

MILITARY LAW & ORGANIZING

This pamphlet has been prepared by people both in and outside the National Lawyers Guild who have been active in military work for many years. It is a direct result of the history that we have made together with our brothers and sisters in the armed forces. It is a statement that we shall continue to make our history.

1974

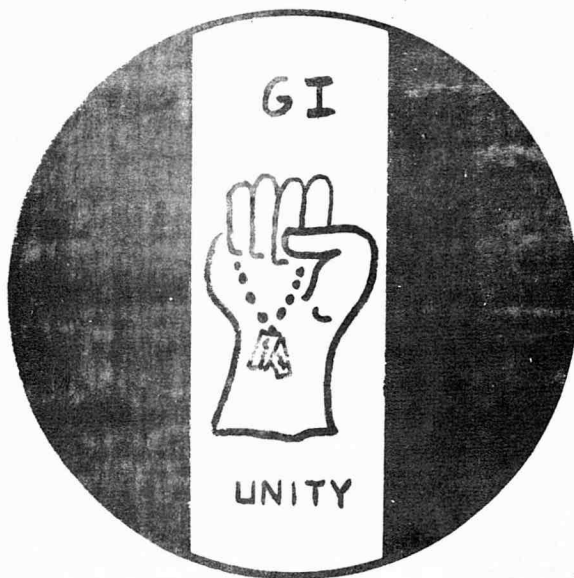
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PROGRESSIVE WORK IN THE MILITARY

This pamphlet is presented so that we may discuss with you the basis for progressive work within the US military. We shall attempt to explain briefly why it is important to continue our work within the armed forces and to show how that work ties in with the progressive forces on a national as well as international level. We shall also attempt to discuss the tremendous amount of work that is presently being carried out to assist US military personnel and their families as well as to put their conditions in a political context while they are caught in the military machine.



PRESENTATIONS

It is our intention during this 1974 Guild National Convention to present to you concrete examples of this work through various means:

1. An informational workshop on Discharge Upgrading--an important issue for hundreds of thousands of Veterans, many of whom are Third World or Native American. The workshop will begin at 9 a.m. on Friday morning.

2. A powerful slide presentation of the work done in Okinawa, an overseas project, accompanied by discussion from participants in the project itself. This presentation will occur at 11 a.m. on Friday.

3. An important programmatic/informational workshop that will attempt to put the Guild military work in perspective and will attempt to discuss our main objectives for the future. Also, if there is enough interest shown, this workshop will discuss the legal practice within the military judicial system. This will take place at 1 p.m. Saturday.

We strongly urge you to come to discuss with us the experience and analysis which have led us to do this work and to share with us your past, present, or future plans for participation.

THE STATE OF U.S. ARMED FORCES

Rank and file GI's are increasing their militancy, demanding more control over their conditions, an end to race and sex oppression and are openly rebellious against command authority that ignores their demands. Also, many GI's are beginning to realize it is not just their own conditions which are a direct result of this advanced stage of Capitalism. GI's, like many other oppressed people, are looking at the system as a whole and are seeing that their interests as GI's, as people being exploited by an oppressive system, are the same as the interests of others who are exploited. They are acting on what they see and are more clearly understanding that UNITY, rather than isolated individual acts, is the most logical means of achieving their goals.

It might be helpful to supply some concrete examples of this militancy. Therefore, as briefly as possible, we discuss below some recent examples of the development of the GI movement.

Specific acts of resistance by individual GI's and groups of GI's have been occurring in the military in this country from its inception. In the Continental Army in 1781, 80 soldiers surrounded and barricaded the Continental Congress in its building until the members of Congress heard the GI's grievances. More recently, there have been thousands of incidents of which only 20% may come to our attention. One example is that of the 100-plus sailors who refused to sail with the USS Midway in protest of brutal conditions on that ship (a large, attack aircraft carrier). The group was racially mixed with approximately 75% of the sailors being Black and Puerto Rican.

