?—Discipline is the one thing that keeps the Army going, if it is to be of any use. A military organization can only exist in an efficient manner where there is the highest discipline.

39. If your military power were extended by the law and you had such places at Ripa Island for insubordinates who were committed to your tender mercies, and they were excluded altogether from the world outside until you had done with them, would it not be possible for you to cure those men of their insubordination?—I think so. Of course, we are not brutal. We are human, like any one else. We manage our prisoners in the Regular Army with full powers of dealing with them. We are not brutal.

40. If these men who determine that they will do nothing, had, say, 100 lb. strapped on their backs and were told that they could carry that weight for an hour or two hours, and, if they would not do it, were allowed to lie down till they were prepared to do it—do you not think that would get over the difficulty?—We do not do that sort of thing. We have much better and less cruel methods than that.

41. Do you not think you should have power to deal with them without any complaint being made to outsiders or any sentiment being stirred up by the outside world?—Yes.

42. And any correspondence should pass through you?—Yes. All we ask is that you will either trust us with the powers or take the whole thing out of our hands altogether. Mind you, we are human. We do not torture people or ill-treat them, or do anything like that. For instance, one of the punishments in detention at Home, if I am not mistaken, for insubordination and so on, is to shut a man up in solitary confinement and put him on short rations. He very soon gets tired of it. It is not a cruel punishment, but it is a very unpleasant one.

43. *Hon. Dr. Collins.*] From your experience do the bulk of these young fellows object to alternative service—those who are on Ripa Island?—All those who belong to that Christchurch Peace Society do, I think.

44. Is it not a fact that they were fairly willing to work until one particular man came there?—Yes, there were a lot who were willing to work, and I think I am correct in saying that they were persuaded not to work by others.

45. Was it not a man named Williams who practically organized the insubordination?—Yes; he is the man who, figuratively speaking, manufactures the bombs that others throw.

46. Would it be possible at all to separate these men who stir up the trouble—separate them from the others?—I think so. I think we have another place across on the mainland where we could put the well-disposed ones who were willing to work, and keep the others on Ripa Island.

47. From your experience of Ripa Island, practically there were only one or two who were the ringleaders?—Yes.

48. So that if they were separated from the rest there might be some chance?—Yes.

49. Did any of these men suggest that they would rather leave the country than serve?—I do not know.

50. They want to remain in New Zealand: they are willing to obey all the laws except this particular one?—Yes, except this one.

51. Have any of them ever suggested to you that if there were a portion of New Zealand to which they could be sent where they could be free of military service they would be willing to go?—No, I never heard anything of the sort.

52. Supposing a portion of New Zealand were set apart—say, a part of Sunday Island or Auckland Island—and they were sent there to colonize a place where they would not be troubled with military service, do you think that would appeal to them at all?—I doubt it. Life would be too uncomfortable; there would be no picture-shows—no amusements.

53. Do you think it would be better to have the whole matter put under the military authorities for them to deal with the whole system?—Of course, we could deal with them. It is largely a question of powers and staff. At present the people who are dealing with these prisoners at Ripa Island are men of the Royal New Zealand Artillery, who are withdrawn for the time being from their legitimate work. They are doing gaolers' work, which is not their proper duty. At Home in the military detention barracks there is a separate staff altogether for that purpose. Here the New Zealand Artillerymen are withdrawn from their proper work, and it adds a great deal to their labours.

54. Still, it is the military system we are considering, and is it not right that a military system and enforcement of service should be entirely in the hands of the military?—Quite so. I am merely pointing out that we have the system without any military powers to deal with these people, and therefore the work and the trouble that these Artillerymen are put to is out of all proportion to any good effect that comes of it, simply from the want of powers to deal with these prisoners and make things run smoothly.

55. If the powers were given to you, would you prefer them rather than having this divided authority—partly civil and partly military?—Yes, I would prefer to deal with them entirely or not at all.

56. You would prefer to deal with them rather than let them be under civil law at all?—No. I would sooner really, from a utilitarian point of view and from the point of view of the efficiency of the New Zealand Artillery, be clear of them altogether; I would far sooner not have anything to do with it.

57. Do you not think it ought to be under the military authorities?—Yes and No. It ought to be under the military authorities if we had the powers to deal with these people and if we had the staff to deal with them, otherwise we would rather not have anything to do with them.

58. That would be provided, I suppose?—There you come to the matter of expense.

59. There is expense either way?—Supposing the civil authorities took them over, you have already got your organization under the Justice Department.

