Conscription: the Military Service Act 1916

While many men were excited to join the army in 1914, the numbers joining up began to decline. The Government recognised that a war could not be won without soldiers and began to discuss conscription. Conscription is when men are ‘called up’ to go to war. Under conscription, men must go to war, unless there is a significant reason not to.

By January 1916 the number of men joining the army was falling significantly. The number joining had gone from 300,000 per month down to 80,000. The Government began to worry that they may not have enough men to fight the war. The Military Service Act was introduced. This meant that it was compulsory for all single men aged between 18 and 41 to join the army, with some exemptions. These included men in essential wartime employment, those deemed medically unfit and conscientious objectors. Conscientious objection was very hard to prove: although it was not defined in the Military Service Act, the Government said it would recognise those whose ‘objection genuinely rests on religious or moral convictions’. Only a small number of conscientious objectors were exempted from service absolutely.

Men who wished to be exempt from conscription could apply to a military tribunal. They had to explain why they wanted to be exempted. Reasons for applying included conscientious objection (religious or moral reasons), medical (those who were not fit to serve), family (those looking after family members) or economic (those looking after a business) grounds. The tribunal would then decide whether or not the men would have to serve in the army, or perform some other work in support the war effort. James Maxton applied to a military tribunal for exemption on conscientious grounds.

Because the issue of compulsory military service was very sensitive during and after World War One, most of the tribunal records were destroyed and only a very small sample were preserved in archives.