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IN THE SERVICE OF CONSCIENCE

By

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Bachelor of Arts, University of Montana, Missoula, Montana, 2002

Professional Paper

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## In the Service of Conscience

Chairperson: Dennis Swibold

This professional project consists of three magazine style articles examining the motives and the process of a relatively small group of American soldiers who have sought conscientious objector status since the end of conscription. Those who decide to become conscientious objectors in the all-volunteer military must have courage to face the scrutiny of a military tribunal, and, sometimes, flak from those who see their act as a betrayal.

The first story is a portrait—a close-up of the process one man went through and what he learned along the way. The reader will meet Trey Kindlinger, who joined the Navy because he was not sure what to do instead. Like many, in the military he found a welcome structure and a steady, if slight, source of income. What stands out about Kindlinger is that he started thinking seriously about the moral implications of his job along the way.

The second story is an overview of the phenomenon of conscientious objection in a volunteer military and the ways the military handles soldiers who have a change of heart. The story highlights important court cases and discusses a number of the challenges facing COs from without and within.

The final story is about conscientious objectors and anti-war activists who take it upon themselves to help teens decide how they feel about military service before they are wearing boots and holding guns. A small but tenacious group of activists is going into some of America's schools to try and make sure recruiters are following the rules and to provide kids with the information they need to make informed choices about their futures. While recruiter access to public high schools is specifically granted by law, it is not always easy for these counter-recruiting activists to get into schools. Access can be a battle in its own right.

*For those who have served in the Armed Forces,  
For Dennis Swibold, who has seen me through.  
And for Sarah, who has been patient.*

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# The Education of a Conscientious Objector

The U.S. Navy gave one Texas sailor a chance to see the world – and clear his mind about war

When Trey Kindlinger joined the Navy in April 1994, it was not out of patriotic fervor. He was nearly 20, and recruiters had pursued him since he was a senior in high school. He wasn't interested in a military career, or much else, besides the Dallas Cowboys. No one in his immediate family had served in the military.

He was bored, broke and without prospects, working two minimum-wage jobs, one so that he could afford gas to drive to the other. He took a few night classes at a community college, but it would take years of that to earn a degree. He had vague hopes of full-time college, but he lacked ambition and, like many in his generation, he was eventually enticed by the enforced structure of a military career. And the Navy said it could help with college.

But that was then. Nine years later, toward the end of his second enlistment, Kindlinger was sweating as he left his desk to meet with the executive officer of Navy Information Operations Command in Misawa, Japan. It was the afternoon of February 12, 2003, a month before the U.S. invasion of Iraq. A frigid wind was blowing the morning he submitted his request to be discharged from the Navy as a conscientious objector.

The decision was a long time coming. Conflict had clouded his feelings about his military career for more than a year. Raised Southern Baptist/Pentecostal, he'd always taken the Bible seriously. His Navy duties involved spending six-month periods at sea, without access to a chaplain or formal church services, but he had read his Bible in the quiet hours. Solitary encounters with the gospels and time with less fundamentalist friends led him to reassess the conservative Christian beliefs of his upbringing. He was drawn to Martin Luther King Jr.'s doctrine of nonviolence, Jesus' blessing for the peacemakers and his instruction to "turn the other cheek."

As he watched his country gear up for the Iraq war, Kindlinger began to see the conflict in increasingly stark and personal terms. The Navy was asking him to put his job before his principles and his conscience. In the end, his choice was clear, but hardly

simple and surely not without consequence. Trembling at the threshold of his superior's office, he braced for the wrath of a naval Jehovah, the brimstone of the "military religion."

"Did you file this paperwork?" the officer asked.

"Yes," said Kindlinger.

"If you feel any retribution, you let me know."

It was with a sense of relief that Kinglinger walked back to his post, but he knew his request was rare in today's all-volunteer military. He knew his sincerity and character would be tested against stringent Department of Defense regulations, and he knew he would face the inquiry mostly on his own.

### **Conscientious Objection: An Embattled Tradition**

The wars in Afghanistan and Iraq are the longest the U.S. has fought with an all-volunteer military. A small number of these volunteer soldiers have applied as conscientious objectors since the initial invasion of Afghanistan. Their story remains largely untold. Conscientious objection is usually associated with soldiers who are forced to serve in a conscripted military, and not those who volunteer for service.

The exact number of CO applicants since September 11, 2001 is unknown. The Government Accountability Office estimated the armed forces processed 425 CO applications from 2002 to 2006, and concedes the number could be low because it reflects only those applications that were processed in full. It does not include applications that were lost or unreported or filed by soldiers discharged before their cases were reviewed. Still, conscientious objection is rare in today's military.

Trey Kindlinger represents the few, but he is part of a long tradition. For as long as the United States has existed, the government has recognized, to greater or lesser degrees, a citizen's right to object to bearing arms on grounds of conscience. In the context of an all-volunteer military, that also means a soldier's right to change his or her mind.

But no one applies for CO status because he thinks it will be easy. Some tell stories of being ostracized or hazed by fellow soldiers and officers. Aidan Delgado, who became a conscientious objector during a deployment to Iraq with the U.S. Army, has told

“Democracy Now!” and wrote in his book “The Sutras of Abu Ghraib” that the Army took away his body armor after he turned in his application. According to Delgado, even though his post was being shelled with mortar fire 30 to 40 times per day, his command told him that he wouldn’t need it since he was no longer a combatant. Even so, the consequences for conscientious objection today are hardly as harsh as they were in World War I, when 17 Americans received death sentences and 142 were sentenced to life in prison for refusing military induction. By comparison, Trey Kindlinger’s journey of conscience seems almost smooth. Almost.

### **Stumbling**

Kindlinger has dark, short hair and wears a close-cropped beard. In a voice that is husky, with a slight accent that betrays his upbringing in the town of Irving, Texas not far from Dallas, he recounted his relationship with the U.S. Navy.

He graduated from high school second in his class, a proud achievement for the son a working-class family. His father drove a truck for Unocal and his mother managed the household. Aside from a year-and-a-half in Wichita, Kansas, where his father worked as a plant manager for Unocal, the Kindlingers lived in Texas until Trey joined the Navy.

Despite some scholarship offers, Trey lacked the funds and the drive for college. His father “busted his hump” but could not afford the tuition. After high school, Kindlinger drifted through a series of minimum-wage jobs, none of which lasted longer than six months. He was fired from his first job at a convenience store after three weeks.

“They were just like ‘You’re worthless,’” he recalled. “And I was.”

Eventually, Kindlinger found work at a full-service car wash, an hour away from his parents’ house, and a second job at flipping burgers on split shifts to pay for gas. Rather than drive home between shifts he often watched films at a nearby cinema. The recruiter’s office was right next door.

Joining had never been a serious thought before, though as a high school senior Kindlinger had excelled on a military aptitude test, which he had taken as a diversion from his studies. His scores attracted the attention of recruiters, whom he brushed aside. He wasn’t strictly opposed to war, but he had no interest in a military career.

Two aimless years after graduation, a promotional postcard from Navy caught his eye. Between shifts one day at the burger joint, he stopped by the recruiting office. He left promising to return the next day. “I went back the next day and said, ‘I’ll go,’” he recalled “And they just had this shocked look on their face like, ‘Wow. We don’t usually get that.’”

He dropped a night-school English course he was taking at Trinity Valley Community College and signed up for four years with the Navy.

But Kindlinger’s early Navy experience did not match the pictures in the recruiting brochure.

His military test scores qualified him to attend electronics school after graduating from basic training in Orlando, Fla. It was a tough program, though, and Kindlinger washed out.

“The attrition rate when I was there was 60 percent,” he said.

Kindlinger hoped to get into Nuclear Power School to prepare himself for a career running power plants on aircraft carriers. The prerequisite for the school is training in electronics or engines. Although he said he studied 35 to 40 hours a week, he did not make the cut.

The Navy transferred him to a barracks nicknamed the “Pleasuredome,” a kind of holding tank for personnel who had been dropped by a training program or a command. Many were being thrown out of the Navy for drug use or behavioral problems. Many clearly didn’t mesh with the military lifestyle; some had deliberately broken rules to get out. He remembers being called “shipwreck” rather than “shipmate,” the honorable term used for graduates of basic Navy training. Kindlinger remained there for the rest of his training period as a kind of penance. He worked long hours standing guard at the base’s gates or in the galley.

Because Kindlinger lacked a specialization, he was eventually sent out on a ship with an “undesignated” rating, the lowest of the low. For two years, he cleaned ship bathrooms, painted and ran mine-sweeping equipment. He worked dutifully and without complaint, and his superiors took notice. As he entered his enlistment’s final year, he grabbed a chance to learn ship-to-ship radio skills, a big step up from the menial jobs that had marked the first three years of active duty. And, finally, like the young men in the

recruiting pictures, he was seeing the world. His ship, home-ported in Texas, had dropped anchor in Denmark, England, Italy and Spain. As his time drew short, and though he yearned to be free, the Navy didn't seem quite so bad.

### **The Fallback**

Kindlinger was discharged three months early with a "good conduct" designation, but adjusting to civilian life wasn't easy. Three days after his discharge, he landed a salaried job laying fiber optic cables with a crew composed of other recent veterans. They worked 80- to 100-hour weeks for as little \$300, and it wasn't long before he quit to take a job making calls for a collection agency. Three weeks later he was back flipping burgers.

His dream of returning to college was also slipping out of sight. He figured he had saved \$2,000 during his enlistment, not bad for a sailor making \$800 to \$1,000 a month. But his parents were deeply in debt, so he loaned them all of his money with little hope of getting it back.

