

# MANUAL OF PROCEDURES FOR ADVISORS OF RELIGIOUS AND CONSCIENTIOUS OBJECTORS TO WAR AND MILITARY SERVICE

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**This manual is not complete, but will be supplemented as required as requirements for compulsory military service or training are legislated by the US Congress and as rules are issued by the various branches of the Armed Forces or the Selective Service System.**

The following documents are utilized in this manual:

Department of Defense Form 4/1	Enlistment Contract
Department of Defense Directive 1300.6	Conscientious Objectors
Department of Defense Directive 1322.14	Enlisted Administrative Separations
Army Regulation 600-43	Conscientious Objection
Army Regulation 635-200	Personnel Separations
Army Regulation 601-270	Military Entrance Processing Station
Army Regulation 601-95	Delayed Entry Program
Army Regulation 601-56	Delayed Entry Program Separation
Army Pamphlet 611-1	The Army Interview
US Code Title 50, Appendices 451-473	The Military Selective Service Act

The forms that are noted in the procedures can be found in the above documents.

Parts of the procedures have been plagiarized from the following publications:

*Helping Out: A Guide to Military Discharges*, by Alex Doty of the CCCO.  
*Advice for C.O.'s in the Armed Forces*, by Robert Seeley of the CCCO  
*The Draft Counselor's Manual* by Bill Galvin and J.E. McNeil of NISBCO.

Doctrinal justification for Christian objection to war and military service can be acquired on the web page: <http://www.christianpacifism.com> or by writing to [peacechurch@jps.net](mailto:peacechurch@jps.net) or by visiting the web page: <http://www.peacehost.net/peacechurch> .

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# **PART 1**

## **INTRODUCTION**

### **Purpose of this Manual**

This manual is a compilation of procedures and related information on the US military and Selective Service System that is to be used by an Advisor for 3 primary purposes:

1. To provide information to relate to a young person as reasons to dissuade them from volunteer enlistment in the Armed Forces.
2. To assist a C.O. with acquiring an exemption from conscription or from the military portion of National Service.
3. To assist a young person who has volunteered for military service and seeks discharge.

After the Kuwaiti War in 1991 by order of the president at the time the entire US military began renovation. Regulations and policies were rewritten. Those policies in effect during Viet-Nam and earlier were essentially discarded and are now obsolete. These procedures incorporate the most recent information published by the military. As time progresses more rules will be issued and this information will be acquired from the Selective Service System and other C.O. organizations, and these sections will be added to this manual.

### **Present State of the US Armed Forces**

The US military possesses about 1,000,000 active personnel, with about 1-1/2 million reserves available. The present rate of voluntary recruitment is about 30,000 per month. In 1975 by order of President Gerald Ford at the end of Viet-Nam War the Selective Service System was dismantled, registration was cancelled and all classifications terminated. Essentially the SSS went dormant. In 1980 by order of President Jimmy Carter only registration for draft was legislated. Otherwise the SSS remained dormant and so is at present.

Conscription (draft) must be legislated by the US Congress. Once the law goes into effect the Selective Service System has 193 days to provide the first recruits to military bases. During this interval the SSS must establish country-wide draft boards, supply them with personal, and introduce a massive bureaucracy and communication network, all of which is expensive and time-consuming. Conscription also has a negative effect on the morale of soldiers and on military campaigns. The lesson learned by military officials from Viet-Nam era conscription is that the most effective military is a volunteer military.

### **Helping the Recruit**

One of the mistakes made by young people is that of joining the military, whether voluntarily or involuntarily. The reasons are many, as many as there are recruits. Some will attain the realization that the decision they made is the wrong one, whether due to domestic, religious, physiological or financial reasons. Family and others may also convince them that the decision they made is the wrong one, and the recruit will then want discharge.

It is never too late to be discharged from the military. Although the primary role of the C.O. Advisor is to preclude young persons from joining due to moral and religious grounds the greater responsibility for the Advisor will be to assist the young person who wants discharge from the military after they have enlisted.

The only person that can get a recruit discharged is themselves. They got themselves into the military and they are the only one that can get themselves out. The Advisor's responsibility is to inform the recruit of the means and route that must be taken within the bureaucracy of the US Armed Forces to acquire a discharge. The Advisor must walk them through the channels, assist them in filling out forms and writing letters, and appear with them at administrative hearings in front of military administrative boards. More than all, the Advisor must support the decision of the recruit seeking discharge, and make sure his parents, relatives and elders support him. The recruit may be harassed and intimidated for wanting a discharge and even spend time in incarceration pending resolution of his request. They should be supported in order for them not to give up until finally acquiring a discharge.

The minimum age of recruitment is 18, unless the parents are will to sign for their son or daughter which is age 17. It is illegal for the military to recruit any young than age 17.

### **Draft Registration**

Under a Presidential proclamation in 1980, all males age 18 through 26 must register with the Selective Service system for a potential draft for military service. You can register at any U.S. post office or at a consular office in another country. The official registration period is 60 days, beginning 30 days before the eighteenth anniversary of your birth. Aliens who are permanent residents, or who have work permits, must also register. Foreign students, dependents of members of the diplomatic corps, and visitors do not have to register. Aliens must register within 30 days of entry into the U.S. During the first year of their residence in the U.S., aliens are not subject to the draft.

To register, you must fill out a card giving your name, social security number (if you have one), current address, permanent address and phone number. Write somewhere on the form: **I am a conscientious objector to war in any form**, before mailing it. You are supposed to bring identification with you when you register. Since most registrants don't know this requirement, there is a box reserved for the postal clerk to mark whether you presented identification.

Penalties for any failure to comply with duties defined in Selective Service regulations are up to 5 years imprisonment and fines up to \$250,000. In peacetime, with registration only, the regular maximum penalties are 4 months and/or \$2500. The Selective Service does not use draft registration to track military age Americans, but DMV records, and now military recruiters have access to high school records of all students. Not registering for the draft will only make it more difficult to acquire an exemption if conscription or National Service is legislated.

### **The C.O. and Military Service**

The basis to allow discharge or exemption from military service of a C.O. is found in the following passage of the Military Selective Service Act, USC title 50, Appendix 456 (j):

Nothing contained in this title [sections 451 to 471a of this Appendix] shall be construed to require any person to be subject to combatant training and service in the armed forces of the United States who, by reason of religious training and belief, is conscientiously opposed to participation in war in any form.

## **Discharge or Separation?**

A discharge completely cuts off all legal ties a person has to the military. Separation is a more general term which includes discharge, release from active duty, transfer to the inactive reserves, and similar changes in active or reserve status. For example, if an application for a discharge is approved, the recruit will be discharged with no possibility of being called for active duty. However, if the recruit was given an early release for a hardship in your family or for pregnancy, they would be separated, but not necessarily discharged. Many separations result in a transfer to the inactive reserves also known as the Individual Ready Reserve (IRR) for the rest of the term of enlistment and they are still eligible for call-up in a mobilization.

Under no conditions should the recruit agree to transfer to IRR, since they will still be liable to mobilization in case of war or national emergency through the end of their 8-year term of enlistment.

## **Do not be Deceived**

The vocation of a soldier is to kill the enemy, whether with a knife or bayonet, gun or rifle or machine gun, shooting a missile or dropping a bomb. The soldier fulfills his obligation when he kills or destroys property belonging to the enemy in a foreign land. Wars are won only by killing more of the enemy and destroying more of their property, than they destroy of you and your property. Wars are fought to be won, not to be lost. A soldier is not in the military to give his life for his country, but to make sure that the enemy gives up his life for his country and as many that he can without losing his own life in the process. Others that are members of the military have the responsibility to assist the soldier in performing his task, whether giving him orders, supplying him with weapons or equipment necessary to perform this task, tending to his wounds if he is wounded, or by comforting and encouraging him when he loses courage. Whether combatant or non-combatant they are all employees of the military killing industry.

Because depriving another person of their life is against the grain of human nature every recruit must be trained to kill and be able to do so on command by his officer without affecting his conscience. This is the reason for the military to require every recruit to successfully pass boot camp training, in order to change or obliterate the inherent nature of that person. Because the God-given nature of every person is not to kill, injure or maim or destroy property, in order to fight and win wars the military must alter that God-given nature through indoctrination, training in the use and performance of weapons, and through simulated techniques of killing.

## **PART 2**

### **MILITARY RECRUITMENT**

#### **Military Commitment**

The commitment of a recruit is for 8 years: from 2 to 4 years is in active service (depending on the branch of the service and the recruitment officer), while the balance is as an Armed Forces Reservist. A term of 3 years of active service is required to acquire any benefits. In case of war or national emergency, the term of active service is automatically extended an additional 6 months. Under war-time conscription the minimum term of active service is 2 years. Congress can also legislate peace-time conscription if the number of armed forces personnel falls below some point that national security is jeopardized. This point is defined by the Armed Forces.