Another example of resistance and strength from unity was the collapse of the ground forces in Vietnam. GI's refused to fight, in groups, openly. As one GI stated, "Real morale comes from unity and resistance, and the Brass [Command Authority] can't court-martial everyone." This high level of solidarity among GI's against the Brass was well displayed around a racist-inspired court-martial at Ft. Ord, California in September of 1972. Billy Dean Smith, a Black private in the Army who had been vocal in his opposition to the war in Vietnam and the racist command, was the first GI to be tried in the United States for 'fragging an officer to death. He was charged with killing two officers with a fragmentation grenade in Vietnam. Hundreds of GI's signed petitions for Smith's release, demonstrated for justice in his case, and at one point the courtroom where he was being tried burnt to the ground. Billy Dean Smith was acquitted of murder in October, 1972.

Just as the Federal Prison system is trying to rely more heavily on behavior modification in its institutions, so is the military. With two large behavior modification programs in existence already (Ft. Riley, Ks and Lowry AFB, Colo.), these tactics, as well as the general oppressive and brutal conditions of the prisons themselves, have led to many rebellions by military inmates and a great deal of political education: Lowry AFB ('73 & '74), Ft. Belvoir ('73), Camp Allen ('73), Long Binh Jail, Vietnam ('69, '70, '71), Ft. Dix ('70), Leavenworth ('73), Mannheim, Germany ('71), Presidio ('69 & '71), etc.

Safety and working conditions have been the subject of GI strikes, slowdowns and boycotts at various bases: Ft. Bragg, Poughkeepsie, Ft. Hood, and many others. As well, many ships in both the Atlantic and Pacific fleets have had confrontations over



the same issues (USS Kitty Hawk, USS Constellation, USS England, USS Midway, and the USS Chicago are but a few examples).

GI's are also not allowing themselves to be isolated from the political movements of the civilian sector of society. Many Native American soldiers left the military to participate in the Wounded Knee occupation, Black and White GI's have refused to perform "riot duty" as their expression of solidarity with the people they were supposed to suppress, and most recently active duty men and women had a strong and militant contingent during the July 4th Vietnam Veterans Against the War/Winter Soldier Organization mass demonstration in Washington, D.C. this year.

VOLAR AND SOME IMPORTANT CONTRADICTIONS

Given the kinds of conditions discussed above and Imperialism's reliance on armed force to widen and maintain its control, work with military people is an important part of the progressive struggles here and abroad. The All-Volunteer Force (VOLAR) sets some conditions

The major contradiction in the world today is the struggle between the imperialist powers and the liberation forces. The U.S. as the leading imperialist, uses its armed forces to maintain its control both domestically and abroad. GI's in their role as soldiers and consumers play an essential role in this effort.

In addition to aggression against Third World countries, imperialism, in its ever increasing search for profits and expanded markets, comes into conflict with other imperialist countries and must try to resolve its antagonisms with progressive struggles here at home. As liberation of countries continues to increase, as markets shift or narrow, as raw material becomes more scarce and less available from 'allies', as the economic situation worsens, and as people in this country increase their agitation for basic human rights as well as for support of international struggles then U.S. imperialism will find itself in more and more confrontations. As a solution to these confrontations, history has shown us (and Defense Department plans specifically call for) a heavy reliance on the U.S. armed forces.

INTERNATIONAL
ITT
TELEPHONE AND
TELEGRAPH

STANDARD OIL LOCKHEED AIRCRAFT
AMERICAN TELEPHONE AND TELEGRAPH
MOBIL OIL GENERAL DYNAMICS
INTERNATIONAL BUSINESS MACHINES
TEXACO GENERAL ELECTRIC
MCDONNELL-DOUGLAS AIRCRAFT
GULF OIL WESTERN ELECTRIC

UNITED AIRCRAFT NORTH AMERICAN ROCKWELL
GENERAL MOTORS FORD MOTORS CHRYSLER
RADIO CORPORATION OF AMERICA ORTHUMMAN AIRCRAFT
S. STEEL WESTINGHOUSE LITTON INDUSTRIES
EMERSON YOUNG SHELL OIL GENERAL TELEPHONE & ELECTRONIC
MONT HUGHES AIRCRAFT DOW CHEMICAL HONEYWELL

**WE PLEDGE ALLEGIANCE
TO THE FLAG AND TO THE
CORPORATIONS FOR
WHICH IT STANDS.....**



Through the draft alone the Pentagon took 1.2 million men to fight in Vietnam and maintained an imperial military of over 3 million for at least five years.