As a veteran, Kindlinger was eligible for educational benefits under the GI Bill, but he needed cash or a loan up front to register for classes. He had neither. His charity and his ignorance had cost him plenty.

"I didn't really know the process," he said. "I was old enough and I should have. Looking back at it now that I have gone to school, and realizing how much money you *can* get for financial aid, I could have done it. But I didn't know. It wasn't something that we had gone over in the Navy."

Considering his options, Kindlinger wrote off his five months of civilian life as a loss and signed a fresh contract with the Navy. He was reclassified and retained in signal intelligence. His pay was better and he was guaranteed \$15,000 upon re-enlistment, half available up front and the rest to be dispersed annually for the rest of his enlistment.

For the first two-and-a-half years of his second enlistment, Kindlinger was stationed in Rota, Spain. He still can't talk about top secret work he did there. It was in Rota that he heard the news about September 11, 2001. He remembers watching footage of devastation in Manhattan and Washington, D.C., and thinking "We're going to war."

He spoke with his father shortly after the attack and told him, “Whatever the President says, that’s what I’m going to do.”

“I don’t know why I said that because I didn’t feel that way up to that point and I didn’t feel that way after,” he recalled years later. “I think it was because it was my dad.”

### **Toward Conscience**

Kindlinger’s opposition to war came gradually, and it was as much political as it was spiritual. He was raised in a fundamentalist Southern Baptist/Pentecostal tradition that interprets the Bible literally. Its conservatism was often reflected in populist politics that mixed patriotism with an abiding suspicion of government. Taxation was considered “theft,” and socialized health care was “basically demonic.”

His travels, however, were prompting questions. In Spain, he saw a government that provided its citizens lifelong health care and free secondary education, and it seemed reasonable. His encounters with more liberal Christians prompted a re-reading of the Bible, especially the New Testament’s accounts of Jesus’ moral teaching, with its blessing for the peacemakers and its compassion for the poor and meek.

He was struck by Jesus’ exhortation, in the Sermon on the Mount, to “Love your enemies, and pray for those who persecute you.” In Matthew Chapter 24, Verse 40, Kindlinger saw a Christian’s duty to his fellow man: “Inasmuch as you have done it to one of the least of these my brothers, you have done it to me.” The Old Testament’s commandment against killing took on new meaning too. Increasingly, his awakened faith seemed on a collision course with his military career.

The U.S. invasion of Afghanistan in October of 2001 brought it all to a head. He was watching football in Spain when play was interrupted by the news: The U.S. was at war, and he was involved.

“It is not the people in power that get hurt in war,” he recalled thinking. “It is the people on the ground, the so-called little people, the ‘least of these.’ I started making that connection: Whether they are Christian or not, I have common cause with every ‘little person.’”

Kindlinger's discomfort increased when he was transferred to Misawa, Japan, where he befriended a sailor that he describes as an "old-school anarchist." "Not the bomb-throwing kind" he said, "but the bike-riding kind. Dumpster diver. OK, so he stunk a little, but he was a great guy."

The two shared much of their free time, and his friend's anti-establishment politics began to color Kindlinger's views. So did his newfound interest in the news. In Spain, his chief source of information had been the armed forces news. In Japan, he began to listen to the BBC World Service and seek alternative views on the Internet, including the now defunct "Guerrilla News Network," or GNN, which carried stories critical of U.S. military involvement in Afghanistan and Iraq.

He was struck, as well, by the Japanese he met, and the deep-rooted anti-war and anti-military views many held due to their country's horrific experience and conduct in World War II. Japan's suffering and the shame led to a deeper reflection on the cost and causes of war.

"I think it's Stalin who said 'If you kill one person it's a tragedy. If you kill a hundred thousand, it's a statistic,'" Kindlinger said. "I don't buy into that. It only magnifies how awful it is. But if it's *one* person, it is still *one* person. That's somebody's mama, daddy, kid or grandpa that just died. Whether they are the enemy or not, they've still got a soul."

He was impressed by Japanese he met, many of them survivors of the war, who felt strongly about upholding Japan's constitutional ban on waging war to resolve international disputes and maintaining a war-ready military. "They held to that very strongly," Kindlinger recalled. "They were like, 'This is our penance for what happened and we cannot let this happen somewhere else.'"

During the run-up to the Iraq war, Kindlinger followed Japanese news and analysis of the impending clash. Many of the Japanese he knew were indignant when their Prime Minister Junichiro Koizumi deployed ships to the Persian Gulf in support of the allied war effort. "A lot of people thought it was a violation of their constitution," Kindlinger said. Others feared the U.S. was on an imperialistic course similar to Japan's in the 20s and 30s.

But the event that led Kindlinger to file his conscientious objector papers came when his friend was messily discharged for his anti-establishment beliefs. This treatment of his influential friend encouraged Kindlinger to act on his beliefs and take a final stand.

The Internet gave him the means to learn the ins and outs of applying for conscientious objector status. It led him to the GI Rights Hotline, a national network of volunteers and civilian counselors that advises members of the armed services about their rights and provides assistance for those looking to leave the military. He also contacted the Quakers and scoured the stories of past objectors, hoping to learn about “some of the pitfalls that could be coming.” He even contacted the priest of his grandmother’s Greek Orthodox Church, not knowing that the man had once been a military chaplain. The priest disagreed strongly with his intent but acknowledged that he seemed set on his course.

Kindlinger submitted his conscientious objector paperwork on a mid-February morning, just before he went to work. He said he was “petrified” of being severely reprimanded and punished, but his executive officer’s curt response and seeming concern that Kindlinger not suffer any retribution was a relief. The XO also told him that while his papers worked through the process the Navy was required to place him in a position that conflicted as little as possible with his beliefs. He asked if Kindlinger would agree to continue his current job until they could find a replacement for him. He readily agreed. “I turned in my paperwork. My part’s done,” Kindlinger recalled thinking. “I told myself, ‘I’m just going to go along because I want to make this easy as possible – for them and for me.’ ”

And so he went back to work and waited for the reaction of his fellow sailors. But an eerie silence reigned until two weeks later when the chief of his section, a man Kindlinger liked and with whom he had shared a running banter about football, called an assembly. At the meeting, the chief said, “Someone in this room filed as a conscientious objector, and that person is a weasel, that person’s a rat, he is not fulfilling his commitment.” Kindlinger felt himself tremble. “I was waiting for him to point at me and say ‘This is Judas Iscariot,’ but he never did that,” he recalled. But it soon dawned on him that neither his chief nor his fellow sailors knew who had filed. Two weeks later, Kindlinger was stripped of his security clearance and transferred to a job ordering office supplies and vehicles for officers.

Each branch of the U.S. military has its own process for evaluating conscientious objectors, but some steps are the same. Applicants are interviewed by a psychologist and chaplain, who then make recommendations to an investigating officer assigned from outside of the applicant's chain of command. The officer weighs the case materials and recommendations and conducts an informal hearing in which applicants must prove that they sincerely hold ethical and/or religious principles that conflict with military service and preclude their participation in war. The investigating officer recommends acceptance or denial of the request. The commanding officer then reviews the case and makes his own recommendation. If the commander denies the request, the case is sent to a review board for final decision. If the board denies the request, the applicant may appeal to a U.S. District Court for habeas corpus relief-- if he can show that the denial had no basis in fact.

Trey Kindlinger chose to be interviewed by his post psychiatrist and was deemed mentally fit. He chose a Catholic priest for his religious evaluation, hoping to avoid a hair-splitting theological debate with a Protestant chaplain. He got lucky, he said. The priest gave him a positive recommendation, despite disagreeing with his anti-war beliefs.

But the most difficult questions came from his commanding officer, who interviewed him three times. He asked, among other things, if Kindlinger thought he could have supported America's cause in World War II. Armed with advice he found online, the young sailor responded that he was unsure. That war is often referred to as the "Good War," but it was also the first in which massive numbers of civilians were specifically targeted. He said he couldn't categorically affirm America's conduct.

Next came the hearing before an investigating officer. Kindlinger asked a few friends to vouch for his character and sincerity, assuring them that they didn't have to agree with his decision. ("And they didn't," he said.) At the hearing, they were asked, among other things, if the applicant gambled or watched war movies.

After the hearing, Kindlinger waited three tense months for a decision. Finally, his papers came back with a stamp of approval. All they lacked was a signature from his commanding officer, who was recommending that Kindlinger receive a "general" rather than "honorable" discharge, a distinction that would strip away any money for college.

Kindlinger's executive officer and his Intel boss came to the rescue and argued for an honorable discharge. They told the commander that Kindlinger had a clean record, that he was a hard worker and did all that was asked of him. He had not rocked the boat. He had served one full enlistment and was discharged honorably before signing up for a second. The fact that his unit was not up for deployment to Iraq also worked in his favor. Eventually, Kindlinger's commander crossed out "general" and wrote in "honorable."

In most respects, Kindlinger's three-month quest for conscientious objector status had been trouble-free. Some soldiers wait more than a year for their applications to work through the process, and many are rejected outright. But it had been a lonely struggle. He couldn't talk to military friends about it, and his family's response had been especially disheartening. His grandmother feared his actions would jeopardize her job prospects. His father, he learned later, had been livid at learning that his son was trying to get out of the Navy. "He thought I was turning my back on my contract, on my country," he said.

Ironically, Kindlinger was not yet free from the military. His plan had always been to return to Texas and enroll in college, but during his final months in Japan, he fell in love with Marie, a fellow sailor and co-worker in the Intel office in Misawa. The couple decided to marry as soon as Kindlinger returned from a trip to Washington State to complete his exit paperwork for the Navy. They would live in Japan, he as a civilian, she as a sailor, until Marie's duties there ended.