The reservists are automatically first to be returned to active service in case of national emergency or war if insufficient active personnel are available. Now the obligation of the reservist in active service is for 24 months or to the end of their term of enlistment plus an additional 6 months if required to complete 24 months. During their term as a reservist the obligation is 1 week-end a month plus 2 weeks per year continuous training, plus they receive a check from the military every month depending on their rank and service.

If a reservist is called for active service they will lose their regular job income and return to military pay. Unless the recruit is independently wealthy their family will have to acquire government assistance. (This is the dilemma of many in Iraq at present.)

#### **Military Salary**

If the recruit is single they will survive on military pay; and if the recruit is married and their spouse works they will survive, but 40% of military recruits that have a child are on some type of government support: welfare, food stamps, or a similar government assisted program. The salary of the recruit is \$1064.70 during the first 4 months and \$1150.80 thereafter, unless they are promoted to a higher rank. (This is \$6.33 per hour and \$6.86 per hour respectively, barely above minimum wage.) After discharge the recruit remains in the reserves and receives \$152.00 per month until the end of their 8 year term or if they renew enlistment in the reserves.

#### **Effort of Military Recruiters**

Military recruiters are under pressure to recruit, which is cheaper than a draft. They are provided with special privileges and tools to present the military in the best possible light to culpable high schools students, emphasizing benefits on completion. The recruiters are paid bonuses and acquire special benefits based on the number of recruits they can round up and they have a quota to meet, but in order to perform their job they do not tell the complete truth about the military, that its primary purpose is to train them as soldiers to kill and destroy, and that a recruit is the property of the state. The military videos and advertisements glorify the benefits, but they don't show the dead on the battlefield or the soldier in boot camp. Some recruiters even have a trailer with a simulated jet fighter cockpit and controls for students to try out and shoot down an enemy aircraft, much like a video game.

The target of the recruiters are recent high school graduates who have no plans for the future. Those especially susceptible to recruitment are persons from a broken home, or those from lower income families or lower economic groups of society. They see the military as a means of advancement in both prestige and promise of a future.

It costs the American taxpayer about \$9,600 for every person that is recruited into the military. In 1999, \$1.8 billion was spent by military recruiters to recruit 186,000 persons.

### **School Recruitment Efforts:**

On January 8, 2002, President George Bush signed a new federal education bill, H.R. 1, which went into effect as Public Law 107-110 on May 8, 2002. What is unique about this education bill as opposed to those of previous years is Section 9528, which allows military recruiters access to the names, addresses and phone numbers of students in high schools and also uninhibited access to the campuses of high schools for purposes of recruitment. In the past, military recruiters could be allowed on campuses, similar to job or higher education recruiters, but this was at the discretion of the school board and principle and they could be refused. Now if the high school does not allow military recruiters for presentations in assemblies and classrooms and booths on campus, the school can lose substantial federal education funds.

High school recruiters also administer a free aptitude test called the ASVAB: Armed Services Vocational Aptitude Battery, which every one passes, meaning, that everyone has an aptitude to become successful in the military. The pressure on the student taking this test is even greater with the recruiter now having direct access to his future vocation. The recruiter also has a quota to meet of the number of ASVAB tests he performs.

Any high school age person is just as equally susceptible to the tactics of a military recruiter if they are not formally taught the precepts of faith and taught to live by them at home. Every parent should ask and warn their high school age child about campus military recruitment. Every high school is supposed to let parents know about recruiters' access to their children's records at school, and the parents should refuse them in writing. Females are also an equal target for recruiters.

### **The Montgomery G.I. Bill**

The present G.I. Bill should not be confused with the G.I. Bill of previous generations. This bill solely provides scholarship and pre-paid education funds. For the recruit to enter the Montgomery G.I. Bill program, \$100 per month is taken out of his military pay for the initial 12 months of his service, a total of \$1200. To qualify for benefits the recruit must have an honorable discharge from the service with at least 3 years of active duty, the G.I. Bill will then pay for education with a maximum amount about \$19,000. This number is a deception because the plan only pays for tuition and textbooks and direct school expenses at community and state colleges and universities. The plan does not pay for any private schools. (The idea is for the money to go back into circulation of the local or state government and not into the hands of private schools.) The benefits last for 36 months with a maximum of \$528 per month.

Only 42% of all veterans take advantage of any of the plan, and only 20% actually enter a 4-year college or university. The experience of those seeking higher education in 4-year universities is disappointing because of the short term of benefits, many finding it difficult to further their education with a family to also support. Of the 42% of veterans that do return to school, only 70% of them actually have expenses beyond \$1200.

The recruit does not leave the service with cash bonuses, regardless of the claims of the recruitment officers. The only money the recruit takes with them when they are discharged is their monthly stipend. The other incentive promises that appear to be monetary are appropriated toward education, whether used or not.

### **The Dilemma of the Recruit**

The recruit will never advance in the military unless he decides to become a career soldier. Since active service is only 2 or 4 years the military is hardly planning to invest any more than the minimum necessary into their training and education. The vocational training provided in the military is the absolute minimum for the soldier to perform his duty, and in the majority of cases this training is not applicable in the civilian world because military equipment and method of operation is very different than that of civilian equipment. If a recruit re-enlists only then will more opportunity be offered him to advance in education and training.

A typical recruit will never become an officer, because officers are selected from the following: college graduates in military or political oriented curriculum; Reserve Officers Training Corp (ROTC) graduates; military school graduates (West Point, etc.). These enter the military directly as a non-commissioned officer and the military views them as career personal who plan to retire from the military.

### **The Military Recruiter and the Conscientious Objector**

The military does not want to recruit any person that may possibly refuse to honor their obligation to be a soldier for the balance of the 8 year term of enlistment. They are well aware of the difficulties that can occur if a person having inclination toward C.O. is recruited. As a result of this to weed out any person who may fail as a soldier due to C.O. convictions the enlistment questionnaire has 3 questions for the US Marine Corp, and similar for the other branches of the service that a candidate for recruitment must answer "No" in order to be allowed to join:

1. Do you have any personal convictions that would preclude you from performing as a soldier during the term of your enlistment?
2. Do you have any convictions or beliefs as a conscientious objector?
3. Have you had any religious training in the area of conscientious objection that would prohibit you from fulfilling your role as a soldier?

If the possible recruit should answer "Yes" to any of the above 3 questions he will be denied enlistment. It is very difficult after induction and once training begins for a recruit to acquire discharge as a C.O., because he has already admitted that he is not a C.O. by answering "No" to the above questions in the enlistment questionnaire.

In the year 2002, only 29 recruits were granted a discharge after completion of basic training due to C.O. of the 1.5 million active military personnel. During the proceedings all of them endured extreme physical and psychological hardship by military commanders who attempted to steer them away from discharge and the process took an average of 12 months.

## **Medical Fitness**

Subsequent to induction all candidates for recruitment will have a physical examination performed on them. This normally occurs at the Military Entrance Processing Station (MEPS) at the same time the ASVAB test is given. Figure 9-5 of Army Regulation 601-270 is a list of disqualifying medical conditions for military service.

## **JROTC**

Junior Reserve Officers Training Corps is a program run by the US Department of Defense. This program is used to promote good public relations in high schools for the military. JROTC instructors are retired military personnel with minimal training as educators. All facets of JROTC programs are exempt from local school board review. The overall purpose of JROTC is to introduce military regimentation and education to high school students. The success rate of the JTORC is immense, about 70% of all graduates of JROTC programs enter the military.



## **PART 3**

### **ARMED SERVICES VOCATIONAL APTITUDE BATTERY**

#### **What is ASVAB?**

All persons enlisting in the US military are required to take the Armed Services Vocational Aptitude Battery (ASVAB). It is a test that determines whether a potential recruit is qualified for the military and if he is qualified, then what military job would they be best suited for. Unlike the army of previous generations the contemporary military wants “smart” recruits and this test allows recruitment officers the ability to concentrate on talented persons that the military could utilize.

ASVAB is a 3-hour test that consists of 10 sections: Word Knowledge; Paragraph Comprehension; Arithmetic Reasoning; Mathematics Knowledge; General Science; Auto and Shop Information; Mechanical Comprehension; Electronics Information; Numerical Operations; and Coding Speed. The ASVAB looks for talent and natural skills in subject areas that are considered important for different military jobs.