60. But that brings the matter very much more out into the open as it were: it is not dealt with as a military offence?—Yes; it is not a military offence.

61. The question is whether it ought not to be made a military offence?—I do not quite see how you could. These young men go to Ripa Island because they break the civil law.

62. I grant that that is so now, but could not that be altered?—No, I do not think so, because a military offence in this country is an offence that is committed on parade or in camp when they are doing military work. Then, if they are insubordinate or misbehave like that they commit a military offence. But if they commit such an offence, we will say, as refusing to register, refusing to attend a parade, or refusing to take the oath—all those offences come under sections of the Defence Act and in that are civil offences. We do not deal with these young men until we actually have them under our hands on parade or in camp doing military work. People are apt to lose sight of this fact, that we here are not concerned in the young men obeying the sections of the Defence Act: we are not concerned in that—it has nothing to do with us at all. We know there are a lot of young men who are posted, we will say, to a certain unit—a regiment anywhere—and we know that these young men should turn up to parade or to drill on a certain day at a certain hour. The officer or the non-commissioned officer in charge calls the roll. There are a certain number of absentees. We do not go and pull those absentees up before the Magistrate. All we do is to report the matter. We simply say to the police, "Here are so many young men who ought to have been on parade and were not there. You deal with the matter." And the police deal with it. It is a civil offence. The police lay the information, and bring the young men before the Magistrate. All we are concerned in is to give evidence, if called on, to prove that the young men were absent from parade when they ought to have been there.

63. Could not that be altered in such a way as to give you power to deal with these men who do not register?—I do not think so. I do not think it would be a good thing.

64. Why?—The position in this country is peculiar. These young men who belong to the Territorials are only military men when they have their uniform on; otherwise they are civilians, and it would not do for the military people to deal with civilians. There would be a lot of trouble: there would be an outcry—very rightly. It would be rather inconsistent for the military authorities to see to the observance of a civil law.

65. The first breach of the Defence Act is failing to register, is it not?—It is a civil act. Until a young man has taken the oath and been posted to a unit he does not come under us; he is not a soldier.

66. *Hon. Mr. Callan.*] He is not under you unless he is at drill or in camp?—That is so. I want to make that quite clear.

67. *Hon. Dr. Collins.*] That is where the chief difficulty lies. The military discipline is a part of the law of the country and the bulk of the people approve of it, and the question to my mind is whether it is not possible to make the military law start at the point of registration. I do not know how you are going to get over the difficulty with these men if the civil law is going to conflict with the military law?—That is how it stands, and I do not think it ought to be altered. That is the inconsistency of military detention. You have, we will say, a young man who has refused to register. He is not a soldier—has not become a soldier; yet he is put under military detention, which in itself is an inconsistency.

68. He is not a soldier until he is registered? When does he become a soldier?—After he has taken the oath and been posted to a unit.

69. There are three steps to go through before he becomes a soldier—that is to say, he has to register, to take the oath, and to be posted?—Yes.

70. It is there where the whole difficulty lies. These men first of all will not register. Do any of them refuse to take the oath?—A certain number, for various reasons.

71. *Hon. Mr. Callan.*] After having registered?—Yes.

72. *Hon. Dr. Collins.*] Then do any who have taken the oath refuse when they have been posted?—No doubt. No young man can conscientiously object to register. There is nothing in that: there is no military duty performed in that. After that you can bring your conscience or your religion into play.

73. But many of them refuse to register at all?—Yes.

74. Because of conscientious reasons?—Any reason—chiefly cussedness.

75. It is impossible for you to deal with these men at all until they are posted?—Quite. We are not concerned in them: we are only concerned in training.

76. Were the bulk of these men on Ripa Island men who had refused to register?—I could not tell you without getting the information.

77. *Mr. Isitt.*] Williams refused?—Yes. No doubt some of them did.

78. *Hon. Dr. Collins.*] Had they all refused to take the oath?—I do not know about all of them; some of them perhaps had. They are of all sorts. Some have been posted and have not turned up for parades, and so on. Those are soldiers, because they have been posted. It is quite fair to put them in military detention, because they are soldiers. You are quite right to force them to drill or let them take the consequences. But these others who have not registered, and have not taken the oath, and have not been posted, are not soldiers at all, yet we deal with them on military detention. It is not consistent. They are civilians.

79. We are proposing here to try and give some alternative service to these people who are not under the military service?—Yes, who do not want to come under it.