The trouble began while Kindlinger was in Washington and Marie's section chief told her that she should be prepared for the likelihood that Kindlinger was not coming back. Distraught, she called him and he was on a plane a few days later. "Basically, I handed them my ID card and they gave me my discharge papers and I went back to the airport," he said.

Marie met him in Tokyo. They had a holiday in the city for a couple of days, and then returned to the base where Marie filed her marriage paperwork. Kindlinger said that though members of the military have to apply for the right to marry, applications are usually granted without question. The process usually takes about two days.

But in this couple's case, it took far longer, and there were other problems. As the couple waited, Kindlinger lived on the base as his fiancé's guest. The awkwardness of the arrangement became instantly clear when Kindlinger bumped into his former executive

officer in the frozen food section of the Navy commissary. “He was like ‘What the hell are you doing here? I thought we got rid of you,’” he said.

The officer yelled at Marie for 20 minutes about allowing her husband on the base. She broke down crying, and Kindlinger found himself at a loss. He was given to believe that he was considered a threat and that he did not have clearance to be on base. “There was the intimation that I was a terrorist,” he said.

It took five weeks for the couple’s marriage to clear the bureaucracy, and it was only by a stroke of luck that their paperwork was finally processed. Kindlinger’s old commanding officer left and was replaced by one who didn’t know his history. He saw that the paperwork had been pending and signed it.

While they waited, Kindlinger was billeted in a barracks for short-term visitors. He had to appeal weekly to be allowed to remain. When Kindlinger’s former superiors complained and tried to force him off the base, the barracks chief had let him stay.

### **Life Outside: Becoming a Civilian**

Marie remained in the Navy for another five years, until February 2009, when she was honorably discharged after eight years of service. Before her discharge, she was stationed at Fort Meade, Maryland. The couple lived on base with their child near the National Security Agency. After Marie’s discharge, the family moved to Austin, Texas. Kindlinger’s CO status was never an issue for Marie. “She has always backed me,” he said.

His antiwar beliefs led to his appointment to the board of Iraq Veterans Against the War, where he represents antiwar veterans and enlisted service members who have served since September 11, 2001. For a time, he recruited soldiers from Fort Meade to join the anti-war effort, but his success was limited, he said, because many soldiers feared for their job prospects after their service.

When asked how the process of applying for CO status should be changed, Kindlinger said applicants should not be required to find ALL war reprehensible. The military could also do a better job of moving COs to jobs that conflict as little as possible

with their antiwar beliefs. Those who successfully apply for CO status should receive honorable discharges across the board, unless they have broken laws, he said.

Kindlinger graduated from Excelsior College, an online school, in December 2008. He earned a bachelor's degree in liberal arts with an emphasis in math and now teaches in San Marcos, Texas, just outside of Austin.

When invited, he sometimes talks about his military experiences to a "Peace Studies" class at a local liberal arts college. "It is easy for me to talk about this stuff," he said.

He said he doesn't always get the same kind of positive attention in the peace community as people who became COs in the thick of the Iraq war.

"And it's fine," he said. "I didn't do it for glory or anything."

Once, at a "Veterans for Peace" rally in St. Louis, the emcee called up on stage everyone who had "resisted the war in Iraq." Kindlinger's name was not on the list. He is happy to keep on the "down low" though.

"We ruffle feathers, but we ruffle feathers behind people's backs," he said.

Kindlinger leaves grandstanding to others. What is important to him is what he learned on the road from the aimless purgatory of the "Pleasuredome" to fatherhood and service as an educator. That it pays to take charge of your life. And the comforts of a clear conscience outweigh the steady perks of a job that keeps you awake at night. For Kindlinger, it was worth risking ridicule (and worse) to do what he felt was right.

## From “Gung-ho” to “Get me out of here”

In a voluntary military, soldiers still apply for conscientious objector status. But getting out isn't easy

Dillon Warn, from Helena, Montana, was an Army recruiter's dream. The military was in his blood. His father, aunt, uncle, step-father and brother served in the armed forces.

Warn scored 129 out of 130 on an armed services aptitude test. Eager to continue the family tradition, he entered the Delayed Enlistment Program for the Montana Army National Guard halfway through his senior year in high school. He was 17 years old. His parents readily signed a waiver so that he could join as a minor.

Warn trained in artillery and was stationed in Bavaria for three uneventful years. Then he was shipped to Iraq.

It was New Years day, 2005. Warn was working as a machine gunner at a traffic control stop in Baiji. It was a “normal” day. The Army was conducting routine searches of Iraqi vehicles, looking for bombs. Tall and solid, Warn stood before a mid-weight machine gun with orders to shoot any vehicle that failed to stop. Then things changed quickly.

There was no time to think. A car swerved to keep from hitting an Army Humvee that had pulled in front of it. Warn and the sergeant accompanying him in the gun turret opened fire.

Warn was supposed to aim for tires and the engine in order to disable the vehicle. But all of the rounds entered the car's passenger compartment. The lone driver had his knee blown apart and had to be evacuated by air. A search found the devastated vehicle was free of weapons. A huge bullet hole gaped in the center of the driver's side headrest. The driver, who lay down in the front seat when the shooting began, nearly lost more than his knee.

Warn had to drive the vehicle back to base for an inspection. Cars were lined up at the site of the accident and Warn could see the faces of the Iraqi drivers as he passed in the

shattered car. It was clear that the vehicle had belonged to civilian. And Warn, bespectacled and boyish-faced, felt the eyes of the Iraqi drivers boring into him.

“I just felt really exposed,” he said. “Every one of those cars that was stopped was looking at me and they could tell that someone had gotten hurt.”

Warn had arrived in Iraq with doubts about the war. It looked like his country was starting the conflict without provocation and this made him uncomfortable. But he was determined to do his duty and hoped that something good would come of America’s presence in the country.

But, as the days dragged on, the doubts grew roots and took hold.

A third of the way through Warn’s yearlong tour in Iraq, a suicide bomber drove to the gates of his base just after he got off guard duty. Fourteen Iraqi civilians were killed in the blast. Seventy-five people were injured, including one of Warn’s fellow soldiers. He spent that day dealing with the carnage, calling in helicopters for those critically injured and treating those who were less severely wounded. The experience had a deep impact upon him that he said he couldn’t face until he was back in the U.S.

“I don’t know how to describe that,” he said. “It was horrific. If that is what happens in a modern war, then I didn’t think we should be there.”

Transferred home at the end of his tour, Warn turned to the Bible, his Episcopalian faith and the peace movement to help find meaning and direction after all that he had seen and felt in Iraq. He still had five years left in the Individual Ready Reserve and faced the possibility of a second deployment.

After much soul searching and hesitation, Warn decided to apply as a conscientious objector in 2009.

The “Baptismal Covenant” is contained in the Episcopalian Book of Common Prayer and consists, in part, of a kind of checklist of Christian duties. Warn could not square his military service with the final question of the covenant: “Will you strive for justice and peace among all people, and respect the dignity of every human being?”

“What the Army asks of me and what the Baptismal Covenant asks of me are two completely opposite things,” said Warn. “And when it is between the military and God, I have to go with God.”

Despite the end of conscription in 1973, conscientious objectors like Dillon Warn still appear in the U.S. military services. They enlist for a variety of reasons: to serve the country, to seek adventure, or to make money, acquire skills and pay for college. For many, their beliefs about war are barely formed, and a few develop strong moral objections to the military after joining. For them, each branch of the armed forces has a process of reviewing conscientious objector applications and assessing whether the applicants are sincere.

A new generation of conscientious objectors came of age in the aftermath of September 11, 2001. The process they go through can be slow and inconsistent.

### **The Current Process**

The current Selective Service Act, which guarantees rights to conscientious objectors in the event of a draft, reads: “Nothing contained in this title...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 to war in any form.”

But when the U.S. military became an all-volunteer force in 1973, no statutory law offered exemptions for conscientious objectors who experience a “crystallization of beliefs” after they join the armed services. Rather a Department of Defense directive extends to enlistees the same rights guaranteed by draft law. A CO can apply for non-combatant service or discharge from the military.

To determine whether they are sincere, applicants are scrutinized by their superiors and by military headquarters.

It is difficult to say exactly how many CO applications the military has received since Sept. 11, 2001. A 2007 Government Accountability Office study determined that the armed forces processed 425 CO applications between 2002 and 2006. A little more than half were approved. Due, in part, to limitations in Pentagon record keeping procedures, the GAO’s findings were understated.

Most CO applications were received by the Army. Of 202 applicants for whom data was available, 154 had served in Iraq or Afghanistan.

The number of recent COs is small compared to that of the Vietnam War era, when the draft was active. Between 1960 and 1973, the Selective Service approved 171,700 CO claims.

But even then, conscientious objection was not a new phenomenon. Since the birth of the United States, some Americans have ranked their religious and moral beliefs ahead of military service to the country. Quakers and Mennonites, among others, had refused to fight in the American Revolution.

In 1790, James Madison nearly convinced Congress to include the rights of religious conscientious objectors in the Bill of Rights. The measure, which stated that “no person religiously scrupulous of bearing arms shall be compelled to render military service,” passed the House of Representatives but was rejected by the Senate.

During World War I, the Selective Service Act of 1917 exempted only members of the historic peace churches such as the Church of the Brethren, Mennonites and the Religious Society of Friends from combat service. They were required to serve the military in noncombatant capacities.

