

OTHER POINTS TO REMEMBER

1. There are more court-martials (military trials) each year than all the Federal criminal trials combined. And the conviction rate is 93%! People in the military are subject to a special judicial system which

-allows the commanding officer to hand-pick the jury and the lawyers

-can punish the people for acts which are not crimes in the civilian world, like being late for work (AWOL), appearing out of uniform, or disobeying an order, regardless of how ridiculous it is

-can try a GI with one person as judge, jury, prosecutor and defense lawyer combined

2. All males who join the military have a six-year obligation. The part they don't serve on active duty must be served in the Reserves. For many Reservists this means their summer vacation and one weekend each month will be spent on military duties. If they do not perform satisfactorily or if there is a call-up, they can be required to go back on active duty.

3. Verbal promises by a recruiter are seldom kept. The military ignores them and will not back them up. An enlistee should demand that all promises be in writing, and even then he should understand that they are not always kept.

4. Military job descriptions (called MOS's in the Army, ratings in the Navy, and AFSC's in the Air Force) are usually vague and very broad. The MOS which means policeman also includes prison guard. A recruit who joins thinking he'll work as a patrolman may wind up as a prison guard—and the military won't have broken its "promise" at all. People who choose to enlist should know all the jobs they might be assigned to—not just the one they hope to get.

5. Women are also misled by recruitment promises. For example, they are often signed up and even trained for jobs the military knows they will have trouble performing because the equipment is designed for men. Some women can't lift the heavy hoses or toolboxes or ladders, or can't reach the distances required. If this happens the woman will be placed in a different job, usually a less-exciting clerical job, with no opportunity to quit.

(General Accounting office report of female job performance May, 1976)

6. The mission of the military has nothing to do with job placement, travel agencies, or the glamor of Hollywood. The mission is preparing for war. People who enlist to escape from school or a bad home situation, or people whose beliefs conflict with the real purpose of the military, are often disappointed. And they can't quit.

IMPORTANT

If you know people who are thinking of enlisting, advise them to see a civilian counselor before they talk to a recruiter. Those who have already decided to join should have a lawyer or a civilian counselor read over the enlistment agreements before they sign. No one would buy a house, get a divorce, or negotiate a job contract without legal advice—joining the military often involves more money than any of these—and it affects a person's freedom as well.

The recruiter is a salesman. A government report in 1976 said that recruiters "are under great pressure, and they feel their careers depend on meeting quotas month after month."⁵ A potential enlistee owes it to himself or herself to seek *objective* legal advice before joining. You can contact a civilian counselor who will help you, without charge, by calling or writing:

Or you can get in touch with the people who wrote this pamphlet:

AMERICAN FRIENDS SERVICE COMMITTEE
317 E. 25th St.
Baltimore, MD 21218
phone (301) 366-7200



Recruiter's Promises— How Good Are They?

"If You Qualify . . .

. . . we'll give you your choice of training, and put it in writing before you sign up."

"If Your Friends Join . . .

. . . we'll guarantee you and the guys your first 15-month tour of duty together.

"There's No Opening Now, But . . .

. . . with your test score, you'll certainly get assigned to electronic technicians' school."

HOW GUARANTEED ARE THESE "GUARANTEES"?

Military enlistment forms are not contracts. They do not offer any substantial protection to the enlistee. It is almost impossible to force the armed services to live up to promises they don't keep, and civilian courts are reluctant to tell the military to live up to its promises. The Committee on Military Justice at Harvard Law School says "To call the enlistment instrument a contract involves an element of fraud. The word 'contract' calls up notions of fair shakes and square deals which the enlistment situation simply does not offer."¹ The enlistment forms have many waivers & disclaimers.

SOME OF THESE LOOPHOLES ARE:

1. "Statutes & regulations . . . may change without notice to me and . . . such changes may affect my status, compensation, or obligations as a member of the Armed Forces" according to the enlistment forms.² In other words, pay, training, assignments or educational guarantees may be changed and the enlistee has no control over it. Many military benefits (GI Bill for Education, dependents' medical care, etc.) are currently being changed.