Department of Defense (DoD) is used as a boycott relief valve for favorite industries. During the UFW boycotts of grapes and lettuce and during the Farah boycott DoD gobbled up both vegetables and stocked its base stores with Farah pants.

At least three aerospace industries have been bailed out by big DoD loans or special considerations.

In the recent trucker strike, National Guard and Reserve units were used to keep the highway open. Active duty units in some areas were on alert.

In the summer of 1968 troops were used to patrol areas of Watts, Detroit, Newark, Chicago and other cities as Black people took their rebellion to the streets.

In March, 1970, troops from Ft. Dix and McGuire AFB, in N.J. were ordered to break the Postal Workers strike by assuming their duties at the post offices of New York City.

Why VOLAR ?

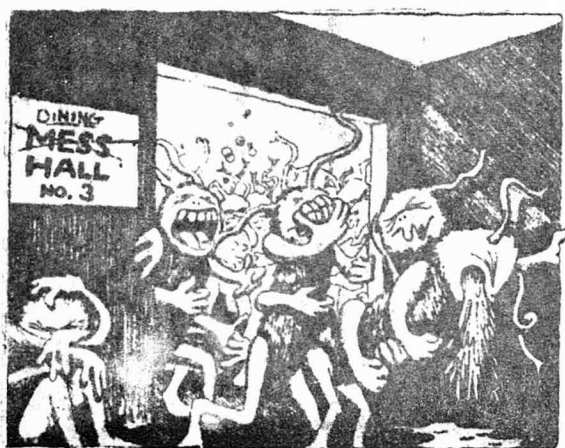
The All-Volunteer Force concept (VOLAR) was a reaction to the fact that the draft would not continue to be accepted by people in this country, that popular concern for domestic issues is growing at the expense of concern over military posture overseas. VOLAR is also a way the Pentagon has hoped to resolve the problems of GI resistance and militancy while at the same time meeting their need for a more professional military. This more professional force is intended to be able to respond quickly and effectively to "hot spots" around the world.

These same strategists illiminated from their game-plans a draft-fed protracted conflict. After the defeat in Vietnam they instituted a strategy of a new type. This strategy, as far as the armed forces are concerned centers around a much more cautious and controlled use of U.S. forces with highly expanded military aid to allies so that their troops--and not ours--will do the prolonged fighting. Of course, out of their own self interest, US strategists will continue to assist in initial efforts to cool off small wars, revolutions and other confrontations with concentrations air and sea power. The strong possibility still exists that some ground forces would be used, but more than likely they would be highly trained and sophisticated special forces of one type or another. But no more Vietnams.

How VOLAR is Supposed to Be

But this raises the question of how the Pentagon and thier imperial boses plan to raise such a 'professional' force. Clearly, the highly developed, technologically advanced weapon-systems will come out of your and my pockets. Billions will be spent to develop these systems. The human element to this strategy is a somewhat different story, but in the end, our taxes, our inflation, and our deficit government spending are paying for that too. They intend to bribe people into the new military.

Aside from the billions to be spent on weapons, the Pentagon will try to raise their forces by spending billions trying to improve nphysical conditions for personnel that have historically been horrendous.....



BARF!

The Brass (military officials) are hiring civilians to try to improve the quality and palatability of military food, they are building new barracks that appear to be Holiday Inns (in fact, some Navy barracks are built from plans the Navy purchased from Holiday Inn), they are allowing beer machines in some barracks, hiring more civilians to do menial tasks around the barracks and bases, building shopping centers and trying to vastly improve their "personal services" for GI's and their families. The Brass is also allowing longer hair and somewhat different dress standards. The significant aspect of the VOLAR approach though, is money.

The Pentagon is spending millions on pay raises that have brought starting salaries of an elisted recruit to over \$326 a month (this is in addition to offering free dental care, free medical 'care', and room and board). They are also presently spending millions on propaganda that exploits the deterioration of the civilian economic sector and plays on the alienation from the labor market of many of our youth. Poisoned attractions like the Combat Arms Enlistment Bonus are used to lure thousands of people into the Army alone each year.