The Selective Service Act of 1940 broadened the service options for qualifying conscientious objectors to include non-military civilian duties like firefighting and dam building. During the Vietnam era, two Supreme Court decisions (*United States v. Seeger*, 1965, and *Welsh v. United States*, 1970) expanded the criteria for CO status to include those with essentially secular, but deeply held, moral and ethical beliefs.

When the draft was discontinued in 1973, so was the requirement for COs to serve their country in some manner. If a CO qualifies for exempt status, he or she will be discharged without having to complete alternative civilian service.

Neither Pentagon regulations nor the documents that govern CO policy for the various branches of the armed services specify how long the military has to process applications. Both Army and Marine Corps spokespersons said that the forces place no time limit on the process.

The GAO found that it took the military an average of seven months to process a CO request. But it sometimes takes the armed services over a year to reach a decision. Many

COs interviewed for this story were concerned about the lack of a time frame because applicants are required fulfill their duties while waiting for a decision—even if that means firing a weapon or, in some cases, going to battle.

Marines and members of the Air Force who apply will not be deployed while their applications are pending. However, objectors from other branches of the military may be deployed to a combat zone if their command deems it necessary.

Eight months after Dillon Warn turned in his application, the Army still hadn't processed it. His enlistment ended before the paperwork was completed. He was lucky, though. He did not face deployment while he waited, and his commander allowed him to do paperwork on reserve weekends rather than train with weapons.

Though the charges are unsubstantiated, some COs have claimed that the military lost or misplaced their applications. A lost application slows the process considerably. Army spokesman Nathan Banks said a rigorous tracking and filing system exists to make sure that applications are not misplaced.

Asked how the military protects COs from hazing once they apply, Army and Marine Corp spokespersons said that applicants are protected by privacy laws—though it's hard to keep the news secret.

“Folks find out everything,” said Nathan Banks. “But it isn't like we are going to post it on a billboard that he is claiming a file. It isn't like he is going to be harassed because he is actually taking an honest approach at it.”

### **Going Public**

Conscientious Objectors who make a public fight often face a rougher process.

Stephen Funk joined the Marine Reserve a few months after Sept. 11, 2001. During basic training, he realized that he found violence repugnant. In one drill, trainees were required to partner up and punch each other hard in the stomach while shouting “Kill!” Funk could not bring himself to pummel his partner.

“If you didn't punch them hard, though, they called them ‘love taps,’” he said.

Instead of shouting, he whispered “kill.” When his instructor discovered that he was not giving the drills his all, he set Funk up with a partner who slugged him harder than most.

As an outlet, he began attending Catholic Church on base. The confessional became the only setting in which Funk felt comfortable saying that he found the training immoral and offensive. The priests disagreed with him, but Funk still looked forward to Sundays.

Otherwise, he kept his feelings to himself until the day he tested on the rifle range. Despite the fact that Funk qualified as an expert, his coach told him that he would fail in combat because he had an attitude problem. Funk told his coach that he was right: Killing was wrong.

In February 2003, when his unit was activated in preparation for the war in Iraq, Funk failed to report.

Instead, he decided to make a public, anti-war protest. Forty-seven days after disappearing, he turned himself in at the gates of his base, stating that he was a conscientious objector and opposed the Iraq War. In doing so, he became the first conscientious objector to speak publicly about his opposition to this war.

Funk applied for discharge as a CO but was convicted via court martial for “unauthorized absence” before his CO application was fully processed. He received a bad conduct discharge and was sentenced to six months in jail. He spent five months confined to the brig at the Marine Corps Base at Camp Lejeune, North Carolina.

Navy Petty Officer Third Class Pablo Paredes also spent time restricted to a base for refusing to deploy to Iraq. Unlike Funk, he was not facing combat duty, but he had received orders to ship out on the USS Bonhomme Richard, an amphibious assault ship charged with transporting 3,000 Marines to Iraq. Paredes said he had decided beforehand that he would refuse to have anything to do with the war effort. After considering using drugs or injuring himself to avoid duty, Paredes showed up at the Navy ship dock in San Diego the morning of the deployment and told the Bonhomme Richard’s officials that he would not be joining them on their mission. Two days earlier, Paredes called local news organizations and told them that he was going to refuse his orders. He imagined the story going big.

After waiting for a couple of hours while the Navy decided what to do with him, Paredes was allowed to go home. He gave a few interviews while he waited, but the story never made it to CNN or other major networks. Paredes applied for conscientious objector status a month later, but his application was denied. He was charged with unauthorized absence and missing deployment.

At his court martial, his attorneys argued successfully that Paredes had not been absent for the ship deployment and that the Navy had sent him home after the ship left harbor. The unauthorized absence charges were dropped. Still, Paredes was found guilty of missing the deployment and sentenced to two months of restriction to his base with three months of hard labor without confinement.

Though he wasn't sentenced to time in a military prison, Paredes said that the people he knew in the Navy brig on his base had more freedom than he did. Paredes was confined to a building at the San Diego Navy base for two months. He was allowed to leave after two months, but had to come back each day of the next month to complete his "hard labor" duties. For the first month, he worked three, five-hour shifts each day pulling weeds and doing other chores. He lost said he lost 30 pounds that month and was "close to breaking." His lawyer managed to whittle the length of his workday down. When his time was up, Paredes was given a "general" discharge, a step below honorable and denied G.I. Bill education benefits.

Marjorie Cohn, president of the National Lawyers Guild, served as an expert witness at Paredes' court martial. In her book "Rules of Disengagement," Cohn wrote that the prosecution had sought a sentence of nine months in the brig, forfeiture of pay and a bad conduct discharge. The Navy prosecutor argued that "the public nature of Paredes' protest made it more serious." The court disagreed. "Spectators on both sides of the aisle were stunned at the leniency of the sentence," she wrote.

### **Desertion: An Alternative**

Some soldiers and sailors leave the military on grounds of conscience without applying as COs. Though not formally recognized as conscientious objectors, these service members choose to go AWOL without going through the application process.

Surprisingly, the act of leaving the military through desertion can sometimes be relatively hassle-free, especially if a service member is in the National Guard or the Army Reserve. Geoff Millard, a senior organizer for Iraq Veterans Against the War, said that he stopped showing up for duties nine years after he joined the New York Army National Guard. Millard did not feel entitled to apply for conscientious objector status because he is not opposed to all wars, just those that don't involve a nation's self defense. He did come to the conclusion that he opposed the war in Iraq after serving there for 13 months. Millard never heard from his National Guard unit after he disappeared. A year later he received a large envelope in the mail. 'I was like, all right, it's my turn,' he said. "It is my court martial time." Inside was a certificate of honorable discharge.

In a similar case, ex-Army Reservist Zach Johnson left his unit shortly before September 11, 2001. Johnson lived in St. Louis while trying to keep under the Army's radar. He received his honorable discharge papers in the mail over four years later.

Reportedly, some soldiers, like former Army paratrooper Jeremy Hinzman, desert their military posts after their CO applications are denied. According to the website of an organization that advocates for conscientious objectors, Hinzman applied for CO status after becoming involved with the Religious Society of Friends (Quakers). He served in a non-combat position in Afghanistan while his application was processed and then crossed the border into Canada after it was denied. Hinzman has been seeking refugee status there since 2004.

Hinzman and other ex-service members seeking political asylum in Canada are not available for comment as they are either in prison or face legal consequences for their desertion. However, James Branum, attorney for Clifton Cornell, an Army soldier convicted of desertion with intent to avoid hazardous duty in May, 2009, spoke about his client.

Cornell left his post in 2004 when his unit received orders to deploy to Iraq. Branum said that Cornell's recruiter told him that he would never see combat. Cornell could not bring himself to deploy to Iraq because he did not want to kill civilians.

Cornell moved to Canada and applied for refugee status. He was denied and when issued a deportation order, Cornell travelled back to the U.S. and turned himself in at Fort Stewart, Georgia. He was sentenced to 12 months in prison at Fort Lejeune.

Branum argued at the court martial that though Cornell made the wrong tactical decision by disappearing without talking to his commander, he made a good choice when he decided to follow his conscience. Branum told the court that Cornell could have avoided his deportation order, and should be commended for choosing to face the consequences. Three of the four U.S. service members Canada has deported were arrested and sentenced to jail once back in the U.S.

Army desertions spiked in 2007. Army spokesman, Nathan Banks, said that desertions more than doubled between 2006 and 2007. According to Banks, in 2003, the year the Iraq War began, the Army saw 2,610 instances of desertion. The number of desertions stayed about the same between 2004 and 2006, then, in 2007, they more than doubled. Reportedly, there were 3,559 desertions in 2008. Conscientious objection was the motivation for few of these desertions, yet presumably some involved soldiers who had exhausted the formal CO application process without being discharged (or who didn't have the information or strength to pursue a formal discharge.)

While not all deserters face time in the brig, Banks stressed that soldiers who go AWOL risk making things harder for themselves than if they go through the formal channels of applying for a discharge or requesting non-combatant status. "There are still jobs right in the Army where you don't have to carry a weapon," he said. Banks said those who apply for CO status are "to be applauded for using the system which is in place for these cases."

However some, like Jeremy Hinzman, attempt to use the formal process and are denied nonetheless. COs who have money for court costs and lawyers' fees or who can find an attorney to work pro bono may decide to appeal their denial in a federal court. Some COs have won significant victories in court, others have lost.