There are primarily 2 versions of the ASVAB. The first version is Form 18/19, which is the paper-based test commonly given to juniors and seniors in high school. The test is administered annually or semiannually at more than 13,000 high schools and post-secondary schools in the United States. Approximately 900,000 students take Form 18/19 ASVAB each year. The 2<sup>nd</sup> version of the ASVAB is Forms 20-22. This version is given by the Armed Forces for enlistment purposes only. While the questions on the 2 versions are different, they are equal in difficulty. The ASVAB is not an IQ test. It does not measure intelligence. The battery of tests were designed specifically to measure an individual's aptitude to be trained in specific jobs.

#### **High School ASVAB**

Military recruiters use ASVAB to target recruitment of young people while still in high school. Recruiters advertise the test to students as a means to determine their vocational aptitude in general whether they join the military or not. However recruitment officers correlate their scores to the high school student's chance of success in the military and of course everyone passes. Recruiters give special attention to students in the 11th or 12th grade who meet minimum standards – what they refer to as “pre-qualified leads.” They use test information (scores, name, address, etc.) to identify and reach young people they hope to enlist. Recruiters contact these young people by letters, phone calls, and visits to home and school. Students may receive calls from recruiters even if they say they are not interested in joining the military. One often-used tactic is to leave a message for a student telling them of an appointment with a recruiter, even if the student didn't ask for one.

ASVAB is one way recruiters get personal information about students. Typically recruiters obtain contact information (such as name, address, phone number, courses taken, and extracurricular activities) from the school administration or district office, but the ASVAB gives them much more personal information about potential recruits.

## **The Recruit and ASVAB**

After enlisting at a local military recruitment office the recruit will take the enlistment ASVAB to determine their best use by the branch of service they are joining. The test will be taken at the Military Entrance Processing Station (MEPS) at the same time they are given a physical. After passing both physical and obtaining a successful or passing score on the ASVAB the recruit will be inducted and recite his oath of allegiance.

## **AFQT Scores**

There is no overall ASVAB Score. The score is called the AFQT (Armed Forces Qualifying Test) score. The AFQT is important. It determines whether or not the recruit can join the military. The AFQT score is not derived from all portions of the ASVAB. Each question on the ASVAB is weighed with harder questions resulting in more points than easier questions. Congress has established minimum AFQT scores for admission to the military. Standards vary according to whether a person has a high school diploma, a GED, or has not graduated from high school.

The AFQT raw score is converted into a percentile score. The percentiles are based upon a 99 point scale with 99 being the highest. If an individual has an AFQT score of 50, then their AFQT raw score is better than 50 percent of the individuals who took the test. AFQT Scores are divided into the following categories:

<b>Category</b>	<b>AFQT Score</b>
Category I	93-100
Category II	65-92
Category IIIA	50-64
Category IIIB	31-49
Category IVA	21-30
Category IVB	16-20
Category IVC	10-15
Category V	0-9

In the early 90s, Congress added legal provisions stipulating that no Category V recruits could be accepted, and no more than 20 percent of accessions could be in Category IV. Additionally, Congress required that any Category IV accessions had to be high school diploma graduates.

## **AFQT Score Requirements**

In order to join the Air Force, a recruit needs a minimum AFQT score of 40. However, 0.2 percent of Air Force recruits can be Category IV each year (must be high school diploma holders). The Air Force will accept about 1 percent per year of non-high school diploma holders, but they must achieve at least a 50 AFQT score to even be considered.

Army recruits must score at least 31 on the AFQT, with no more than 10 percent per year being high school dropouts. The Army will allow between 2 and 3 percent per year to be Category IV AFQT recruits (must be high school diploma holders). GED holders must score a 50 percent or better to be eligible (although waivers are possible).

Marine Corps recruits must score at least 32, with no more than 5 percent being high school dropouts. GED holders must score at least 50 on the AFQT (although waivers are possible).

Navy recruits must score at least 31. Between 5 and 10 percent per year can be high school dropouts, but they must score a minimum of 50. Additionally, high school dropouts must be at least 19 years of age and show a proven work history.

Like the Air Force, Coast Guard recruits must also score at least 40 points on the AFQT. A waiver is possible if a recruit's ASVAB Line Scores qualify them for a specific job, and the recruit is willing to enlist in that job. For a very few who will be allowed to enlist with a GED, the minimum score is 50.

### **The ASVAB during war conscription**

When conscription is legislated by Congress and recruits are ordered to appear at a Military Entrance Processing Station (MEPS) for induction each recruit must take the ASVAB. It is mandatory for every recruit to take the test to determine their vocational aptitude. If a person attempts to deliberately fail the test to avoid conscription they will be inducted regardless.

Emphasis will be placed on the fact that a deliberate attempt to fail aptitude tests will not keep them out of military service; they will be inducted regardless of their score if they are found not trying to do their best and otherwise could have passed. Army Regulation 601-270, par. 9-33.

For individuals who do try their best but have poor education or shallow comprehension the induction standard for war conscription is an AFQT score of 16 or above, which is about a 9<sup>th</sup> grade education level. The person having any score will not be inducted.

## **PART 4**

### **RELEASE FROM THE DELAYED ENTRY PROGRAM**

#### **What is the DEP?**

The Delayed Entry Program (DEP) allows a person to join a branch of the military up to a year before they report for active duty training. Many young people sign up in their last year of high school and then finish school before starting military service. Some sign up at age 17 and delay enlistment until their 18<sup>th</sup> birthday. The maximum length of delay is one year. This is also a recruitment tactic. However a person is not officially in the military until they actually appear for induction at a Military Entrance Processing Station (MEPS).

The regulation that deals with DEP is Army 601-95, while the regulation that deals with release from DEP is Army 601-56. The regulations of other branches are similar.

#### **Release from the DEP**

The average rate of release from DEP is 15% to 24% depending on the specific branch of service, and it is not difficult.

The recruit must write a letter to the commander of the recruitment office that they signed up at. This information is available on the enlistment documents. If the name of the commander is not known just address the letter to Commanding Officer and send a copy of the letter to the recruitment officer. Send all letters certified with return receipt. The letter must be specific as to the reason why the recruit requests a release and does not want to join the service, and just about any sincere and concrete reason is sufficient. An example of reasons are the following:

- You have signed up at a college or vocational school to further your education instead.
- You have accepted a new job that has a secure future.
- You marry and now have new responsibilities to attend to,
- You have recently acquired religious convictions of opposition to war and military service (conscientious objection), and cannot proceed any further.
- Your wife is or you –if you are female– are pregnant.
- A latent medical condition has surfaced, which will preclude your performance in the military.
- Personal or psychological problems have developed since enlistment.
- A sudden hardship on the family has arisen due to death of a family member that requires you to become sole supporter.

State in the letter that for the above reason or reasons you are unable to join the service and request a release from DEP and separation from the military. Include your Social Security number and sign it.

Appendix F of Army Regulation 601-56 requires documentation to substantiate the claim of the recruit wanting a release, such as a letter from a doctor in case of pregnancy or some medical condition, a

marriage certificate in case of marriage, or a letter from the school you have been admitted to. However in case of a new job, personal problems, hardship or C.O., only a statement to that effect is required in the body of the letter as evidence. The minister of your church can also write a letter to provide evidence that you have acquired convictions of religious objection to war and military service since your enlistment.

### **Response of the Recruitment Office**

The recruiter will call and try to convince you to reconsider. The recruitment officer may threaten you telling you that you cannot be released, that what you are doing is a violation of the Uniform Code of Military Justice (UCJM), that you will be arrested, that this will affect your criminal record and keep you from getting a job or furthering your education. However, all such threats by the recruiting officer are false and illegal. According to Army Regulation 601-56:

Member of the recruiting force must respond positively to any inquiry from DEP members concerning separations from the DEP. Under no circumstances will any member of this command threaten, coerce, manipulate or intimidate DEP members, nor may they obstruct separation requests.

When such an inquiry is received, local recruiting personnel will attempt to resell the DEP member on an Army enlistment. (3-1(c)).

The recruit must ignore all requests from the recruitment officer to convince them to change their mind and must ignore all threats and hold to their request for release.

The recruitment office will send to you form Fm 986 or the form applicable to that branch of the service. The form will be filled out by the recruit and signed and returned to the recruitment office or address that is requested. Please keep a copy of all letters and forms.

Even after signing and submitting Fm 986 the recruitment officer has the right (Army Regulation 601-56 par. 3-2(c)), to call regularly to convince the recruit to change their mind, but only to a maximum length of one year. DO NOT GIVE IN !!!

If the recruitment office delays in response to the request and orders are delivered to you for induction at MEPS, do not go. Call the recruitment office and inform the recruitment officer of the situation and deliver another copy of the same letter to the commander at the recruitment office. Ask for an extension of your DEP until the matter is resolved.

You are not officially released from the DEP and separated from the military until you receive in the mail a signed copy of Army Fm 500 or the form applicable to that branch of the service.

