



## In Focus

### The Military Service Act 1916: 100 Years

Conscription was introduced in Britain during the First World War in January 1916. The Military Service Act 1916 imposed conscription on all single men aged between 18 and 41 who were not eligible for exemption. The Act was modified by subsequent legislation throughout the First World War, and conscription continued until 1920. However, compulsory military service was reintroduced in May 1939, prior to the Second World War, and was imposed on all single men aged between 20 and 21. The male age limit for military service was raised throughout the Second World War. In September 1939, Parliament passed legislation which imposed conscription on all males aged between 18 and 41, and in 1941, the male age limit for military service was raised to 51 and provision was made for the conscription of women.

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#### Recruitment Issue 1915

In August 1914, Britain declared itself at war with Germany, and formally entered the First World War.<sup>1</sup> In 1915, in addition to a shortage of munitions, there were signs that insufficient numbers of men were volunteering to serve in the army.<sup>2</sup> In 1914, the British army, not including reservists, consisted of only 247,432 officers and men, about one-third of whom were in India.<sup>3</sup> Between August 1914 and January 1915, the highest monthly rate of enlistment occurred in September 1914. By the end of 1915, more than 2.5 million men had joined up. The highest peak for recruiting in Britain during the entire war was the week ending 5 September 1914.<sup>4</sup>

In 1915, the Government implemented a number of measures which were intended to organise the recruitment of men through the volunteer system.<sup>5</sup> In July 1915, Parliament passed the [National Registration Act](#) which established a record of all men and women between the ages of 15 and 65. The intention of the Act was to centralise a number of schemes which were then in force, and resolve the opposing needs of the home front and war front.<sup>6</sup> In October 1915, a scheme led by Lord Derby invited men to attest their willingness to serve.<sup>7</sup> Men could either enrol into the army immediately or promise to respond to the call as soon as it was demanded of them. In addition, a pledge was made that no married men would be considered until there were no longer any unmarried men available.<sup>8</sup> Every man was to attest, but those who were found to have good national or personal reasons were given exemptions. Out of 5 million men who were not enrolled, 1.2 million worked in protected businesses.

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#### Military Service Acts during the First World War

On 4 January 1916, Lord Derby published the white paper, [Report of Recruiting](#), which announced that of 2,179,231 single men shown by the National Register to be of military age, only 1,150,000 had attested, and only 1,679,263 out of 2,832,210 married men had.<sup>9</sup> He concluded that it would not be possible to

“hold married men to their attestation unless and until the service of single men have been obtained by other means, the present system having failed to bring them to the colours”.<sup>10</sup>

On 5 January 1916, the Prime Minister, Herbert Asquith, moved a motion for leave to introduce “a Bill to make provision with respect to Military Service in connection with the present war”. Opening the debate, the Prime Minister confirmed that the Bill was confined exclusively to those who were concerned with, or affected by, Lord Derby’s scheme. He stated that the Bill applied to:

[...] all male British subjects who, on the 15 August 1915—Lord Derby’s date—had attained eighteen years and not attained forty-one years of age, and who at that date were unmarried or widowers without children dependent upon them. Such persons, and such persons only, subject to the exceptions and exemptions which I will enumerate, will be deemed to have been duly enlisted for the period of the war as from the Appointed Day.<sup>11</sup>

The Military Service Bill received royal assent on 27 January 1916. The Act imposed conscription on all single men, with exceptions for those in essential war time employment, those deemed medically unfit, religious ministers and conscientious objectors. The Act was modified by subsequent legislation throughout the First World War, including the Military Service Act of May 1916, which extended conscription to married men, and the Military Service Act of April 1918, which raised the conscription age limit to 51, and was for the first time extended to Ireland. During the First World War conscription had raised approximately 2.5 million men.<sup>12</sup> Conscription continued until 1920.

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## Conscription during the Second World War

In response to the deteriorating international situation and following political pressure from France, in April 1939 Neville Chamberlain announced the Government’s plans to introduce a scheme of compulsory military service, and according to the historian Peter Dennis, became the “first Prime Minister to introduce conscription in peacetime”.<sup>13</sup> The Military Training Act, which was enacted in May 1939, imposed conscription on all single men aged between 20 and 21.<sup>14</sup> The eligible men were required to undertake six months’ military training.

On 3 September 1939, the day that the Prime Minister announced Britain had declared war with Germany,<sup>15</sup> Parliament passed measures to extend conscription.<sup>16</sup> The National Service (Armed Forces) Act 1939 imposed conscription on all males aged between 18 and 41. Those medically unfit were exempted, as were others in key industries and jobs such as baking, farming, medicine, and engineering. In 1941, Parliament passed a second National Service Act which extended the male age limit for military service to 51. It also made provision for the conscription of women. Initially, only childless widows and single women aged between 20 and 30 years old were called up, but later the age limit was expanded to those aged between 19 and 43 (50 for WWI veterans).<sup>17</sup> As part of the conscription requirement women had to choose whether to enter the armed forces or work in farming or industry. Furthermore, individuals of both sexes were required to do some form of National Service up to the age of 60.<sup>18</sup>

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## Post War National Service in Britain

Preparations for demobilising the armed forces following the Second World War began in 1944 with the Reinstatement in Civil Employment Act. It allowed men and women to claim back their old jobs, provided their employer was still in business. However, at the end of the war in 1945, the Government concluded that National Service in peacetime was necessary because of Britain’s military obligations in different parts of the world, such as Germany, India and Palestine.<sup>19</sup> The National Service Act was

passed in 1947 and came into force in 1949. All physically-fit males between the ages of 17 and 21 had to serve in one of the armed forces for an 18-month period. In 1950 a further National Service Act lengthened the period of service to two years. National Service ended in Britain in 1960, though periods of deferred service still had to be completed.<sup>20</sup> The last national servicemen were discharged in Britain in 1963. After 1945 National Service did not extend to women.

