



The Newsletter of the
Military Law Task Force of
the National Lawyers Guild

On Watch

Volume XXI, Number 3 Summer 2010

INSIDE

**Support for
Bradley Manning**

Page 5

DADT Update

Page 5

GI COFFEE- HOUSES: Getting Down to the Grassroots

BY JAMES M. BRANUM

This article looks at the GI Coffee-house/Outreach movement, from the Vietnam War through the present. I start with some thoughts about the theory of organizing, followed by a historical discussion of the movement during the Vietnam War and succeeding years. From this foundation I will move to first-hand descriptions of the current organizing efforts, and conclude with a discussion of the lessons learned by the past and present efforts, especially how these lessons can be applied to future projects.

Organizing is key

Definitions are important. Too often in movement work, we throw terms around and as-

(Continued on page 6)

PTSD, Traumatic Brain Injuries, and Other than Honorable Discharges

BY KATHLEEN GILBERD

The military has long used administrative discharges or courts-martial to avoid medical retirement for service-members with serious illnesses or injuries. Although this trend dates back at least to the Vietnam War, recent work by veterans groups and resulting media exposés have increased public and Congressional attention to the problem in the last few years.

Congress has made repeated efforts to ensure thorough medical examination, proper treatment, and full benefits for combat troops affected by this practice. Early on, Congressional efforts focused on pre- and post-deployment medical evaluations, in a largely unsuccessful

effort to force the military to screen returning troops carefully for Post Traumatic Stress Disorder (PTSD). Congressional pressure forced DoD to issue a Directive Type Memorandum (later added to medical regulations in weaker form) preventing deployment of troops with certain psychiatric conditions or medications and requiring 90-day evaluation periods before deployment of members with newly-diagnosed psychiatric conditions. Here, too, Congress' efforts have been honored primarily in the breach.

The Military's Ploy in Iraq War: Personality Disorder Discharges

In 2008, Congress turned its attention to the widespread practice of discharging
(Continued on page 2)

MLTF at the 2010 NLG Convention

Join the Military Law Task Force at the NLG Convention in New Orleans.

Thursday, Sept. 23, 1:00 – 5:00 p.m.

MLTF membership meeting
Help decide on MLTF priorities and specific projects for the next year. Steering Committee elections at 3:30.
In the Orleans Room of convention hotel.

Thursday, 5:00 p.m. - Dinner

Get together informally with MLTF members and friends.
Orleans Room of convention hotel. after the MLTF meeting.

Friday, Sept. 24, 1:30 – 2:45 p.m.

- Workshop
Challenging Sexual Assault in the Military
– with James Branum, Jim Klimaski, Rachel Natelson & Teresa Panepinto
In Salon B of the convention hotel.

Throughout the convention - MLTF table

Stop by, sit & visit. Check out our new CDs: the Military Law Training Binder, Conscientious Objection memos & outlines, Military Medical Policies memos and NEW updates. Plus lots more.



ing soldiers with PTSD, Traumatic Brain Injury (TBI) and other medical problems on the basis of personality disorders (PDs). Figures obtained by the office of Sen. Christopher Bond show that PD discharges rose dramatically after the beginning of the Iraq war. Masking more serious medical problems with this diagnosis caused serious problems. Since PDs are assumed to arise in late adolescence, they are treated as pre-existing conditions, not a basis for compensation from the military or the VA.

The presence of the diagnosis in military medical records often leads VA doctors to overlook more serious conditions, such as PTSD, with similar symptoms. Since PD is a separate reason for discharge, it is given as the narrative reason for discharge on DD-214 discharge documents, unlike all other medical conditions.

A 2007 report by the GAO found that PDs were often diagnosed on the basis of cursory examinations, without real attention to the criteria for PDs – particularly the fact that they appear in late childhood and adolescence in the form of “conduct disorders,” with visible problems in academic, social and legal arenas. Soldiers with sterling military records and no pre-enlistment signs of mental problems were nonetheless diagnosed with and discharged for PDs. Flaws in diagnoses and discharge proceedings were numerous, leading the GAO to determine that “[t]he Pentagon does not have reasonable assurance that its key personality disorder-separation requirements have been followed.”

In 2008, Congress required the military to obtain second opinions and provide headquarters-level review of PD discharges for troops who had served in hazardous-duty pay areas. After some delay, DoD revised enlisted discharge policy to comply and, after more delay, the services revised their regulations accordingly. (See “New Military Oversight for Personality Disorder Diagnoses,” *On Watch*, January/February 2009, and “Current Policy on Personality Diagnosis and Discharge,” *On Watch*, January/February 2010.)