## PART 5

### ENTRY LEVEL SEPARATION

#### What is Entry Level Separation (ELS)?

The military term is **Entry Level Performance and Conduct Discharge**. If a recruit is in entry level status and cannot—or will not—adjust socially or emotionally to military life or cannot meet the minimum standards of the training program, they are eligible for separation. Entry level status is the first 180 days of active duty. The military is hesitant to allow discharge to recruits without solid reason to do so. In addition to the cost of \$9600 per recruit noted above for recruitment expense, it costs the American taxpayer an additional \$35,000 for the 6 months of boot camp training of every recruit.

According to Department of Defense (DoD) regulation 1332.14:

E3.A1.1.1.6.1.1 A member may be separated while in entry level status when it is determined under the guidance in section E3.A2.1.1 of Part 2, that the member is unqualified for further military service by reason of unsatisfactory performance or conduct (or both) as evidenced by inability, lack of reasonable effort, failure to adapt to the military environment, or minor disciplinary infractions.

Par. E3.A2.1.1 of Part 2 requires that reasonable effort of rehabilitation of the recruit requesting ELS must be performed by the military, and only after rehabilitation is attempted and failed will proceedings begin for ELS.

Also according to Army Regulation 635-200:

The Army makes a substantial investment in training, time, equipment and related expenses when persons enter into military service. Separation prior to completion of an obligated period of service is wasteful because it results in loss of this investment and generates a requirement for increased accessions. Consequently, attrition is an issue of significant concern at all levels of responsibility within the Army (1-1.c.3)

Reasonable efforts should be made to identify soldiers who exhibit likelihood for early separation and to improve their chances for retention through counseling, retraining, and rehabilitation prior to initiation of separation proceedings. (1-1.c.3.a)

Soldiers who do not conform to required standards of discipline and performance and soldiers who do not demonstrate potential for further military service should be separated in order to avoid the high costs in terms of pay, administrative efforts, degradation of morale, and substandard mission performance. (1-1.c.3.b)

The attrition rate in the military is immense. About 20% of the men and 18% of the women leave the military before the end of their initial enlistment. Many of them are discharged due to medical conditions that they had prior to enlistment which then surfaced or became detrimental to their health as a result of the rigors of boot-camp training.

## **General Overview of ELS**

Not everyone that is recruited or enlists in the military can become a soldier. The military is a way of life, with its own standards of conduct, unique customs and traditions, and different pressures and expectations. As a new recruit, they must learn to think differently about themselves and others. They face difficult training programs, an abundance of rules and regulations, and lose many of the freedoms enjoyed as a civilian. If the recruit cannot adapt to the military world and demonstrates that they are not succeeding within it, they may be eligible for an entry level performance and conduct discharge. It is available only if they are still in entry level status. ELS is available only if discharge processing is initiated by the command while the recruit is in entry level status, which is the first 180 days of continuous active military service. Military personnel are trained to recognize under-achievers and if they recognize one they will extend effort to improve the performance of the recruit –as noted in the above regulation– rather than risk a request for ELS.

Getting an early discharge is not easy and the procedures can be complicated. Discharge regulations are intended to give commanders control over their troops to maintain good order and discipline. The recruit must persuade their command that a discharge is warranted and in the best interests of the military. The regulations give commanding officers a great deal of discretion, and only minimal guidelines, for deciding whether or not discharge is appropriate. Policies may differ from one command to another (even within the same base) and a command can change policy without warning. The military normally will not discharge a member with a short-term and treatable condition. A common category of disorders known as “adjustment disorders” are not considered to be of long enough duration to warrant discharge.

The military grants the greatest number of ELS discharges during basic training. Therefore, this discharge is more likely to be granted before basic training is completed, when commanders are less likely to be penalized for “losing” a soldier. After basic training is completed the military has a great deal more invested in the recruit and the new commander is less likely to grant, or even to be familiar with, an entry level performance and conduct discharge.

While an ELS it is not likely to have a negative impact on future employment, some employers may not want to hire someone who could not adapt to the military. Recruits granted ELS are not eligible for veterans’ or medical benefits.

## **Valid Reasons for ELS**

According to Army Regulation 635-200, the following are valid reasons for ELS:

- Inability [to become a soldier]
- Lack of reasonable effort [to become a soldier]
- Failure to adapt to the military environment
- Cannot or will not adapt socially or emotionally to military life and regimen
- Lack of aptitude, ability, motivation or self-discipline.
- Character and behavior not compatible with military service
- Failure to respond to counseling. (11-2, 11-3)

In addition to the above there are several other reasons that are classified as “other designated physical or mental conditions”, which are also valid reasons for ELS (AR 635-200, par.5-17):

- Chronic seasickness
- bedwetting or incontinence
- Chronic airsickness

- sleep walking
- severe nightmares
- claustrophobia
- thoughts of suicide
- psychological or emotional distress
- a physical or mental condition that potentially interferes with assignment or performance of duty

A recruit may also be separated for personality disorder, which is defined by the above regulation as “a deeply ingrained maladaptive pattern of behavior of long duration that interferes with the soldier’s ability to perform duty.” (par. 5-13.a) Any recruit that is seeking separation due to a personality disorder requires psychiatric evaluation.

The following are other reasons for ELS as noted in DOD regulations [which do not directly apply to our situation]:

- parenthood – too much time is taken away from military duty to care for a new-born
- hardship – the recruit becomes sole supporter due to death of a family member
- homosexual activity (immediate discharge)
- disciplinary infractions – wanton and regular negligence resulting in numerous violations of military law. The recruit will be discharged in lieu of court-martial.
- Pregnancy – the female recruit will be transferred to IRR.
- Alcohol or drug abuse with failure at rehabilitation
- Failure to meet body fat standards (obesity)
- Unauthorized absence (AWOL) – although this will often result in court-martial and incarceration in a military prison.

### **Approaching the Command**

There are 2 methods for seeking an entry level separation:

- The recruit does not request discharge but presents their problems to the command.
- The recruit submits a written request for discharge, including any supporting documentation.

The first step in approaching the command is for the recruit to tell their problems to a chaplain and get a referral to the base counseling center. **The essential problem with the recruit in our situation is that now that they are in the service they cannot adapt to military regimen or training: they are unable to shoot a gun or some other weapon, unable to bayonet a dummy, unable to shout “Kill, kill”. They cannot march in company carrying a gun or feel comfortable wearing a military uniform. The vocation of a soldier has become repulsive to the recruit.** The recruit can also request a meeting with the commanding officer to discuss their difficulties. The recruit can approach the command in the role of a patient presenting his or her problems. It is ideal when such military professionals recommend discharge to the command. Identify problems as specifically as possible. The more problems the more convincing a case for separation will be to the command. **The object is to convince the military that you cannot adapt physically or emotionally to the military and that you cannot be rehabilitated into a performing soldier, and that it is in the best interest of the military to discharge you.**

Do not make up problems that do not exist. The recruit may be tempted to mess up on purpose, by deliberately failing tests, performing sluggishly, or even misbehaving. The recruit will not be processed for this separation if the command believes that their problems are manufactured, or that the behavior is



consciously undertaken to avoid military service. Any deliberate acts of unsatisfactory performance or misconduct could lead to retention with a loss of future chance of ELS.

When military command determines that a recruit in entry level status is unqualified for further military service by reason of unsatisfactory performance or conduct, and that rehabilitation has failed or will fail the command will initiate separation proceedings. To grant an ELS, the command will view a service member's problems with military duty as unintentional, and issue a notification to the recruit.

The recruit must respond within 7 days using the form in Figure 2-4. In our situation the recruit will waive review by an administrative board (item 2), since the intent is to acquire a discharge and the command has initiated it.

The commanding officer will then transmit his recommendation – discharge – to the separation authority – a board of military officials. See Figure 2-5 for sample letter. They will review the case, evidence and recommendation and decide. In our situation they will decide in favor of discharge as recommended by the command as in the best interests of the military. (The only time a hearing before an administrative board is required is if the recruit is being discharged for disciplinary reasons, bad conduct, negligence of duties; that is, against the will of the recruit. The administrative hearing is the opportunity for the recruit to defend his retention in the military. This does not apply to our situation.)

Eventually the recruit will be issued DOD Form 214, Certificate of Release of Discharge from Active Service.

### **Interval during Proceedings**

During the interval between the recruit's initial visit to the command or base counselor regarding his inability to adapt to military regimen and acquisition of a discharge, the recruit is supposed to be separated from regular military training and assigned to some other work on the base. This may or may not occur since it is at the discretion of the command, and retention in military training may be a maneuver to test the sincerity of the recruit. **In our situation the recruit will continue to fail to adapt to military regime and will fail at becoming a soldier.** The command may also place the recruit in custody – incarceration – to separate them from the balance of military personnel on the base.