### **Conscientious Objectors and the Courts**

During the Vietnam period, two major Supreme Court cases expanded the criteria for conscientious objection to include essentially non religious beliefs. In the first, the court ruled that the "test of belief in relation to a Supreme Being is whether a given belief that is sincere and meaningful occupies in the life of its possessor parallel to that filled by the

orthodox belief in god.” In the second, an emphasis on traditional religion was removed from the law, opening the way for CO exemptions of a secular, purely ethical or moral nature.

Since the suspension of the draft, no court decisions have effected such major changes in the legal landscape of conscientious objection. Some cases, however, have established important precedent.

Agustin Aguayo was an Army medic who applied for discharge as a CO shortly before he was deployed to Iraq in 2004. After his claim was denied, Aguayo filed a petition for writ of habeas corpus with the U.S. District Court for the District of Columbia, the federal court with jurisdiction over soldiers stationed overseas.

Aguayo claimed that the Army did not give him a chance to rebut negative recommendations made by officers in his chain of command. The court allowed him to do so and, Aguayo’s application, along with the appended rebuttal, was reviewed by the Army’s CO review board. But the Army denied it again, stating that Aguayo had failed to present clear and convincing evidence for his conscientious objector beliefs.

A few months later, the D.C. district court denied an amended petition.

Aguayo’s lawyers argued that the Executive Branch of the government sought in this case to “cut sharply back” on precedent that allows civilian courts to review the military’s handling of conscientious objector applications. The implications for military personnel were particularly great, they wrote, because the court in question presides over cases concerning soldiers in Iraq and Afghanistan.

Aguayo spent eight months in prison after failing to report to his unit for a second Iraq deployment.

In contrast to the Aguayo case, there have been several cases in which a federal court has ruled in favor of conscientious objectors.

Dr. Mary Hanna, a captain and physician in the Army Reserve, applied for discharge as a CO eight years after she joined. The Army paid for her medical education in exchange for four years of active duty service and four years in the reserve. The death of her father triggered a crisis in which Hanna sought a deeper relationship with her Coptic Christian faith. She found her duties as a Christian to be incompatible with her military service and applied for CO status. The Army denied her application but the U.S. District

Court for the District of Massachusetts found no basis in fact for the Army's decision. Hanna was discharged in October, 2006.

Perhaps the most recent case concerning a conscientious objector's successful petition for habeas relief was decided in June, 2009, by the 2<sup>nd</sup> Circuit Court of Appeals. Army physician Dr. Timothy Watson stated in his CO application that the terrorist attacks on September 11, 2001, the invasions of Afghanistan and Iraq and the loss of life resulting from these events led to his CO beliefs.

The Army denied Watson's application and he petitioned the U.S. District Court of the Eastern District of Washington. The court granted the petition, saying that the Army provided no basis in fact. The case was submitted for review to the 2<sup>nd</sup> Circuit Court of Appeals, which affirmed the decision, stating that though the Army's administrative records did contain reasons for the denial the reasons given did not establish a basis in fact. One of the reasons the Army gave for its decision was that Watson seemed to be basing his argument on an objection to *specific* wars, rather than to war in general. In its review of Watson's case, however, the court found that the wars in Afghanistan and Iraq were the catalyst for Watson's opposition to *all* wars, rather than the sole focus of his objection.

Dr. Timothy Watson was found to be sincere in his opposition to all war, but many soldiers have demonstrated deep reservations about the wars in Afghanistan and especially Iraq. Some soldiers have affirmed the war in Afghanistan, seeing the invasion as a justified act of reprisal, while finding the Iraq campaign morally and legally dubious. Some of them have applied for CO status. Current Pentagon policy does not recognize their arguments.

### **A Particular Objection**

The requirement that a CO be opposed to all war excludes soldiers who feel they are violating their consciences through involvement in a particular conflict or those who subscribe to the tenets of Just War Theory. If they feel they simply cannot serve, such soldiers are left with the choice of going AWOL, deserting to Canada, or refusing duties and subjecting themselves to courts martial and potential imprisonment.

Just War Theory has roots in early Christianity and Roman philosophy and is the foundation upon which international law governing warfare is built. The theory is essentially based on the idea that in order to be ethically and legally justified, a conflict must meet certain requirements. A nation must have done everything in its power to avoid conflict before declaring war. In addition, it must first have been attacked or harmed in some way, which precludes preemptive strikes. On this basis, a number of recent conscientious objectors have specifically opposed serving in the Iraq War.

The recently decided case of First Lt. Ehren Watada is perhaps the most widely publicized legal battle involving a soldier (in this case an officer) opposed to the Iraq War. In 2006, Watada refused to deploy to Iraq, saying the war violated the U.S. Constitution and international law.

Kenneth Kagan, one of Watada's attorneys, said that his client initially made every effort to quietly negotiate with the Army. After receiving notice that he would soon be deployed to Iraq, Watada took to heart his commander's urging to learn as much as he could about his mission and began extensive research into Iraq. He came to the conclusion that there were questions about the war's legality. He asked his command to deploy him to Afghanistan instead because he felt the war was legal. When his command refused, Watada offered them his resignation. The resignation was also denied. He then informed them that he would refuse deployment to Iraq.

Consequently Watada was charged with "missing movement" and "conduct unbecoming an officer and a gentleman" for public statements he had made about the war in Iraq. A court martial was set for early February, 2007, at Fort Lewis, Washington, and the military judge presiding over the trial ruled Watada's defense "irrelevant" before the trial began. Watada and his then attorney, Eric Seitz, had fashioned a defense on the basis that the war in Iraq was illegal and had arranged for professors and specialists in international and U.S. constitutional law to be witnesses at the trial. But the court martial judge refused to allow the bulk of the witnesses to be present.

Despite the objection of Watada's defense and the military lawyers in attendance, the judge declared the court martial a mistrial. The judge ruled that Watada had failed to understand a document he signed admitting to the charges against him. A second court martial was set for the following October. Watada's attorneys petitioned the Army Court

of Appeals and stated that trying Watada a second time would violate the double jeopardy clause, the constitutional right of a defendant not to be tried twice for the same charges. The Army did not respond and the case was taken to the U.S. Court of Appeals for the Armed Forces in Arlington, Virginia. There the petition was denied.

On the eve of Watada's second military trial, his attorneys filed a petition for writ of habeas corpus at the U.S. District Court for the Western District of Washington. The civilian judge at the federal court issued an emergency order to stop the court martial proceedings. After more extensive briefing, the court eventually issued a permanent injunction barring further trial for Watada. The Army appealed the decision on December 18, 2008, as the Obama administration was preparing to take power. Two weeks after the new Solicitor General, Elena Kagan (no relation to Watada's attorney), took office, the Army withdrew its appeal. The Army accepted Watada's resignation and he was discharged on October 2, 2009 "under other than honorable conditions."

While Watada did not specifically oppose the war on grounds of conscience as defined in military regulation, his regard for upholding the law and for sparing the Iraqi people from unnecessary hardship was indeed an issue of conscience.

It is easy to understand why the prohibition against selective objection exists. If the military allowed soldiers to abandon their duties because they were uncomfortable, or because their politics conflicted with U.S. foreign policy, it would have a small 'exodus' on its hands at critical times. But selective objection has support from within the military itself.

Peter Kilner, an Army lieutenant colonel who teaches philosophy at West Point, wrote in an e-mail that he supports selective objection though he believes that the bar should be set high to separate the "cowards" from true COs. Kilner specializes in morality and ethics in war. Asked if the challenge of allowing selective objection was that the military might experience a glut of CO applications in response to a U.S. led preemptive strike, Kilner wrote that he believes that "the risk of significant COs would be a healthy check on political leaders."

"I am convinced that 99 percent of soldiers will fight in a just war," he wrote. "If the President doubts support from the military, perhaps he should reconsider the war."

Whether the reflections of military personnel like Pete Kilner will affect Pentagon policy remains to be seen. Meanwhile, the wars continue. Each fresh soldier who arrives in Afghanistan and Iraq will confront the reality of war. Some will flee in terror; some will anxiously count the days until they can return to their families. Still a few others will experience a jarring transformation—a realization deep in their bones that their military duties violate a reverence for life they were not aware they possessed. These soldiers will then face a new hardship-- one that demands courage: to lay down their guns, look their superiors and their fellow soldiers in the eyes and say “I will not fight.”

Becoming a conscientious objector is never easy. The path of a sincere CO is not the way of the coward. It may take more guts to apply than to wait out an enlistment in silence.

Dillon Warn found it tough. If he has any regrets now, it is that he did not apply sooner. His conscience called to him while he dithered. What would he tell his family? What would his commander say?

Once Warn returned from the war he entered the Inactive Ready Reserve and went back to school. One day the IRR called and gave him a choice. He could remain in the IRR pool and risk another deployment or join the Army Reserve and finish out the rest of his enlistment in peace. He joined the Reserve. But there was another choice.

“I should have had my CO paperwork done,” he said. “I should have told them to piss off too. I felt really bad about that. I felt like I got conned back into the Army Reserve when it is something I just really didn’t want to do.”

Warn did fill out that paperwork eventually, after a hard day on the firing range at the Fort Missoula Army Reserve headquarters. His conscience finally spoke louder than his hesitation.

But it was too late. He had eight months of service left on his contract. Dillon Warn was discharged in November, 2009—before his CO paperwork was processed.

# Processing Procedures

The process of applying for conscientious objector status is rigorous. A conscientious objector must file a formal application with a high ranking officer on his chain of command. The officer appoints a chaplain and a mental health specialist from the applicant's post to conduct interviews. Then a small hearing is conducted by an officer assigned to investigate the details of the case.