The Combat Arms Enlistment Bonus is a bonus of \$2,500 paid to an individual upon completion of advanced training in infantry, artillery or armor. This usually takes four to six months. There is an obligated enlistment of four years and the enlistee may choose a base where he is guaranteed a 16-month stay. Then the Army can send him anywhere. This program is open only to men.

In an attempt to keep people in the armed forces, the Pentagon has steadily increased the Variable Reenlistment Bonus. This is a bonus for reenlisting in certain critical job areas. For example, if you had been in the Navy's Nuclear Power job areas for 5 years and you reenlisted for an obligated four more years then you would receive a bonus of approximately \$10,700.00.

"THE UNEMPLOYMENT RATE IS THE
BEST RECRUITER VOLAR HAS!"

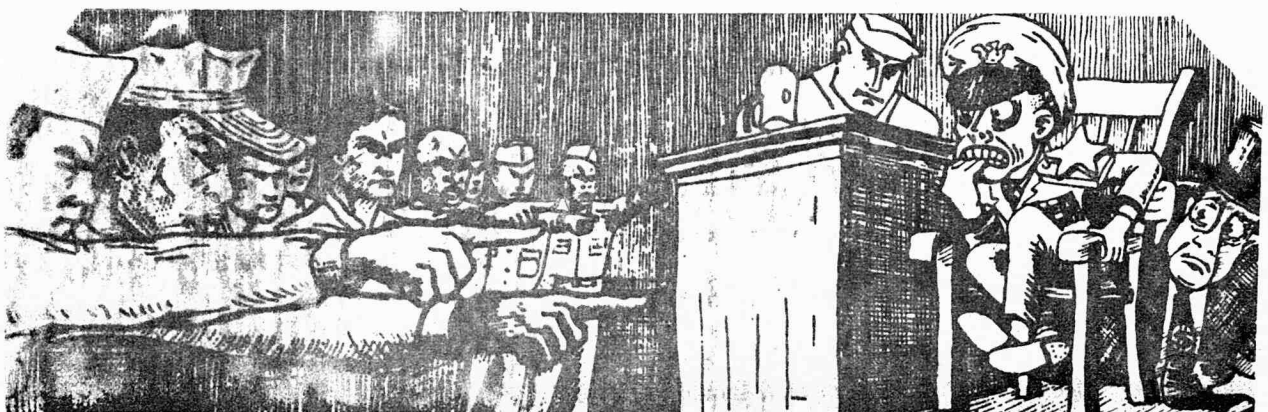
So, we can see that the military is supposed to be a better place to live, a place to learn a skill, a place to get one's feet on the ground and maybe even a career. It is certainly supposed to be a place where one can make some money right out of high school. That is how VOLAR is sold to people. That is how people are bribed into VOLAR.

The Class Nature of VOLAR

These conditions--the economic situation in our society and the programs of VOLAR that feed on the resultant economic insecurities--have exposed a major weakness in our imperial armed forces: Those who own the country, direct the course of imperialism and run the military (i.e., the Capitalists) must hire their historic enemies (workers and poor people) to defend their interests for them.

In this regard, it is instructive to note that the class background of the majority of servicepeople is in fact working class. With VOLAR's increased reliance on financial and secondary benefits as a means of recruiting, an even larger portion of the military will come from the working and poor communities. This appears to be true, since, as unemployment shoots upward, more and more people will turn to the military as a solution to their economic problems. Even if lured into the military for one term, upon discharge the majority of women and men will be returning to the civilian work center. These people will carry with them experiences and awareness gained from their duty in the armed forces. The similarity between the complicity in the oppression rank and file GI's by the Sergeants and the complicity in the oppression of rank and file workers by many industrial supervisors will not be lost to them. And, further, if an enlistee may have had a job prior to enlisting, the same connection can be made.

So, in fact, VOLAR is another step in the strategy of the imperialists to bribe workers and poor people into becoming their mercenaries. BUT--no matter how sophisticated the weapons, no matter how attractive the bribes, nor how intricate and cautious the plans and strategy, class conscious enlisted people have it within their power to break those plans, throw those bribes back in the faces of the Brass, and render those weapons useless.