Under no circumstances should the recruit fail to observe any regulations or orders required of them unless they are premeditative attempts by the military for the recruit to return to the military training he is requesting discharge from. In that case the recruit should go to their command and inform them of the situation. Applying for ELS does not excuse the recruit from performing military duty, wearing a uniform, or following orders. Until the recruit is discharged, they are subject to military rules. During processing the recruit may decide that they can no longer cooperate with the military. Non-cooperation, sometimes called resistance, takes many forms. Some recruits refuse to work, obey orders, or wear their uniforms. Others simply go AWOL. Recruits resist for many reasons. Some want to cooperate with the process but find that they can't compromise as much as they had thought. Others become so frustrated with delays in processing that they feel they must resist.

Refusal to follow orders, going AWOL, or refusal to wear a military uniform are all violations of the Uniform Code of Military Justice (UCMJ) and could result in incarceration or even court-martial, and the case for ELS will be closed and the recruit retained in active duty.

## **Counseling and Rehabilitation**

Prior to the command initiating separation proceedings he must require counseling and rehabilitation of the recruit, as required by DOD 1332.14

E3.A1.1.7.2. Separation and Rehabilitation. Separation proceedings may not be initiated until the member has been counseled formally concerning deficiencies and has been afforded an opportunity to overcome those deficiencies as reflected in appropriated counseling or personnel records. Counseling and rehabilitation requirements are of particular importance with respect to this reason for separation. Because military service is a calling different from any civilian occupation, a member should not be separated when unsatisfactory performance is the sole reason unless there have been efforts at rehabilitation under standards prescribed by the secretary concerned.

Army regulations also require counseling:

When a soldier's conduct or performance becomes unacceptable, the commander will ensure that a responsible official formally notified the soldier of his/her deficiencies. At least one formal counseling session is required before separation proceedings may be initiated... In addition, there must be evidence that the soldiers deficiencies continued after the initial formal counseling. Army Regulation 635-200, par. 1-16.b.1.

The extent of counseling is at the discretion of the command. Rehabilitation consists of alternative military training at the base or reassignment to another regiment, and sometimes incarceration. If the command senses that further training on base is useless or detrimental to the new regiment, rehabilitation will be cancelled and ELS proceedings will be initiated.

### **ELS and the C.O.**

As mentioned above all recruits are required to answer negatively as part of the enlistment qualification the questions that pertain to convictions, beliefs or education in conscientious objection to military service. For this reason it is difficult to acquire ELS due to C.O., however it is possible. In regulation Army Regulation 635-200, which regulates ELS, nowhere is conscientious objection mentioned as a reason for ELS. Only in AR 600-43 is C.O. mentioned as a valid reason for ELS (par. 3-2), but the procedure is the same whether in entry level status or in active service following completion of boot-camp.

## **PART 6**

### **DISCHARGE AS A CONSCIENTIOUS OBJECTOR**

#### **The C.O. and Military Service**

The basis to allow discharge or exemption from military service of a C.O. is found in the following passage of the Military Selective Service Act, USC title 50, Appendix 456 (j):

Nothing contained in this title [sections 451 to 471a of this Appendix] shall be construed to require any person to be subject to combatant training and service in the armed forces of the United States who, by reason of religious training and belief, is conscientiously opposed to participation in war in any form. As used in this subsection, the term "religious training and belief" does not include essentially political, sociological, or philosophical views, or a merely personal moral code.

#### **Definition of a C.O.**

DOD 1300.6 defines a C.O.

- 3.1. Conscientious Objection: General - A firm, fixed and sincere objection to participation in war in any form or the bearing of arms, by reason of religious training and belief.
- 3.1.1. Class 1-O Conscientious Objector. A member who, by reason of conscientious objection, sincerely objects to participation of any kind in war in any form.

(The other class of C.O., which is 1-O-A is non-combatant, which does not apply to our situation.)

DOD 1300.6 also defines what religious training and belief consist of.

3.2. Religious Training and Belief: Belief in an external power or being or deeply held moral or ethical belief, to which all else is subordinate or upon which all else is ultimately dependent, and which has the power or force to affect moral-well-being. The external power or being need not be of an orthodox deity, but may be a sincere and meaningful belief which occupies in the life of its possessor a place parallel to that filled by the God of another, or, in the case of deeply held moral or ethical beliefs, a belief held with the strength and devotion of traditional religious conviction. The term "religious training and belief" may include solely moral or ethical beliefs even though the applicant himself may not characterize these beliefs as "religious" in the traditional sense, or may expressly characterize them as not religious. The term "religious training and belief" does not include a belief which rests solely upon considerations of policy, pragmatism, expediency, or political views.

The recruit must prove to military officials the following 3 items:

- 5.1.1.1. [he] is conscientiously opposed to participation in war in any form;
- 5.1.1.2. [his] opposition is founded on religious training and belief; and
- 5.1.1.3. [his] position is sincere and deeply held.

The regulations also note the following:

5.3.2. Care must be exercised in determining the integrity of belief and the consistency of application. Information presented by the claimant should be sufficient to convince that the claimant's personal history reveals views and actions strong enough to demonstrate that expediency or avoidance of military service is not the basis of his claim.

These definitions are important because the entire claim of the C.O. discharge is based on them. Membership in a church that advocates conscientious objection as a tenet of its creed is not on its own sufficient basis to warrant discharge as a C.O. The recruit must prove C.O. is a deeply held conviction and not a ruse for discharge from the military.

### **The C.O. in Active Service**

According to Army Regulation 1300.6,

4.1.1. Except as provided in Section 4.1.2. of this Directive, no member of the Armed Forces who possessed conscientious objection beliefs before entering military service is eligible for classification as a Conscientious Objector if:

4.1.1.1. (1) such beliefs satisfied the requirements for classification as a Conscientious Objector pursuant to Section 6(j) of the Universal Military Training and Service Act, as amended (50 U.S.C. App. 456(j)) and other provisions of law, and (2) he failed to request classification as a Conscientious Objector by the Selective Service System; or

4.1.1.2. (1) he requested classification as a Conscientious Objector before entering military service, and (2) such request was denied on the merits by the Selective Service System, and (3) his request for classification as a Conscientious Objector is based upon essentially the same grounds, or supported by essentially the same evidence, as the request which was denied by the Selective Service System.

4.1.2. Nothing contained in this Directive renders ineligible for classification as a Conscientious Objector a member of the Armed Forces who possessed Conscientious Objector beliefs before entering military service if (a) such beliefs crystallized after receipt of an induction notice; and (b) he could not request classification as a Conscientious Objector by the Selective Service System because of Selective Service System regulations prohibiting the submission of such requests after receipt of induction notice.

What does this mean?

If a person had convictions of a C.O. prior to the time they voluntarily enlisted into the military and did not state so – meaning that he negatively answered the questions on the pre-qualification form at the time of his enlistment interviews – then that recruit is not eligible for discharge. Only the recruit who did not have beliefs or convictions of conscientious objection against war and military service prior to entering the service, and that such beliefs and convictions were acquired and crystallized after beginning boot-camp training, will be granted the opportunity to request discharge as a C.O. Although a recruit may have had religious instruction in objection to war prior to enlistment and induction, what is important is that this instruction did not create convictions in him of a C.O., or a repulsion to military service and regimen, until after his entrance at boot camp or later during his term of active service. The difficulty for the recruit is in proving such a claim, that these convictions crystallized during military training.

## **Process of Application and Discharge**

The CCCO recommends that a recruit submit a letter immediately. Write the letter saying, "I have become a conscientious objector to participation in war in any form." Then say that you want to be discharged. Then write, "I understand that until a final decision is made I am to be employed in duties providing minimum conflict with my beliefs." It is also a good idea, if you can, to make a specific request for temporary duty or transfer to an assignment you can accept--for instance, if you're in a combat unit, you can request an assignment that doesn't use weapons, or if none is available, ask for transfer out of your unit to one with noncombatant jobs available.

Submit the letter to the base commanding officer. Keep a copy. This written request may serve one or more purposes.

- It puts the military on notice that you're a C.O..
- It may get you placed on noncombatant duty until the military decides on your case; and
- In some cases, it may get you held in your unit rather than shipped to a combat unit or combat assignment.

The recruit will then be requested to fill out form DA 4187 (Army), or the form applicable to that branch of the service requesting a reclassification which is essentially a discharge. (Copy of form is attached.) In the remarks section of the form the recruit will write that they have developed convictions of conscientious objection to all war in any form since joining the military and request reclassification to 1-0 status and discharge from the military.