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## Compulsory Military Service Internationally

The British Ministry of Defence has stated that “the Government has no plans to reintroduce National Service”,<sup>21</sup> and in recent years, a number of other European countries have abolished its national military service, including Bulgaria in 2008, Poland in 2009 and Germany in 2011. Nevertheless, there are a number of countries who enforce compulsory military service. For instance, in 2013, Austria held a national referendum on the issue and the Austrian public voted in favour of retaining mandatory conscription.<sup>22</sup> The CIA World Factbook has published a list of the military obligations of each country, and where applicable provided details on the required ages for voluntary or conscript military service, and on the length of service obligation.<sup>23</sup>

The CIA World Factbook states that the following European Union countries enforce conscription or compulsory military service:<sup>24</sup>

- Austria: the legal minimum age for compulsory military service (six months) is 18, or optionally, alternative civil/community service (9–12 months); males aged 18 to 50 years old in the militia or inactive reserve are subject to compulsory service.
- Cyprus: compulsory military service for all Greek Cypriot males between the ages of 18 to 50.
- Denmark: the legal minimum age for compulsory and voluntary military service is 18 years of age; conscripts serve an initial training period that varies from four to twelve months according to specialisation; reservists are assigned to mobilisation units following completion of their conscript service.
- Estonia: compulsory military or governmental service between the ages of 18 and 27, conscript service requirement eight to eleven months depending on education.
- Finland: males from the age of 18 are eligible for voluntary and compulsory service; service obligation six to twelve months; military obligation to age 60.
- Greece: males between the ages of 19 and 45 are liable for compulsory military service; during wartime the law allows for recruitment beginning January of the year of inductee’s 18th birthday; conscript service obligation is one year for the Army and nine months for the Air Force and Navy.
- Lithuania: in March 2015 conscription was restored on a limited basis, for a five-year period.
- Portugal: no compulsory military service, but conscription possible if insufficient volunteers available; reserve obligation to age 35.

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<sup>1</sup> [HC Hansard, 5 August 1914, col 1963.](#)

<sup>2</sup> J M Winter (eds), *Cambridge History of the First World War*, 2014, vol II, pp 330; and Arthur Marwick, *The Deluge*, 2006, p 116.

<sup>3</sup> Catriona Pennell, *A Kingdom United*, 2012, p 143.

<sup>4</sup> National Archives, CAB 21/107, 13 April 1916; and Catriona Pennell, *A Kingdom United*, 2012, p 144.

<sup>5</sup> J M Winter (eds), *Cambridge History of the First World War*, 2014, vol II, pp 330.

<sup>6</sup> Arthur Marwick, *The Deluge*, 2006, p 117.

<sup>7</sup> J M Winter (eds), *Cambridge History of the First World War*, 2014, vol II, pp 330.

<sup>8</sup> Arthur Marwick, *The Deluge*, 2006, p 117.

<sup>9</sup> Earl of Derby, Director-General of Recruiting, [Report on Recruiting](#), January 1916, Cd 8149, pp 5–7.

<sup>10</sup> *ibid*, p 7.

<sup>11</sup> [HC Hansard, 5 January 1916, cols 954–5.](#)

<sup>12</sup> Catriona Pennell, *A Kingdom United*, 2012, p 143; and Parliament website, '[Conscription: the First World War](#)', accessed 12 January 2016.

<sup>13</sup> Peter Dennis, *Decision by Default: Peacetime Conscription and British Defence 1919–39*, 1972, p 206; and Angus Calder, *The People's War: Britain 1939–45*, 1969, p 31.

<sup>14</sup> Angus Calder, *The People's War: Britain 1939–45*, 1969, p 51.

<sup>15</sup> [HC Hansard, 3 September 1939, cols 291–2.](#)

<sup>16</sup> [ibid, col 359.](#)

<sup>17</sup> National Archives, '[Women in World War II—Introduction](#)', accessed 13 January 2016.

<sup>18</sup> Angus Calder, *The People's War: Britain 1939–45*, 1969, p 269.

<sup>19</sup> Richard Vinen, *National Service: Conscription in Britain 1945–1963*, 2014, p 38.

<sup>20</sup> Parliament website, '[National Service](#)', accessed 13 January 2016.

<sup>21</sup> BBC News website, '[The Last Man to do National Service](#)', 1 June 2015.

<sup>22</sup> BBC News website, '[Austrians Vote to Keep Compulsory Military Service](#)', 20 January 2013.

<sup>23</sup> CIA World Factbook, '[Military Service and Obligation](#)', accessed 14 January 2016.

<sup>24</sup> *ibid*; and BBC News '[Lithuania to Reintroduce Conscription Over Security Concerns](#)', 24 February 2015.

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