A Microcosm - The Real VOLAR

Today we can see some of the effects of the interaction between these forces. These developing contradictions and weaknesses are reaching the point of violent antagonisms and in the military there is increasing unrest as a result. There is developing a deep-rooted anti-oppressor attitude in GI's which in many cases is clearly developing into anti-imperialism. Essential to understanding this development is an understanding of how the military is a function of and virtually a microcosm of its society.

THE US MILITARY IS A COPY OF US SOCIETY AND SUFFERS FROM ALL ITS DISEASES--BUT WITH A HIGHER TEMPERATURE!

In our armed forces the class structure has been distilled to a regulated, blatant caste system where authoritarianism, racism, and sexism are clearly and blatantly the "Standard Operating Procedure". Servicepeople at work do not control anything, they themselves are always subject to their commander's whim, and for the most part they suffer from horrible working conditions. All this despite the boasting of the new look of VOLAR. In addition, the judicial system of the military is barbaric and is one of the most easily manipulated systems of judicial process which can be then arbitrarily used against GI's to varying degrees. It all depends on the color of their skin, the political content of their speech and actions or, all too often, merely upon the whim of their superior.

EACH YEAR ABOUT 56,000 GI's FACE COURT-MARTIAL PROSECUTIONS. OVER 93% ARE CONVICTED. THERE IS NO BAIL IN THE MILITARY.

BUT, as is true in our society as a whole as well, people do FIGHT BACK. This fighting back, this development of progressive consciousness on the part of GI's, has led to the grinding halt to our ground war in Vietnam as well as numerous examples of individual and group resistance and struggle for dignity and human rights.

A Dilemma For The Brass

Because of this increased awareness and anti-imperialism on the part of an increasing number of GI's, the Brass is reluctant to rely on our present "fighting forces" for the future imperialistic requirement discussed above. This increased awareness, as we have seen is a direct result of the interaction between the strategy of VOLAR and the material conditions of the lives of working and poor people. So, if the Pentagon were able, they would probably choose another, alternative means to raise their armed forces. But in the struggle to maintain its control, US imperialism doesn't have much of an alternative. They could try to reinstitute the draft, as some have hinted at, but this doesn't seem likely in the near future. They could limit our involvement to the supply of materiel, but this isn't acceptable to them because it doesn't offer enough control over the situation. They could hire foreign mercenaries as they already have done in Vietnam, but this is unacceptable as the only means of maintaining their control. So, it seems at this point they are faced with unrest and unreliability in the ranks that cannot be changed by applying any external strategy. The solution must come from within the military, and be applied directly to the awakening GI's.

The Brass' Solution

The Brass' solution has been to tighten up on discipline and to initiate what amounts to a serious campaign of harrassment and mass discharges of a negative character. Their solution is to whip their troops into line or ride them out of the military with a penalizing discharge.

What was once proclaimed as the great liberalization effort of our armed forces (VOLAR) is now exposed as a harsh authoritarianism of commanders, a reduction of forces which forces each soldier to do what two or three did before (similar to calls for increased production coupled with massive lay-offs) and heightening antagonisms between GI's and commanders.

Overseas: More Repressive

Although these conditions exist in all branches of the military in every part of the world where US forces are stationed, we can see that the conditions overseas tend to be materially worse for GI's. There are very few civilians to hold the military accountable for its abuses, for one thing; and for another, overseas troops are on the front line of our imperialist efforts where command attitude is much more apt to be concerned with "readiness". Furthermore, given their change in strategy, this concern for readiness often translates into concern for how obedient soldiers are. It is because of these conditions overseas that progressive civilian support is so crucial. Some instructive examples may be found in the Guild's Military Law Office Semi-annual report of February 1974. This report covered the months of September 1973 through February 1974 and contained, in part, the following accounts:

Perhaps the most significant development has been the promulgation by the Commander-in-Chief of the Pacific Fleet...of an order essentially eliminating the First Amendment rights of GI's who are off-duty, off-base and out of uniform in a foreign country to circulate petitions, distribute literature and engage in other vaguely defined concerted actions and meetings without the prior approval of the commanding officer. (p.3).