Along with the form answers to 26 questions will be required. There is no form to fill out with the list of questions. They are merely listed in DOD 1300.6, as enclosure 1, and in Army Regulation 600-43, Appendix B. About 10 to 12 typed pages should constitute a properly submitted answer to the questions. The commanding officer will specify the time frame for submission of completed form DA 4187 and answers to the 26 questions. Any delay on the part of the recruit will be cause for more delay on the part of the military.

The recruit will then be informed that as a result of discharge due to classification as 1-0 they will forfeit all benefits due them as a veteran. The recruit will have to sign a statement similar to that of Figure 2-3. This statement will be attached to form DA 4187.

The base commander will schedule an interview of the recruit by a military chaplain and by a psychiatrist (or a medical officer if a psychiatrist is not available). Following these interviews the recruit will face an investigative hearing by a military board.

## **During the Interval**

Upon receipt of Form DA 4187 the base commander is required to reassign the recruit to duties that provide minimum practical conflict with their asserted beliefs. The extent of this is at the discretion of the base commander. The recruit is still obligated to follow orders assigned them, as stated in DOD 1330.6:

Unless the Military Service concerned provides otherwise, an applicant shall be required to comply with active duty or transfer orders in effect at the time of his application or subsequently issued and received. During the period applications are being processed, applicants will be expected to conform to the normal requirement of military service and to perform such duties as are assigned. Applicants may be disciplined for violations of the Uniform Code of Military Justice while awaiting action on their applications. (par. 6.9)

Normally this means you'll be put to work as a clerk or warehouse worker or continue to train--except in the study, use, or handling of weapons. You might also be assigned to do nothing, either as a way of harassing you or because there just isn't any suitable assignment for you.

There is some question as to just what duties in the military "conflict as little as possible" with C.O. beliefs. The Department of Defense maintains that "service aboard an armed ship or aircraft or in a combat zone shall not be considered to be combatant duty unless the individual involved is personally and directly involved in the operation of weapons." In the Coast Guard, you can still be ordered to use a handgun.

As mentioned above with recruits awaiting ELS, the military will make life as difficult as possible for the recruit seeking discharge as a C.O. in order to manipulate them into violating some military code. This will then serve as a means for the military to drop all proceedings related to the requested for discharge and either retain the recruit in his regiment or else begin process for court-martial if they refuse. Refusal to follow orders, going AWOL, or refusal to wear a military uniform are all violations of the Uniform Code of Military Justice (UCMJ) and could result in incarceration or even court-martial, and the case for ELS will be closed and the recruit retained in active duty.

### **Questions and Answers**

The following are the 26 questions that must be answered by the recruit in his own words and attached to Form DA 4187. The Advisor cannot answer the questions for the recruit because in interviews the recruit will need to defend themselves in their own words. However guides for answering the questions are noted in sub-paragraphs.

1. Full name.
2. Military serial number; and Social Security Account number.
3. Selective Service number.
4. Service address.
5. Permanent home address.
6. Name and address of each school and college attended after age 16 together with the dates of attendance, and the type of school: public, church, military, commercial, etc.
7. A chronological list of all occupations, positions, jobs, or types of work, other than as a student in school or college after age 16 whether for monetary compensation or not. Include the type of work, name of employer, address of employer and the from/to date for each position or job held.
8. All former addresses after age 16 and dates of residence at those addresses.
9. Parent's name and addresses. Indicate whether they are living or deceased.
10. The religious denomination or sect of both parents.

11. Was application made to the Selective Service System (local board) for classification as a Conscientious Objector prior to entry into the Armed Forces? To which local board? What decision was made by the Board, if known?

In our situation the recruit was not C.O. at the time of enlistment.

12. When the applicant has served less than one hundred and eighty (180) days in the Military Service, a statement by him as to whether he is willing to perform work under the Selective Service civilian work program for Conscientious Objectors, if discharged as a Conscientious Objector. Also, a statement of the applicant as to whether he consents to the issuance of an order for such work by his local Selective Service Board.

In our situation, if the recruit is still in entry level status they will seek a ELS.

13. A description of the nature of the belief which requires the applicant to seek separation from the Military Service or assignment to non-combatant training and duty for reasons of conscience.

Make it clear that because of your religious or moral training and belief you cannot participate in war. This is more than just wishing to avoid a combat zone. It is a firm decision that it is morally wrong to participate in war. Any association with the military conflicts with your convictions. You should say why you cannot take a noncombatant job in the military. Military officials may easily see why you are against killing, but may not understand why you aren't willing to serve in some other way.

14. An explanation as to how his beliefs changed or developed, to include an explanation as to what factors (how, when and from whom or from what source training received and belief acquired) caused the change in or development of conscientious objection beliefs.

Try to show how your present beliefs relate to your earlier training and experiences, both inside and outside the military. You'll want to list the different things that helped you form your beliefs against participating in war and your moral value system in general. Your beliefs about war are part of your overall beliefs.

Include in your answer experiences you've had since entering the military which have been important in your decision. Explain how your new experiences in the military make you see that you can't be part of war.

15. An explanation as to when these beliefs became incompatible with military service, and why.

The military may try to deny your claim if they believe you held C.O. beliefs at the time you enlisted. So it's very important to state clearly that you weren't a C.O. when you enlisted, and what made you change your mind. If you had feelings against war before you entered the military, you are only eligible for discharge or transfer if those feelings matured or crystallized into *objections* after you came face to face with military training and duty. It's the objection to participation that's the important thing.

No matter when it happened, you will have to explain what it was that finally made you decide you were against participating in war. Was it your reaction to bayonet training? Firing at human-shaped targets? Combat training? Loading bombs on planes? For some C.O.'s, it isn't one big thing, but a lot of little events that finally bring them to their C.O. stand. If this is the case with you, say so.

Also make it clear why you are making the application now and not a month ago or longer. Some people don't think seriously about what they are doing until they get orders for reassignment. The shock of being sent to a combat zone or combat-type training is often what gets someone thinking. If any of the above applies to you, say so and describe the experiences and your reaction.

16. An explanation as to the circumstances, if any, under which the applicant believes in the use of force, and to what extent, under any foreseeable circumstances.

This is a trick question to identify police or personal force with war and military aggression. Show the difference between force you accept and force you reject. Why and how the kinds of force you would use are different from war. Keep in mind that you don't have to object to all force or to violence, but only to war. (This question is further discussed below.)

17. An explanation as to how the applicant's daily life style has changed as a result of his beliefs and what future actions he plans to continue to support his beliefs.

This and the following question concern your sincerity and depth of belief. Since you're in the military and can't change your life style very much, the question may seem unrealistic. But there may be some things you can point to. Do you talk with or write to friends about the problems of conscience and war. Have you talked with other members of the military about conscientious objection? Have you tried to avoid the more warlike aspects of training duty, like rifle range or bayonet training?

As for the future, you can't be sure how you will act in all situations, but many C.O.'s state that they will try to act according to their beliefs--whether or not their requests are approved. Think about what you might like to do when you get your discharge.

18. An explanation as to what in applicant's opinion most conspicuously demonstrates the consistency and depth of his beliefs which gave rise to his claim.

You are making your application in order to settle the conflict between your conscience and your military duties. Your application itself may be the strongest, most persuasive evidence that you are trying to act in an honest and consistent manner. The more care and effort that goes into your claim, the more convincing this argument will be.

In addition to actions you've taken on your C.O. claim and any work for peace you've done, be sure to include other actions which show that you try to live by your values. Since you believe in the Bible, state that you read it regularly.

19. Information as to whether applicant has ever been a member of any military organization or establishment before entering upon his present term of service. If so, the name and address of such organization will be given together with reasons why he became a member.

In our situation the response will be "No".

20. A statement as to whether applicant is a member of a religious sect or organization.

Reply as needed.



21. The name of the sect, and the name and location of its governing body or head, if known.

This information on your membership and answers to the subsequent questions through 25 can be acquired from an Advisor or the minister of your congregation.

22. When, where, and how the applicant became a member of said sect or organization.

23. The name and location of any church, congregation or meeting which the applicant customarily attends, and the extent of the applicant's active participation therein.

24. The name, title, and present address of the pastor or leader of such church, congregation or meeting.

25. A description of the creed or official statements, if any, and if they are known to him, of said religious sect or organization in relation to participation in war.

26. A description of applicant's relationships with and activities in all organizations with which he is or has been affiliated, other than military, political, or labor organizations.

In our situation the response would be "None".

Preparing a C.O. application isn't like taking a test. The only right answers are the ones you think are right. You can help yourself to do a good job by using these guidelines:

- Keep your answers as simple as you can. Make them long enough to explain your beliefs, but keep in mind that long answers aren't always better.
- Write what you believe. Don't write about what you don't believe. This saves space, and it's a more positive approach.
- Don't try to convince military officials that they are wrong and you are right. This is just a waste of time. Always say "I" believe that "I" must act in such and such a way.
- Show how your beliefs lead you to object to war and military training.
- Submit a neat application. If you can't type, it's worth the money to have a professional type your claim for you. Every Service requires a typed application.
- Make several copies of your application and keep them in a safe place.