The CO application includes a written statement of beliefs and letters of support from those who can vouch for the applicant's sincerity. This personal statement must describe how the individual opposes *all* wars on the basis of ethical or religious beliefs. The burden of proof rests upon the applicant to demonstrate that his or her position is "firm, fixed, sincere and deeply held."

Current Department of Defense instruction defines conscientious objection as: "A firm, fixed and sincere objection to participation in war in any form or the bearing of arms, by reason of religious training and/or belief." "Religious training and belief" is defined as "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."

Beliefs need not be religious or based upon a specific tradition, but they have to be held with the strength and conviction of traditional religious devotion. CO beliefs may not be based upon essentially political or policy-based concerns.

A chaplain interviews the applicant to judge his or her depth of sincerity and writes a report recommending the applicant for acceptance or denial. The report becomes part of the applicant's case file. A psychiatrist also performs an interview to determine if there are any mental health issues that might qualify for medical discharge. The applicant may meet with his commander or other superiors in his chain of command.

The commander then assigns an officer that is outside the applicant's chain of command to investigate the case. An informal hearing is held during which the investigating officer gives the applicant the chance to present evidence (including witnesses chosen by the applicant) that supports the claim. The applicant may present

legal representation at his or her expense. The investigating officer produces a summary report of all witness testimony and a recommendation to uphold or deny the request.

Lieutenant colonel Nathan Banks, an Army spokesman who specializes in conscientious objection and Army desertions, said that it is important to realize that the chaplain, the medical specialist, and the investigating officer are not “in concert with the commander” of an applicant’s unit. “Each of them gives his objective view on what he sees,” said Banks. Their duty is to “give an honest recommendation back to the commander.”

All of the case materials are assembled and a copy is given to the applicant. Depending upon which branch of the armed services he or she belongs to, the applicant has a designated amount of time in which to submit a rebuttal to the report.

The case then goes to a commander authorized by the respective branch of the military services to make a final decision. In the Marines Corps, the final decision authority rests upon the Commandant. If the request for CO status is denied by an appointed Army commander, the case will be transferred to an Army review board for final determination. All final decisions made upon CO cases in the Navy are made by a Navy board.

If an individual’s application is approved he or she will be discharged or placed in a noncombat position. If the request is denied, the CO may reapply with additional information that supports the case or appeal the decision in a U.S. District Court. In general, a federal court will only grant an appellant’s petition for writ of habeas corpus if it can be demonstrated that the military did not provide a “basis in fact” for denial of the CO request. If the individual refuses military service while paperwork is pending, or goes AWOL at any time, he or she may face prosecution.

# Recruiting for peace

Activists, conscientious objectors work to monitor military recruiters and show teens another way

In December 2004, Seaman Third Class Pablo Paredes publicly refused to board a ship carrying 3,000 U.S. Marines to the war in Iraq. It was a cool, fair morning in San Diego. Destroyers and carriers as large as towns lined the Navy pier.

Paredes arrived with three friends from the Navy S.E.A.L. team, wearing a shirt that read “Like a cabinet member, I resign.” Nine members of the Bush administration had recently quit.

Paredes hoped he would be arrested. Instead he stood around for two hours, gave a few interviews to local reporters and watched while his ship weighed anchor and disappeared on the Pacific. Officers told him he could leave, so he went to town and got a burrito.

During the course of four years of service, the Navy and the war had become increasingly abhorrent to him. A few days before he refused deployment he called local news organizations. He wanted the story to go big, to instigate dissent and debate about the war, and to pave the way for other disaffected troops.

But CNN and *The New York Times* ignored his story. In lieu of publicity, Paredes got a court martial and three months of hard labor pulling weeds under San Diego’s summer sun.

Gradually he began to realize that countering war was hard labor in itself. It would require a slow, person-to-person commitment to change.

After his discharge from the Navy, he began to visit San Diego high schools to talk about his experiences as a recruit, a veteran and a conscientious objector.

These days, you can find him talking with handfuls of students in classrooms and assembly halls fielding questions about military service and telling teens what the recruiters leave out. As a conscientious objector, he feels compelled to encourage young people not to join the military without thinking seriously about it first.

Wartime pressures to recruit soldiers for America's all-volunteer armed forces have renewed a small but steadfast effort by anti-war activists to keep an eye on recruiters and to show high school students options for the future besides military service.

Many groups throughout the country do this work. Most are small. Some consist of one or two volunteers, like Nancy Howell and Judy Alvs who convinced the Lee County, Florida School board to develop a unified policy limiting military recruiting in high schools. Others, like Bay Peace in Oakland, California, and Ya-Ya Network in New York City, staff teens who teach their peers the facts about military service and highlight alternative careers. Pablo Paredes and other Bay Peace workers try and reach 2000 high school students per year.

Two of the largest organizations involved in such work, the American Friends Service Committee and the National Network Opposing the Militarization of Youth organized a counter-recruiting conference in Chicago last summer that drew nearly 300 participants from groups around the country.

It is not easy. The Army and Navy combined have over 13,000 recruiters on the pavement and in the schools, and the Pentagon's annual recruiting and retention budget hovers at more than two billion dollars. Add to this the fact that some recruiters are not above bending the rules to meet their quotas and one can see that activists have their work cut out for them.

### **Recruiter Pressure, Misconduct Drives Activists**

During times of peace, recruiting for an all-volunteer military is a stressful job. But military recruiters have been under an unusual amount of pressure since the start of the wars in Afghanistan and Iraq.

Though many recruiters follow the rules, pressure to meet monthly quotas causes some to lie, and coerce young men and women to get them to join the service. Counter-recruiters work to expose unethical methods and to show potential recruits what they can really expect out of the military.

A 2006 Government Accountability Office report on recruiter misconduct states that recruiting qualified soldiers after the 2003 invasion of Iraq has been one of the biggest personnel challenges faced by the Pentagon since the draft ended.

The services were hit particularly hard in 2005 when the Marine Corps fell short of recruiting goals January through March, and the Army failed to meet annual quotas for the first time since 1999. (Many say that this atmosphere is changing in response to the weakened economy and that more young people are turning to the military as a source of income.)

Over 50 percent of the participants in a 2005 recruiter's quality of life survey said they were dissatisfied with their jobs and would move on as soon as they had the chance.

Three-quarters thought that hostilities in Iraq made their jobs harder.

In addition to the wartime environment, the Army's use of stop loss and a reduced pool of military-qualified young people have compounded the normal recruiting stresses, such as long work hours and stringent monthly recruiting quotas.

A rash of Army recruiter suicides in Houston, Texas, in 2009 suggests that tensions sometimes reach toxic levels.

The GAO found a correlation between the difficult recruiting environment and the frequency of recruiter misconduct. Instances of recruiter misconduct, both alleged and substantiated, increased substantially in 2005.

The GAO defines "recruiter irregularities" as "those willful and unwillful acts of omission and improprieties that are perpetrated by a recruiter or alleged to be perpetrated by a recruiter to facilitate the recruiting process for an applicant." Such misconduct ranges from encouraging recruits to hide disqualifying medical conditions to sexual harassment, deceit, and coercion.

Asked how the Army deals with recruiter misconduct, Kent Tidwell, a spokesman from the Salt Lake Recruiting Battalion, said that officials act immediately on a case-by-case basis. He was not able to discuss specific cases due to privacy concerns. He said that instances of misconduct have not increased in his battalion since the war began.

In their efforts to "sell" the military to young people, recruiters sometimes give a one-sided account of military life. They highlight the benefits and minimize the drawbacks

(and dangers) of the service. In the worst cases facts may be omitted or misrepresented to make the military more enticing.

The bulk of counter-recruiting work rests in trying to provide correctives for misinformation. Motivated by the idea that joining the military is a momentous decision, counter-recruiters work to make sure young people have accurate information about military service to make critical decisions about their futures.

Asked whether Army recruiters were sometimes guilty of omissions or misrepresentations, Kent Tidwell declined to comment, but he did acknowledge reports of such misconduct, saying “everybody hears rumors that they do.”

Oskar Castro, the director of the “Youth and Militarism” program for the American Friends Service Committee, counsels young people who are considering signing up as well as enlistees who are trying to get out.

Castro said some recruiters tell young people that they won’t be deployed to a combat zone if they enlist.

In November, 2006, ABC News sent students to Army recruiting stations with hidden video cameras. One student captured a recruiter stating that the Army was bringing soldiers home rather than continuing to deploy them. Another recruiter added that the U.S. was no longer at war.

Castro said that he has talked with youths who are having second thoughts about having joined the Delayed Entry Program. The DEP allows recruits to reserve a spot in the active duty service, usually so that they may finish high school first. Recruits have the right to remove themselves from the program at any time until they begin boot camp, but recruiters sometimes tell them that they are not allowed to leave the program after signing up, said Castro.

In 2008, *CBS Evening News* reported that a Houston Army recruiter was caught on tape telling Irving Gonzales that he had just “screwed his life” and threatening him with jail because he dropped out of the DEP.

Castro also said some recruiters guarantee that enlistees will receive the entirety of their sign-on bonuses and education benefits. What these recruiters don’t say is that receipt of bonuses and benefits depend upon many factors such as whether a soldier completes enlistment and receives an honorable discharge.

Recruiters sometimes give false guarantees that enlistees will get the specialized military job they want. Even if a recruit receives a qualifying score on a military aptitude test, which is taken prior to enlistment, he or she must still pass specialized training to get a desired job. In addition, there must be a job opening in his or her department.

Kent Tidwell said that availability of jobs depends upon whether there is room in the necessary training courses at the right time and whether a recruit qualifies medically for the job. His guess was that about 60 percent of enlistees get the jobs they want once they enter the military.