True to the overwhelming racism of the Marine Corps, the officers--who are almost all white--tend to adopt a different policy on discipline for whites and blacks. They also tend to assume that either the black and brown Marines will not get in touch with a white attorney or that [the attorney] won't take the case. A typical case in September involved the refusal of Pvt. James Smith, a black man, to testify against another black man who he had allegedly seen strike a white enlisted man. This refusal was his right, but the Colonel of his unit was furious at what he considered a display of militance and black unity. Smith was charged with being an accessory after the fact and violating...regulation[s] requiring people to report crimes they see. After consulting [with the Guild attorney in our Iwakuni project] Pvt. Smith stood on his...right to remain silent. The day before his special court-martial, the charges were dropped. (p.6).

...[T]here is a very high degree of unity among black GI's in Okinawa. There is also substantial antagonism among officers towards that unity, no matter how it is expressed. Chris [the Guild attorney in the Okinawa project] has handled several cases this year that grew out of this conflict.

The first involved punishment of [an incident]...that highlights the extent of racism and paranoia in the military. Two black Marines named Cuqro and Johnson were arrested and put in the brig for "dapping" in a passageway and ignoring an officer's order that they should cease...Incredible as it might seem, the two men were brought to trial for this "offense". Dapping is an intricate unity handshake.

They were tried separately, and Chris represented them. ...In the course of the trial the company [commander], who had brought the charges, said that handshaking was allowed in the same area that Johnson and Cuqro had been dapping. However, he said that dapping was different and in fact tended to block the hallway...Johnson was convicted by the reluctant trial judge. The judge gave no sentence, however, and Johnson was given a quick general discharge under honorable conditions. (pp. 13-14).

* * *

RACISM

As we have seen, racism in the military is rampant. The fight against it by GI's is an essential part of their developing movement. Racism, both in society and thereby in the military is a tactic of the Brass used against the people. Third World (which herein-after includes Native Americans) people do not control their communities, their schools, their working conditions; they have not had a

material improvement in their conditions as a whole in the recent past. It is their skyrocketing unemployment which serves as a damper on other people's unemployment and it is their communities that are occupied by a civilian army of police and it is their people who are horribly oppressed by the judicial system. It is their people who are consistently under-trained and under-skilled by society as a whole that needs that kind of labor pool as both a resource and a chilling factor on workers' struggles in general.

It is also their cultural heritage which is attempting to withstand an onslaught by a racist society, and it is their unity which is systematically crushed or subverted.

These conditions of a racist society coupled with the VOLAR strategy, more materially effect Third World people (who, as a whole, are generally more economically oppressed and exploited). Thus, the racial composition of the military is rapidly changing as more and more Third World people are attracted to the armed forces through the recruiter's lies and/or poisoned gifts.

From 1971 - 1972 (end of Draft), Third World percentages in the military jumped from about 10 or 11% to 13% and from 1972 through 1973 it jumped to 18%. Now, thus far in 1974 Third World people constitute over 25% of all the new recruits!

Another important consideration of the special position Third World people are in with regard to the armed forces is that the brunt of US imperial aggression is against the Third World countries or Third World people in this country. These exploits will become more and more difficult to conduct as the Third World population of the US military increases and their militancy develops. And their militancy is on the rise. It is on the rise in response to forms of direct racism in the armed forces which parallel society at large: racist entry exams, discrimination on job areas and promotions, the insistence that signs of unity (like dapping) are forbidden, the prohibition of the right of Native Americans to practice their tribal and religious ceremonies, a court-martial conviction rate of twice that of Anglo GI's and documented strong tendency on the part of the white command structure to single out for punishment Third World people where Anglo counterparts are not punished at all.

These conditions and the rising consciousness of Third World GI's has led to an increased militancy which, more and more, Anglo GI's are starting to see as being their struggle as well. Anglo GI's are more consistently taking up this fight with a resultant unity which just heightens the paranoia of the Brass, and strengthens the people's united struggle.

SEXISM

We want to make specific note that women's role in the VOLAR concept is crucial to the Brass. VOLAR calls for a significant increase in the number of women in the military. In fact, plans are to triple the number of women in the military by 1978.