## **Letters and References**

Letters should definitely be provided by the Advisor, the ministers of your church, and other elders. Try to get at least four letters. Less is all right, and so is a few more. But a few good letters are better than a lot of poor letters.

Letters should be addressed to "The Commanding Officer of (your name)" rather than "To Whom It May Concern" or to you. Typed letters are more likely to be read, but neatly handwritten letters are fine as well. The writer should explain who he or she is, and how he or she knows you, and should discuss:

- your sincerity;
- the recent change in your beliefs and how they have matured;
- the religious, moral, or ethical basis of your beliefs;

The letters should be sent to you so you can submit all of them at your Investigative Officer hearing. If you and your Advisor think a letter doesn't support you or has wrong information, don't submit it; it is your claim that is at stake. Keep copies of each letter in a safe place.

## **Requirement of Interviews**

DOD 1300.6 states:

6.3. The applicant shall be personally interviewed by a chaplain who shall submit a written opinion as to the nature and basis of the applicant's claim, and as to the applicant's sincerity and depth of conviction. The chaplain's report shall include the reasons for his conclusions. In addition, the applicant will be interviewed by a psychiatrist (or by a medical officer if a psychiatrist is not reasonably available) who shall submit a written report of psychiatric evaluation indicating the presence or absence of any psychiatric disorder which would warrant treatment or disposition through medical channels, or such character or personality disorder as to warrant recommendation for appropriate administrative action. This opinion and report will become part of the "case file." If the applicant refuses to participate or is uncooperative or unresponsive in the course of the interviews, this fact will be included in the statement and report filed by the chaplain and psychiatrist or medical officer.

## **Psychiatric Interview**

The psychiatrist, psychologist, or medical officer has to decide whether you have any medical disorders which would make you eligible for discharge. You may feel offended by the interview; many C.O.s don't like being suspected of having mental disorders just because they oppose killing and war.

The psychiatrist may comment on your sincerity but doesn't have to. (In the Army and Air Force, the psychiatrist is supposed to make no recommendation for approval or denial of the application.) If you don't cooperate or respond during this interview or the one with the chaplain, the officer is supposed to note it in his or her report. Usually the interview takes only a few minutes, and the psychiatrist's report is brief.

The military psychiatrist could recommend discharge for psychiatric reasons, but be careful not to make the psychiatrist think your C.O. beliefs are a result of emotional problems. And, if you think you might be eligible for discharge on grounds of mental disorder, discuss this interview with your counselor before you do.

Some military branches or commands may require you to take a standard personality test before you see the psychiatrist. This is the standard procedure, for example, at many Navy clinics. The military uses the Minnesota Multiphasic Personality Inventory (MMPI) for this procedure.

## **Chaplain's Interview**

Don't be surprised if the chaplain is more hostile toward you and your views than any other officer. But there are a number of sympathetic, sensitive chaplains who care a lot about freedom of conscience. In any event, the chaplain is supposed to interview you and "submit a written opinion as to the nature and basis of the applicant's claim, and as to the applicant's sincerity and depth of conviction." He or she must also give the reasons for these conclusions. Again, in the Army and Air Force, the chaplain is supposed to make no recommendation for approval or denial of the application.

Remember that the chaplain's idea of what may be considered religious, ethical, or moral may be narrower than the legal definition discussed earlier in this chapter. It may be wise to visit a 2<sup>nd</sup> chaplain if the interview with the first turns out to be unsatisfactory, but you'll probably have to set up the 2<sup>nd</sup> visit on your own.

## **Investigative Hearing**

The following is stated in DOD 1300.6:

6.4.2. The investigating officer will conduct a hearing on the application. The purpose of the hearing is: to afford the applicant an opportunity to present any evidence he desires in support of his application; to enable the investigating officer to ascertain and assemble all relevant facts to create a comprehensive record; and to facilitate an informed recommendation by the investigating officer and an informed decision on the merits by higher authority. In this regard, any failure or refusal of the applicant to submit to questioning under oath or affirmation before the investigating officer may be considered by the officer making his recommendation and evaluation of the applicant's claim. If the applicant fails to appear at the hearing without good cause, the investigating officer may proceed in his absence and the applicant will be deemed to have waived his appearance.

The most important interview is the one with the Investigating Officer. In fact, this "interview" is more of an informal hearing. In the Army, Air Force, and Marines, the IO is appointed by the commander with special court-martial jurisdiction over you (usually the brigade, regiment, or group commander). In the Navy, the appointing authority is your commanding officer; in the Coast Guard it's the district commander. This hearing is extremely important. You should not waive your right to attend it even if the military offers to let you do so. This will probably be the best chance you will get to present your views. If, without a good reason, you don't appear at the interview, it will be assumed that you have waived your rights, and the Investigating Officer will hold the hearing without you and your request will be rejected.

The Investigating Officer's interview has several purposes. It is a chance for you to add evidence or papers to your application before the complete record is forwarded for a final decision. The officer must gather information on your case and then interview you. Finally, the IO is to make an "informed recommendation" on your case so that the higher authority may make an "informed decision." As part of the investigation, the officer may seek out information about you from commanders, supervisors, written records, and other likely sources of important information.

You may present whatever evidence you wish, give any sworn or unsworn statements you think may help your case, and have witnesses to give sworn statements. This is the time to add to the file any reference letters, church statements on conscientious objection, or other papers that you haven't already attached to your application. It is also a chance for you to look at and comment on everything in the file, including the opinion of the chaplain and the psychiatrist and any other evidence gathered by the Investigating Officer, if you haven't already done so. The hearing is informal, except that all oral testimony is given under oath or affirmation.

If your religious beliefs require you to affirm rather than swear, you have the right to "affirm" that your testimony is true.

You have the right to have witnesses testify in your support at the hearing. If you can think of people who could offer evidence of your sincerity, ask to have them testify. People who wrote supporting letters for

your claim are especially important witnesses. By attending the hearing, such witnesses give additional weight to their testimony of your sincerity.

While the military won't pay for the personal or travel expenses of your witnesses, local commanders are supposed to "render all reasonable assistance in making available military members of his command requested by the applicant as witnesses." If you want fellow service members or officers to serve as witnesses, you should, as soon as possible, request in writing that the local command make those persons available. If your commander does not help, and if those witnesses do not appear at the hearing, you should explain in your application why you wanted them to come, attach a copy of the letter to the commander, and state that they did not appear at the hearing. All witnesses should be notified as soon as possible of the hearing date, time, and place. In addition, you will be allowed to question any other witnesses the Investigating Officer calls or who volunteer to come.

Just prior to and on the day of the hearing you should meet with your Advisor and any of your witnesses to prepare for the hearing. It can be particularly helpful to role play questions with your counselor to help you prepare for the hearing. You can request that your witnesses be present during the interview. If this is allowed, it could give you additional support and be especially helpful to any witness who is also a C.O. applicant.

Bring a copy of your application and any additional material, as well as a list of those who will testify and those not available for testimony. After taking the oath or affirmation, you or your Advisor can review all items in the investigating officer's file and submit any new information.

Usually the Investigating Officer will have some questions to ask. Some of these are likely to be routine. Others may be very difficult or hostile. If you don't have an answer to a question, say so and then explain why. You don't have to know the answer to every problem in order to be a conscientious objector. And sometimes, if you say honestly that you find a question difficult, your sincerity and truthfulness will impress the officer far more than a glib answer. Do make clear throughout the interview that you know you're against all war and can't be part of it.

Either before or after the questioning, you should call your witnesses, one by one. They must also take the oath or affirmation before they testify. All should state their relationship with you and why they offered to testify, and then go on.

If the Investigating Officer has summoned any other witnesses, you or your Advisor can question them if necessary.

### **Possible Questions asked at Interviews and Hearings**

Often C.O.'s are asked what they would substitute for military force as a method of defense. You don't have to have a complete plan for nonviolent defense--or any plan at all--in order to qualify as a C.O. But for many C.O.'s nonviolent resistance is one way of defending one's country and one's principles all at once. And many believe that peace can never come about through violent means, but only through nonviolent ones. Keep in mind that, in order to gain C.O. status, you don't have to present a complete philosophy of nonviolence.

One thing you can be certain of, though. If you or someone you loved were attacked, you wouldn't dig a trench around the attacker's house, bombard them with artillery fire, drop napalm on their family, and demand their unconditional surrender--if they survived. That's the point. Personal self-defense is not war. In fact, it doesn't resemble war in any way.

