

THE FREEDOM OF THOUGHT AND CONSCIENCE – THE STATUS OF CONSCIENTIOUS OBJECTOR TO MILITARY SERVICE

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Abstract: *The right to conscientious objection is founded on human rights to act according to individuals' religious and other conscience. The right to refuse to perform military service under arms inheres in the right to freedom of thought, conscience and religion, entitling any individual to exemption from compulsory military service if it cannot be reconciled with the individual's religion or beliefs. Domestic and international human rights laws recognize such entitlements. International institutions protect conscientious objectors by adopting recommendations and resolutions. Romania approved such legislation, introducing a genuine alternative service of a civilian nature and decriminalizing conscientious objection to military service.*

Keywords: *human rights, conscientious objector, military service.*

Definition and Introductory Concepts

A conscientious objector is “one who opposes bearing arms or who objects to any type of military training and service”¹. One of the main reasons for refusing to perform military service is religion due to the fact that many conscientious objectors cite religious reasons from the conviction that religious life is incompatible with military action and, as a result, they refuse violence. In some countries, conscientious objectors are assigned to an alternative civilian service as a substitute for conscription or military service.

During history, conscientious objectors have been executed, imprisoned or punished when their beliefs led to actions conflicting with their society's legal system or government. The legal definition and status of

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¹ Britannica, T. Editors of Encyclopaedia, “conscientious objector”, Encyclopedia Britannica, March 12, 2021, available at: <https://www.britannica.com/topic/conscientious-objector>, accessed on 27 September 2022.