Castro spoke with a young man who joined the Army National Guard DEP because he wanted to be a civilian firefighter. He had heard that training as an Army medic would serve as a prerequisite. His recruiters initially told him and his parents that his test scores qualified him for a medic job, but when they picked him up for processing they revealed that his scores were too low. He trained in infantry and Castro helped him get out of the Guard.

Recruiters tend to highlight better-paying specialty careers while neglecting to mention the more numerous menial jobs. Sometimes, the glory of a job is inflated as well as its applicability to civilian life.

Pablo Paredes scored high on a military placement test and his recruiter gave him a brochure for the “Advanced Electronics Computer Field.” On the cover was a picture of an astronaut with a Navy insignia badge on his arm.

“They basically told me that because of your amazing scores on our entry exam you can work for NASA because, you know, Navy people do that,” he said. “I’m a high school kid who everybody told wasn’t going to get into a decent college because I didn’t have the money and I didn’t have the background and here’s somebody telling me I might be able to work for NASA.”

Paredes’ yearlong electronics training prepared him to be a Seasparrow missile technician. Developed in the 1970s, Seasparrow has never been used for its intended purpose: to protect ships from incoming aircraft and missile attacks. In 1992, it was fired accidentally at a Turkish destroyer during training in the Aegean. Five crew members were killed. Missiles for the Seasparrow cost around \$3,000,000 a piece.

“That’s what I spent the next 5 years and one month of my life working on, and I was good at it,” he said. “But nobody in the civilian world could care less if I’m good at working on a 40-year-old missile system.”

Pressure to join the military may come from places a young person is not expecting, such as his or her peers.

Despite being pressured by recruiters and teachers at his Bronx, New York, high school, Paredes avoided the military until he was in college and working three jobs. By his second semester, bills were piling up and he had no free time.

Two friends from his high school class visited him while they were on leave from the Navy. They had new cars, money in the bank and plans to go to college when their enlistment was up. They teased Paredes for working so hard. They told him that a career with the Navy was safe because sailors don’t usually go to war. Recruiters had said the same thing while he was in high school, but here were some of his best friends, guys he trusted.

“It was a lot more believable now because it was two people that I grew up with and did a lot of dumb stuff with,” he said. “And it looked like they were having the time of their life.”

Paredes joined the Navy within the week.

What he did not know at the time was that his friends had been working closely with local recruiters as part of the Homeland Area Recruitment Program to round up new enlistees.

A representative from the Recruiter Assistance Programs office in Southwest Tennessee said that enlistees who sign up with the HARP program do not receive benefits for recruiting their friends. But they do get the chance to spend some time at home without burning their vacation leave.

Paredes said that HARP recruiters often hit their hometowns early in their enlistments, before they have been deployed or spent time at sea. He added that this is the best time of a sailor’s career--when he or she is most likely to feel positive about the service.

Navy regulation states that though there is no age restriction for HARP candidates, junior enlistees are especially encouraged to apply. Junior service members are more likely than older enlistees to have peer contacts at their high schools.

### **Obstacles to Access**

Some counter-recruiters face obstacles to getting into the schools. While access has been secured by military recruiters, access for those countering the military message is not guaranteed. The struggle can be long for those who decide to fight.

Last summer, Sally Ferrell, 63, won a five-year battle with a rural North Carolina school district that had refused to allow her to set up a table promoting alternatives to military service in its schools. After being denied repeatedly, Ferrell contacted the American Civil Liberties Union which argued on her behalf that the school board was violating Ferrell's First Amendment rights and discriminating against her because of her views.

The board buckled and allowed her to set up an information table and talk to interested students twice one semester. Then the superintendent kicked her out.

"He said I was discouraging enlistment," she said.

The ACLU sued and won. Ferrell said that now she is permitted to meet with students who sign up beforehand twice each semester. Part of the legal agreement was that she be allowed to visit as often as military recruiters. Before Ferrell began her access campaign, recruiters were allowed into the district's high schools on a regular basis.

"They would come and sit down with students in the lunchroom," she said.

Now, recruiters may visit twice a semester, and kids must sign up to meet with them.

Ferrell said that she has met with about 200 students. "Which is less than when I was tabling," she said. "But that's OK. It's fair."

She hopes that her victory will inspire other counter-recruiters to take on recalcitrant school boards.

"It took about four or five years, but it was worth it," she said.

The 2001 "No Child Left Behind Act," guarantees military recruiters the same degree of access to public high schools as that afforded to colleges and post-high school

employers. Unless a school is based on religious precepts that disavow military service, it can be denied federal funding for barring recruiters. As long as they allow recruiters onto their campuses as often as college and career representatives, the frequency and context of recruiter visits is up to each school district and, sometimes, each school administration.

There is currently no nationwide statutory requirement that counter-recruiters be allowed access equal to that of military recruiters. Sally Ferrell's legal success on the basis of First Amendment rights is encouraging precedent for counter-recruiters considering litigation in order to gain access.

Counter-recruiters pressing for equal access often point to a 9<sup>th</sup> Circuit Court of Appeals decision that ruled military recruiting a controversial subject. According to the court, if a school establishes a forum for the presentation of a controversial subject, it must allow opposing views to be heard.

On the ground, access varies greatly and depends upon the receptivity of school boards, teachers and administrators. Some school districts in some parts of the country, particularly urban ones, welcome the message. Others are not quite as welcoming.

Sally Ferrell said that she was encouraged to approach the Wilkes County school board for access permission because her sister and other counter-recruiters she knew had an easy time getting into schools elsewhere in the country. But, she said, the superintendent and local school board opposed her from the outset.

"They were used to doing things their way," she said.

Even though Montana is under 9<sup>th</sup> Circuit Court jurisdiction, Missoula high school counselors are not familiar with the equal access precedent.

Christine Kolczyk, a guidance counselor at Hellgate High School in Missoula, Montana, said that counter-recruiters had never approached her for a visit, but that she did not think the school would allow them inside. "They wouldn't be promoting a program," she said.

Jim Lodge, a guidance counselor at Big Sky High School in Missoula said that he would permit counter-recruiters to visit if they presented a positive program, such as the Peace Corps or AmeriCorps. "If they came in with a negative program, an anti-military program without an option, I probably wouldn't let them in."

Pablo Paredes and other members of “Bay Peace,” have access to all of the public high schools in the Bay Area, mostly through a few teachers who invite the group to address their classes. Approaching school counselors for access is a “sure fire way” to get turned down, said Paredes. Since he is a veteran, administrators occasionally allow him to participate in school-wide assemblies. These usually consist of a debate between Paredes and a military recruiter or the screening of a film that shows both sides of the controversy.

But, according to Paredes, the Oakland, California, school district allows military recruiters in their schools almost as much as they please. Oakland School District policy states that recruiters must submit a request to school principals two weeks before a visit. Rebecca Hopkins, media relations specialist for the district, confirmed that this essentially means that recruiters may visit as often as they wish if they get a green light from a school administration.

Steve Theberge, who worked as a counter-recruiting organizer for the War Resister’s League in New York City, also said that school visitation depended upon being directly invited into a teacher’s classroom. Jen Berger, a counter-recruiter in Burlington, Vermont said that access to local high schools is limited to invitations from a handful of interested teachers.

Some have more luck. Hart Vigés, an Iraq War veteran and conscientious objector who works in counter-recruiting, said that he has never been denied access to public high schools in Austin, Texas. He makes arrangements ahead of time to set up an information table during lunch hour. He makes sure to follow school rules such as signing in and out and staying at his table rather than roaming the hallways. He attributes success to the fact that a local group called “Non-military Options for Youth” started forming a trusting relationship with Austin schools in 1998.

After attending school board meetings for a year, Nancy Howell, a retired sociology professor, convinced the Lee County, Florida, School Board to develop a unified policy placing limits on military recruiter access to students. The board also agreed to let Howell into schools to pass out literature emphasizing alternatives to military service and copies of the Army enlistment agreements so teens can read the fine print.

Getting teens involved is one way for counter-recruiting groups to circumvent access issues. Where an adult might be barred from entering a high school campus for the purposes of counter recruiting, students are protected by some First Amendment rights and usually have an easier time getting permission to table or give classroom presentations. The counter-recruiting message may be more compelling coming from a student since young people tend to relate more easily to their peers than to adults

Bay Peace mentors a core group of high school students who immerse themselves deeply in the issue of recruitment and inform their peers about the possible ramifications of serving in the military.

Eric Reed, a college student from Berkeley, California, began working with Bay Peace in 2005, when he was a student at Berkeley High School. Reed said gaining access to classrooms has been easy in his experience because most teachers are receptive to Bay Peace's approach. He joined the organization because he felt it was important for students to hear about military service from their peers rather than solely from recruiters who are as old as many students' parents.

Though he said he has never considered joining the military, Reed does not consider himself a pacifist. He supports young people's decisions to join the military as long as they have first had the chance to hear both sides of the topic and have done some critical thinking on the matter.

The point, he said, is not: "Don't join," but rather: "Look at the issue from other angles. The military will tell you any and everything that will make themselves [sic] look good."

### **Protecting Students' Privacy**

Counter-recruiters are also fighting a provision in the No Child Left Behind Act that allows recruiters to access students' directory information so that they can call them and send them promotional mailings. The act states that schools receiving federal funding must provide students' names, addresses and phone numbers when military recruiters request them.

In compliance with student privacy laws, No Child Left Behind requires secondary schools to inform students and parents that they have the right to keep their contact information private. The problem is that the act does not say what form the notification should take.