80. Has it ever been suggested to you by any of them what kind of alternative service they would do?—No; they have never made any suggestion at all. I think their hope is to evade all personal service of any kind.

81. *Hon. Mr. Smith.*] I want to get it as emphatically as possible that you approve of the civil side of this defence scheme as at present existing?—In what way?

82. That not registering, not taking the oath, should be a civil offence?—It is a civil offence, and not turning up to parade is a civil offence: all those are civil offences.

83. Your opinion is that they should continue to be civil offences?—Certainly. We do not wish to be mixed up in any enforcement of the Act as far as its civil clauses go. We will deal with the young men when we have got them. The Act produces these young men—places them in our hands for training. That is all we are concerned with: that is all we want to be concerned with. It is not right that we should be concerned with it in any other way.

84. They are only under military authority and military discipline when they are on parade or in uniform going to or from parade?—That is so.

85. That is the extent of the military authority?—That is the extent of our authority over them.

86. If we had some system of alternative service and the conscientious objector did not register but preferred the alternative service, all those who did register would then come under the military authorities and would be dealt with under the military law?—Not until they had been posted.

87. I mean, so far as breaches of the Defence Act are concerned: you would take charge of them then?—Only when they are in our hands on parade.

88. After they have registered and become subject to the military law while on parade, if they commit a breach of that law or if they commit a civil offence—for instance, refusing to attend parade—those men you would take into detention, because they do not object to drill?—No, they do not object to drill.

89. But the other men you would prefer to be clear of altogether?—Absolutely. Soldiers we will deal with; others we do not want to.

90. *The Chairman.*] You said something about depriving these men of their civil rights if they refused to serve. You do not mean to deprive them of their civil rights if they give the alternative service?—No; they are doing a State service.

91. At any rate, I suppose you have come to the conclusion that the present state of affairs is absolutely unsatisfactory?—Absolutely unsatisfactory and unworkable.

92. That is, the military authorities have to undertake the detention without any powers?—Yes, which is an impossibility; we cannot do it.

93. *Mr. Isitt.*] I take it you are of opinion that we want not so much to deal out justice to these lads who have got these foolish notions, as to adopt some method that will save the Territorial system?—Yes; but I do not quite understand what your point is.

94. My point is this: our great aim is to get some way out of this difficulty that will save the Territorial system and prevent an agitation that will imperil it, and if we can get an alternative that is just sufficiently severe to reduce the objectors to a minimum we shall have served our main purpose?—Yes.

95. Do you think it is possible to crush out the conscientious objector by any amount of severity?—Nobody wants to be severe.

96. Do you think it is possible, even if we did want to?—Not if he is absolutely conscientious. If he is a genuinely conscientious objector nothing you can do will crush his conscience. It is only the wasters who want to evade military service that you can deal with in that way.

97. Do you not think it would be a wise thing to try this experiment, at all events, for a start: supposing we took up a scheme such as I suggested—got a number of these lads into camp and said, “You go there and you do your work,” and at the end of the three weeks said, “There is your nine days’ pay, away you go”; and if they did not do that they would have to stay four or five weeks. Do you not think that in all probability if these men were well handled the conscientious objector would cave in?—Yes. The only thing is this, that you have to deal with young men of especial quality. For instance, what would you do supposing you got Worrall and Williams, and you forcibly took them to one of these camps and they absolutely refused to do anything, and upset everybody else?

98. I would not let them do that. I would shut them up by themselves. They could be kept from associating with the others?—It is a difficult thing in a camp. The only thing you could do with those young men would be to put them in a separate camp by themselves. Well, that would give a lot of trouble. I think you will find—and I think it is quite right too—that young men of that description want special and perhaps severe treatment, because, mind you, their influence is so bad and their “cussedness” is of such description that you cannot let them slide; they are simply evading personal service and they will boast about it. They will write about it in that publication of theirs and boast about it all round the country, and it will have a bad effect.

99. *Hon. Mr. Rigg.*] In the case of an offender who has refused military service on the ground of conscientious objection, and then refuses alternative service and is punished by the Court, is he then to remain free from any obligation to serve?—Next year he comes up again, certainly. The liability of the Territorial is from the age of eighteen to twenty-five. Therefore, the liability of the alternative-service men should be the same. If by misbehaviour the first year he is to evade all the rest of his service it is hardly fair. His liability remains until he reaches the age-limit, or whatever other condition the country chooses to impose.

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