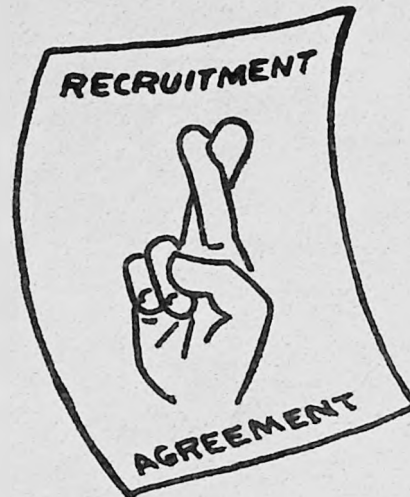
2. Enlistees take a series of tests to see if they can enlist, but after they've been sworn in they often take another series of tests. If they do poorly on the second tests, they may find their "promises" for training are cancelled.

3. If a trainee flunks out of a military school, even though it's not his fault, promises about training or assignments are cancelled. One-third of all enlistees who score lowest on the entrance exam flunk at least one military school; and 22% of the next higher group flunk a school.³ These people lose their "guarantee", but may still be kept in the military.

4. Training in a certain field doesn't necessarily lead to an assignment in that field. The Air Force might give a woman training in electronics, but assign her to the typing pool! Military training and experience is not very useful to the enlistee when he gets out. A study for the Army concluded ". . . the overriding complaint at the end of their (enlistees) tour is the lack of career training. For many, this perceived lack of training emphasizes a feeling that they have wasted 3 years."⁴

5. Some jobs or training require security clearances. But a GI doesn't know if he qualifies for a clearance until after he's enlisted. If he fails to get the clearance, he can be made to work at whatever job the military chooses.

6. Hospitalization, confinement, AWOL, or emergency leave can void programs such as "Buddy Enlistment" or promised training. A sailor who gets into even minor disciplinary trouble, for example, could be assigned to jobs he doesn't want for the duration of his enlistment in the Navy.



7. If a recruiter tells someone to lie or omit information, it is foolish advice—only the enlistee is hurt if the lie is discovered.⁵ The soldier can be given a less-than-honorable discharge, which will make it hard to get jobs the rest of his life, and he could be put in prison for up to five years. Or the military may keep the soldier, but assign him however they want.

8. There is not even a guarantee a person will get out of the military when promised. In the event of war, enlistees can be kept indefinitely, and used however the military chooses.⁶

HOW LIKELY IS IT THAT A RECRUITER'S PROMISE WILL BE BROKEN?

An Army study interviewed 1500 enlisted men. The study concluded "Many members of a given basic training company are likely to receive something other for an assignment than what they expected. Every interview we conducted produced evidence of substantial misassignment situations. The misassignments ranged from a split in the buddy system at the induction center to an individual who was disqualified from a school he was promised because when retested after enlistment, he failed to attain the necessary score."⁴

When a promise is broken, it's difficult to get the mistake corrected. In the Army, for example, the only practical appeal is to the Military Personnel Center. The process is complicated and time-consuming, and most soldiers don't know about this appeal procedure. The Army make the final decision; 72% of the time they decide in the Army's favor.⁷

FOOTNOTES

1. "How Much of A Contract Is the Enlistment 'Contract'?", by Steve Bachman, 1974.
2. Quotation from DD Form 4, 13c. Thousands of sailors enlisted for six years (instead of the usual 4) with a promise that they would be paid a "variable re-enlistment bonus". The bonus of about \$4,000 was cancelled, but the sailors were forced to stay in.
3. Army Behavioral Sciences Research Lab.
4. "The Volunteer Soldier: His Needs, Attitudes, & Expectations", by Dr. Scott Cunningham, 21 Oct. 1972.
5. A March, 1976 report from the General Accounting Office (Congress' research agency) estimated that 20% of enlistees make one or more fraudulent statements in enlisting (Report FPCD-75-169).
6. DD Form 4, 13b, and d.
7. From statistics "Economic Conscriptation", by Dr. David Cortright, 1975.