The oppression of women is basic to imperialism where the elevation of men above women permeates the culture and thinking of the society. Sexism is rooted in the imperialistic economic exploitation of workers in general but clearly goes beyond that for women. The Capitalist, male-dominated nuclear family is the well-spring of the labor force and the basic unit of our society where women bear society's young, nurture and educate them, and where women generally bear the responsibility to hold the family together and to be the sex object of the "man of the family". Even though this responsibility is immense and the amount of work that goes into taking on such responsibility is sizable, women are taught they are second-class citizens who must depend on men and that rather than be paid for their valuable labor, they should accept the 'security' of the home and the sexual exploitation by men as their just reward. Even when women are paid for their labor, it is with lower wages and in the face of discrimination on the job. Sexism is a divisive ideology which cuts us off from one another, which stifles our human potential and, through its competitive nature, divides us all and separates us from the strength of unity. The US military is not exempt from sexist policies and tactics to divide people either.

By subjecting women to discrimination and objectification and by heightening sexism in men, the armed forces further divide and exploit the people they oppress. Sexism in the military results in the acceptance of and often the reliance on prostitution and fosters competitiveness between men, as well as between women and that helps keep them divided. For example, although women of a certain rank must receive the same pay as anyone else of that rank, promotions are slower, job assignments are more menial and in the overwhelming number of situations, the command authority is male. This tends to both hurt the self-image of women and inflate the self-image of men who then feel as though the 'real important work' is being done by men. This, the Brass believes, will make the men much more gung-ho. There is some truth to that.

In the military the 'free services' that women provide in the family are the same as in society at large, with the exception that the particular objectification is possibly more blatant. For instance, it is well known that the male soldier is 'responsible' for 'his dependents' and that things they do may materially effect his job evaluations. In fact, he can be held responsible and accountable for actions of a spouse or child. This is not true for women servicepeople. All of these things are creating in women antagonisms and fighting reactions. In the last eight months there have been three publicized 'resignations' by women in the military who cited sexism, racism and working conditions as the reasons for resigning. Thus, a rising women's consciousness and radical women's organizations and movement is heightening women's rejection of the military and increasing women's political, progressive action.

In the discussion of sexism in the military, the fact that homosexuality is not recognized as existing in the armed forces and is, in fact, outlawed by the military should be noted. It is thought that approximately 5% of the servicepeople are gay. Because of the extremely oppressive conditions for gay people in the service, a few have taken political action against the Brass.

CIVILIAN BASE WORKERS

Finally, civilian base workers are also playing an important role in VOLAR. This concept calls for the transfer of more than 31,000 jobs to civilians. "The expanded use of this alternate source of manpower can further reduce the requirement for male recruits" (Cdrs. Dgstr., 4/19/74, p.11). Their strategy: a relatively medium-sized, truly 'fighting force' with the menial and bureaucratic jobs pushed off on civilians and women. Supposedly this leaves a tightly disciplined corps. But we have seen that doesn't necessarily work out in reality.

Because many such workers can identify more with GI's than with the Brass, and because GI's can and do feel a certain unity of oppression with the workers, it is important to develop those ties; particularly overseas, where the workers come from the country that is "host(es)" to our base. Building this kind of unity not only broadens our perspective on imperialism, but expands our outlook to one of internationalism. For the GI's, the base workers, and the civilian supporters this is an important step forward.

THE SPARKS BEGIN TO CATCH !

Militancy and progressive consciousness is on the rise within the US military. Rank and file GI's are fighting back with increased awareness of their relationship to Imperialism as well as the progressive struggles of all oppressed people. Some of the contradictions and weaknesses of the VOLAR concept are beginning to tear away at the liberal mask with which it first was sold to the people. Imperialism is in a major world crisis and the military arm of US imperialism is wracked by strife and rebellious ranks. Given the class background of an increasing number of GI's, their inherent anti-imperialism, the imperialist nature of their role as soldier, the conditions under which they are forced to live and work as well as the repressive nature of the Brass and the inherent will of the oppressed to struggle, progressive work with military personnel is an important element to the fight against US imperialism. The National Lawyers Guild and all progressive people will continue to support this important struggle.

ONE STRUGGLE - MANY FRONTS !