Many schools send an opt-out form to students and/or parents at the beginning of each school year. Others include the information in a student handbook or on a website referred to in the handbook. In some cases, schools place advertisements in the public announcement section of the classifieds in local newspapers. Many students never see an opt-out form.

Counter-recruiters urge school boards and administrators to make opt-out procedures easy and clear. Nancy Howell said that before she spoke with the Lee County school board, the opt-out information provided was difficult to read. It consisted of a page of dense text with a place for opt-out signatures at the top. Howell convinced the board to simplify the form and to place the signature box at the end so that parents would first have to peruse the information.

Before she brought this to the school board's attention, 25 percent of parents in the district chose to opt-out. The following year it had increased to 42 percent and now the majority of parents in the district choose to withhold their children's contact information.

According to *The New York Times*, some schools are fighting the provision by having parents "opt-in" if they want their children's information to go to recruiters. Superintendent Bill Cala of Fairport, New York, told the *Times* that only 40 out of 1,750 students were on the recruiter lists. The military had not objected to Cala's tactics.

The NCLB provision is one way for recruiters to obtain information about students, but the armed forces have more extensive means of acquiring information about young people. According to the New York American Civil Liberties website, the Pentagon buys information about young men and women from the Selective Service System, the Department of Motor Vehicles and the College Entrance and Examination Board, among others. It keeps a database containing names, addresses, race and ethnicity, grade point average, college intent and field of study for over 30 million young Americans. This information is used solely for recruiting purposes. The military can also get information about students who take the armed forces aptitude test. Many of the nation's high

schools administer the test as a routine part of student career placement. Through the test, students' directory information is released to the military unless the school specifically chooses to withhold it.

### **Counter-Recruitment and the Economy**

"I've noticed less activity by the recruiters down here," said Big Sky High School counselor Jim Lodge. "They are filling their quotas without going out and actively recruiting kids. They have all told me that they are finding more and more students coming to their offices."

The financial crisis that began in 2007 may have made the task of counter-recruiting more difficult. The Pentagon, major newspapers, school officials and some counter-recruiters noticed an increased recruitment base in 2009. Last April, *The Washington Post* reported that the Army's recruiting standards were increasing. In 2009, the Army met its first-quarter recruiting quotas for the first time since 2003. Reversing the trends of the last five years, more young people scrambling to find work in the midst of rising unemployment appear to be turning to the military despite the dangers of a wartime environment.

Nancy Howell said that she noticed that recruiters seem less interested in visiting high schools. "Lots of people are enlisting in their 20s," she said.

Pablo Paredes was more cautious about the reports. "I don't see a lot of the markers that would tell me that recruiting is suddenly becoming easy," he said. The news and statistics from 2008 tell a story of tough times for recruiters, he said. "Missed quotas, lower standards, extra waivers, recruiters committing suicide. I don't think that the recession is not going to have an impact, but I think they are overstating the life out of it right now as a marketing tool."

If things *are* looking up for military recruiters, times are tough for those trying to encourage young people to brave the economic slump and find fulfilling work elsewhere.

There are success stories. Susan VanHaitsma, of Sustainable Options For Youth in Austin, Texas, talks about a young Latino man who joined the Delayed Entry Program, thinking that he could help put his sister through art school with the help of an Army

career. After discussing alternatives with counter-recruiters and heeding the pleas of concerned friends, he dropped out of the DEP. The last VanHaitsma heard he was working as an intern at a local law firm.

But the wars grind on. While counter-recruiters wage their uphill battle, thousands of young men and women return from Iraq and Afghanistan wounded and distraught. Witnessing the damage of these wars may do more, in the end, than counter-recruiters ever can to dissuade young people from joining the armed forces.

## **Recruiter Misconduct: A Study**

The Government Accountability Office conducted a study in 2006 to determine the sources of an increase in recruiter misconduct. It is the most recent study of its kind.

“Determined to find ways to succeed in a challenging recruiting environment,” says the report, “some recruiters, reportedly, have resorted to overly aggressive tactics, such as coercion and harassment.”

The GAO found that the Pentagon lacked an integrated system for tracking and addressing recruiters who broke the rules.

In 2005, the year that the Army, the Army Reserve and the Navy Reserve failed to meet quotas, allegations of recruiter wrongdoing increased from 4,400 to 6,600. Substantiated cases increased from 400 to 630. Criminal violations perpetrated by recruiters, such as sexual harassment and falsifying documents, more than doubled in the same year.

The GAO cites data from the Chicago Military Entrance Processing Station showing that instances of recruiter malpractice spike considerably at the end of monthly recruiting cycles.

For most branches of the armed forces, recruiters are required to procure at least two fresh enlistment contracts per month. The GAO has recommended that the Pentagon change recruitment requirements for all branches of the military to reflect the policies of the Marine Corps. Instead of basing recruiter evaluation and reward systems upon the number of monthly entrance contracts signed, the Marine Corps uses basic training attrition rates to evaluate recruiter success. Though the DOD concurred with the recommendation, it has not made the suggested changes.

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**Tidwell, Kent. Personal Interview. January, 2010.**

**VanHaitsma, Susan. Sustainable Options For Youth. Personal Interview. April 2009.** VanHaitsma shared a counter-recruiting success story.

**Viges, Hart. Personal Interview. October, 2009.** Viges talked about his experiences as a conscientious objector and a counter-recruiter in Austin, Texas.

**Wagner, Amy. Ya-Ya Network. Personal Interview. October, 2009.** Wagner directs the Ya-Ya network, a group that gets young people involved in counter-recruiting and social activism in New York City.

## **Books:**

**Delgado, Aidan. *The Sutras of Abu Ghraib*. Boston: Beacon Press, 2007.** Delgado claims that the Army took away his ballistic plates when he applied as a CO in Iraq.

## **Articles:**

***Army Recruiters Accused of Misleading Students to Get Them to Enlist. ABC News. November 3, 2006.*** In the reporting for this project, it was difficult to find substantiated cases of recruiter misconduct. This *ABC News* piece catches recruiters in the act of lying or omitting information to make the military more attractive

***Army Recruiter Used Scare Tactics. CBS Evening News. July 28, 2008.*** An Army recruiter was caught on tape threatening a teen who dropped out of the Delayed Enlistment Program.

***Cave, Damien. For Army Recruiters, a Hard Toll from a Hard Sell. The New York Times. March 27, 2005.*** This story discusses the difficult recruiting environment in 2005.

***Lewin, Tamar. Uncle Sam Wants Student Lists, and Schools Fret. The New York Times. January 29, 2003.*** This story explores how the nation's high schools responded to a provision in the No Child Left Behind Act requiring schools to release student names, addresses and phone numbers to military recruiters.

**McChesney, John. *Army Recruiter Suicides Prompt Investigations* National Public Radio. January 2, 2009.** This story investigates a rash of Army Recruiter suicides in Houston, Texas.

**Thompson, Mark. *Why are Army Recruiters Killing Themselves?* Time Magazine. April, 2, 2009.** This story investigates a rash of Army Recruiter suicides in Houston, Texas.

**Tyson, Ann Scott. *Army More Selective as Economy Lags.* The Washington Post. April 19, 2009.** This story relates how the Army began raising standards for recruits in 2009 after growing unemployment drew more enlistees despite the wartime environment.

**Vogel, Steve. *Military Recruiting Faces a Budget Cut.* The Washington Post. May 11, 2009.** This story talks about changes in the Pentagon's recruiting and retention budget.

### **Government and Legal Documents:**

**San Diego Committee v. Governing Board of Grossmont Union High School District [790 F.2d 1471 (9th Cir.1986)].** Counter-recruiters point to this case to lobby for access to high schools.

***Soldiers of Misfortune.* ACLU Report. May 13, 2008, P. 20-21.** I used this to determine Marine Corps recruiting setbacks.

**United States Government Accountability Office. Report to Congressional Committees. *Military Recruiting. DOD and Services Need Better Data to Enhance Visibility Over Recruiter Irregularities.* (2006).** This report shows that cases of recruiter misconduct increased during times of higher recruiter stress. It states that the wartime environment, among other factors, has reduced the pool of qualified young people willing to enter the services. The study concludes that the Department of Defense has not tracked cases of misconduct as thoroughly as it could.

### **Websites:**

**Democracy Now! "Exclusive: Conscientious Objector Witnessed Abuse, Killing of Iraqi Detainees at Abu Ghraib. Dec. 2004.**

**[http://www.democracynow.org/2004/12/17/exclusive\\_conscientious\\_objector\\_witnessed\\_abuse\\_killing](http://www.democracynow.org/2004/12/17/exclusive_conscientious_objector_witnessed_abuse_killing)** Delgado claims that the Army took away his ballistic plates when he applied as a CO in Iraq.

**U.S. Army. *Frequently Asked Questions About Recruiting.* [www.2k.army.mil/faqs.htm](http://www.2k.army.mil/faqs.htm)** This site provided figures for average age of Army recruits as well as the degree to which the Army met annual recruiting quotas over the last ten years.

**No Child Left Behind Act. Education.Gov.**  
[www.ed.gov/policy/elsec/leg/esea02/pg112.html](http://www.ed.gov/policy/elsec/leg/esea02/pg112.html) I used this site to access the provisions regarding military recruiting in the No Child Left Behind Act.

**Email Correspondence:**

**Hopkins, Rebecca. Oakland Unified School District. November, 2009.** Hopkins confirmed that military recruiters can access Oakland high schools as frequently as their administrators allow them.

**Reed, Eric. 2009.** Reed conveyed his experiences as a youth counter-recruiter for “Bay Peace.”