You may be asked many questions during your required interviews. Your interviewers may be friendly or hostile, straightforward or apparently friendly but be cautious or else they will lead you into a trap. Make your answers direct and sincere. You don't have to convince your interviewers that you are right--only that you really believe what you say you believe. If you don't have a good answer in your own mind, it's all right to say that you haven't arrived at an answer for a particular question. Nobody knows all the answers. The questions below are real and have been asked, along with thousands of others. You won't be asked all of them. You may be asked none of them. Recommendations are noted in sub-paragraphs.

- Do you doubt that God exists?  
I have no doubt that God exists.
- Is your conscientious objection to war deeply rooted in your own free thinking and personal opinions?  
Yes.
- How can you say that your belief is religious?  
It is based on the New Testament teaching of Jesus Christ.
- Is your objection to killing or being killed?  
Killing. I do not fear being killed for the sake of the gospel.
- What does your church say about war?  
This is a matter of personal religious conviction and not necessarily that of the denomination I am a member of.
- Why do most members of your church support military force?  
This is not the case.
- Where in the Bible do you find anything which forbids you to defend your country?  
Jesus said, "Do not resist evil," (Matt 5:39) which we interpret as force or military aggression against ourselves.
- Why did Christ say, "He that hath no sword, let him buy one"?  
This pertains to those Jews who would not accept his gospel of peace and would fight against the Romans during the war of 66-70 AD.
- Why did Christ say, "Render unto Cæsar that which is Cæsar's"?  
We pay taxes, as specified in Rom 13:7.
- Why did Christ say, "I came not to bring peace, but a sword"?  
This is figurative. The sword represents the separation in families: some would accept Jesus as Messiah, while others would not.
- What would you do if God told you to defend your country?  
I would become involved in evangelical work, because the defense is against sin and its consequences and its bad effects on society.
- How do you explain all the wars in the Old Testament?  
This was a concession by God due to the barbaric nature of early civilizations; it was not his perfect will. The perfect will of God materialized in the gospel of peace taught by Jesus.

- Do you think America's millions who killed and died in wars were immoral to kill?  
War cannot be justified. And I am very sorry that this occurred in the past.
- How about the Christian doctrine of approval for just wars?  
I do not recognize any doctrine for approval of any wars.
- Is it ever an honor to die for your country if you die keeping the enemy from conquering it?  
No.
- Do you think that combat soldiers who believe they serve God in serving their country are misled?  
Every person conducts himself the manner he feels is right. Every person must follow and deal with his own conscience and convictions.
- Can no war be just and necessary regardless of the situation?  
There is no justification to war or military aggression.
- Do you believe in Romans 13:1-8 of the New Testament, in which it states that God ordains the governing authorities to be servants of God for the good of the governed?  
This pertains to the internal police force. The police provide internal security. They cannot be compared or equated with the armed forces whose purpose is war.
- Is there any possibility at all that your C.O. application comes out of a feeling of uncertainty, insecurity, or fear of military hardships?  
No. Because I am willing to face the hardship that may occur as a result of my convictions as a C.O.
- Why are there no atheists in foxholes?  
Everyone believes in God in times of distress because they realize there is no help from a human.
- Does God love that dying American infantry soldier on the battlefield?  
I am sure He does.
- Would he want someone like you to try to save his life?  
I would be willing to provide the love of Christ to soldiers for them to follow the same path I am on so he would not have to face death on a battlefield.
- Does "loving one's neighbor as oneself" ever include being a medic?  
Yes. But the definition of neighbor is the person who has a sincere concern for my welfare according to the parable of Jesus.
- Would it be a high honor for you to die for our country if you did so while helping to save the life of a dying American soldier?  
I would accomplish more if I were to die while employed in a life-long effort in areas that promote the moral advancement of the country.
- Can you say that a medic helping a dying soldier is an immoral act and can never be an expression of God's love?  
For the person helping another on the battlefield it is the manner that he chooses to express God's love. For myself I would prefer to show God's love in areas off the battlefield.

- If you don't believe in killing, why let a wounded soldier die?  
I am willing to testify to my faith by leading others on the path of being a C.O. so they do not find themselves on the battlefield dying.
- Do you respect and follow the religion of your parents?  
Yes.
- Did you arrive at your decision to apply for C.O. by your own personal ideas alone?  
Yes; or, No, I did have discussion with others on this topic.
- Did books you read have most to do with influencing your request for C.O. status?  
Reading the New Testament.
- Since you say you have been a C.O. for only 2 months, might your conscience not change back again 2 months from now?  
I have acquired a repulsion to military service since joining, which will remain with me for the balance of my life.
- Who helped you prepare your C.O. application?  
A member of my congregation.
- Are these really your own beliefs?  
Yes.
- Do you honestly think the Armed Forces should be abolished?  
Yes. God will protect us and install peace if we as a nation place our faith in Him and live according to the gospel.
- What method would you use to resist evil?  
God permits the use of an internal police force.
- Would you forcibly restrain individual law breakers?  
According to Rom 13, God permits the state to install a police force for internal security.
- Would you use force to preserve anything you believe in?  
Anything is a difficult question. I would do my best not to utilize force but only the situation will tell.
- Would you use force to prevent a maniac from killing an innocent person? From killing you? From killing himself?  
I would do my best to reduce the violence or damage to occur.
- Wasn't Hitler a maniac?  
From what I heard he was. But adding further aggression to overthrow someone you feel to be a dictator interferes with the words of God, "Vengeance is mine. I will repay."
- Can't non-destructive force, such as strikes and boycotts, be just as painful and destructive as physical violence?  
I will not either participate in strikes or boycotts; but these still cannot be equated with organized warfare.

- If someone were attacking your mother, would you try to stop him or would you call the police?  
I would do the best I could to minimize injury, and yes I would call the police. It is their responsibility to provide security.
- Didn't Jesus use violence in driving the money-changers from the temple?  
Yes. But it was His Father's house; but this cannot be equated with organized warfare.
- Do you think the federal government was right in using military force as it has in riots, disorders, and racial strife?  
The police have the responsibility to provide internal security for the country.
- Do you believe in the kind of force the police often have to use to stop killer criminals from murdering others?  
The apostle in Romans 13 allows the police to use capital punishment as a means of securing internal security for the residents of the state. But this cannot be equated with military aggression or war.
- Are you trying to influence others to become conscientious objectors?  
I pray to God that others will also be enlightened as I have and will follow the same path. Hopefully I will serve as an example for them.
- How can you *prove* you're a C.O.?  
The fact that I have applied for reclassification, proceeded in the manner I have requesting discharge, and now testify to you, is my proof.
- What will you do if your application is denied?  
Re-apply.
- Why do you take your place in a society organized by force and then refuse to fight its wars?  
There have always been C.O.'s in America since the initial Europeans settled here, and they arrived here for reasons of religious liberty, which reason also applies to myself.
- Why do you pay taxes?  
To support the civil government, as the apostle said to do in Romans 13:7.
- If you really believe these things, why can't you just write a book or speak out about your beliefs after you finish your enlistment?  
I may plan to do what you recommend, but I cannot further my military career because my conscience no longer allows me to do so.
- Wouldn't people have more respect for what you have to say knowing that you served your country?  
Some would. Some would not. It depends on whether the person I speak with has the same convictions as myself or not.
- Aren't you bringing a great deal of dishonor on your family?  
No. My family supports my decision.
- Do you think the authority of your conscience is much more reliable than the consciences of most Americans?  
I do not know what the conscience is of most Americans. Every person must follow their own.



- Do you realize that you are helping to destroy this society?  
Quite the opposite. I am working to benefit the society by reducing its aggression and expenditures in manufacture of military equipment and weapons, and to save lives that would otherwise perish on the battlefield.

The recruit must realize that the information related is public, recorded and will determine the recruits sincerity and depth of belief. Prior to the interviews and hearing the recruit should study all of the questions and together with the Advisor compile mental answers to them all.

### **After the Hearing**

The military base then has 90 days to submit the forms and all documents to Headquarters, and this can be extended to 180 days at their discretion. The recruit should expect the process to take about a year.

The percentage of claims approved varies from Service to Service and from year to year. In the 12 years prior to the Persian Gulf War (1991), more than 80% of C.O. claims were approved.

Once your immediate commander has been notified, you should be out within 10 days. The discharge will be Honorable unless you refused to obey orders or refused to wear the uniform while your claim was pending; then you may get a General Discharge (Under Honorable Conditions). The discharge will be for the "Convenience of the Government," but your separation papers will give "conscientious objection" as the reason for discharge.

### **Negative Decision**

If your application is turned down, you're in a tough position. You and your Advisor will need to proceed and repeat the above steps with the submission of another application for discharge. It may also be possible to acquire a discharge for another reason.