Congress Required Increased Scrutiny in Some OTH Discharges

In October, 2009, Congress attempted to force the military to evaluate and treat combat troops with PTSD and TBI. An amendment to the 2010 National Defense Authorization Act requires medical evaluation of service-members facing Other Than Honorable (OTH) administrative discharges during or after service in combat areas, if PTSD or TBI might be a contributing factor in the discharge. Although the legislation went into effect on October 28, 2009, DoD did not act on it until this summer. On August 2, DoD published a Directive-Type Memorandum,

DTM-10-022, “Implementing Required Medical Exam Before Administrative Separation for Post-Traumatic Stress Disorder (PTSD) or Traumatic Brain Injury (TBI),” dated July 25, 2010; the August 2 date of publication is the effective date.

Directive-Type Memoranda (DTMs) are used for time-sensitive policy changes made between revisions to DoD instructions and directives, and have the same legal effect as those regulations. DTM-10-022 will eventually be incorporated into DoD 1332.14, “Enlisted Administrative Separations.” Unfortunately, DoD issued this DTM too late to include or reference it in its August 28, 2010, re-issuance of DoD 1332.14; readers who find the revised discharge instruction on the proper DoD website are advised to “see also DTM 10-022.” The services were given one month from the date of the memo’s publication to promulgate implementing regulations. If past practice is any indication, it is unlikely that they will be more prompt than DoD.

When Medical Exams for PTSD and TBI Are Required

The new DTM requires medical examinations for PTSD and TBI when members who have served in combat areas (now called contingency operations) face OTH administrative discharges, if their medical records show or they “reasonably allege” that PTSD or TBI may be an extenuating factor in the events leading to the discharge. An Attachment to the DTM, which will eventually make its way into DoD 1332.14 states:

A Service member must receive a medical examination to assess whether the effects of [PTSD] or [TBI] constitute matters in extenuation that relate to the basis for administrative separation if the member:

Is being administratively separated under a characterization other than Honorable; and
Was deployed overseas to a contingency operation during the previous 24 months; and

Is diagnosed by a physician, clinical psychologist, or psychiatrist as experiencing PTSD or TBI, or reasonably alleges the influence of PTSD or TBI based on deployed service to a contingency operation during the previous 24 months; and

Is not being separated under courts-martial or other proceedings conducted pursuant to appendix 2 of chapter 47 of the Manual for Courts-Martial...

These personnel may not be separated “until the result of the medical examination has been reviewed by appropri-



ate authorities responsible for evaluating, reviewing and approving the separation case, as determined by the Secretary concerned.”

In addition, the DTM makes changes to Discharge Review Board policies, and will result in a future revision to DoD 1332.28, “Discharge Review Board (DRB) Procedures and Standards.” These changes require special treatment for veterans whose DRB applications are “based on a diagnosis by a physician, clinical psychologist, or psychiatrist as experiencing a post-traumatic stress disorder (PTSD) or traumatic brain injury (TBI) as a consequence of a deployment in support of a contingency operations.” Qualifying cases are to be given “sufficient priority to achieve an expedited resolution.” In addition, the DRBs considering these cases must include a servicemember who is a physician, clinical psychologist or psychiatrist. The new discharge review policies do not distinguish between veterans with OTH discharges and those with General discharges, nor between requests for an upgrade and requests for a change of reason for discharge to a less stigmatizing administrative discharge; veterans seeking any “corrective action” from the DRB may benefit from the changes.

The requirement of special medical evaluations for servicemembers facing discharge is ironic. Separation physical examinations are already required before all discharges; in administrative discharges, they are usually conducted before or very shortly after members are notified of the proposed discharge. Under existing regulations, separation physicals are to look for any medical or psychiatric problems that may have arisen or been aggravated since enlistment, and so should reveal PTSD or TBI well before the discharge is authorized. The fact that separation physicals seldom do so, and that Congress decided special evaluations for PTSD and TBI were necessary, points to a more basic problem with regular examinations, which routinely miss significant medical problems warranting medical retirement or VA benefits.

Servicemember’s ‘Reasonable allegation’ of PTSD or TBI May Trigger Medical Exam

If the services follow the DTM, special evaluations should be required when any civilian mental health professional makes even a preliminary diagnosis of PTSD or TBI. Even in the absence of such diagnoses, servicemembers’ “reasonable allegation” of the existence of PTSD or TBI is meant to trigger medical exams. This should prove fairly simple when members can point to well-recognized stressors or injuries as a likely cause of PTSD or TBI. But commands, and military doctors, may ignore the many less obvious and “reasonable” experiences and injuries that cause PTSD or TBI.

In DRB proceedings, on the other hand, the DTM’s provisions are not available unless veterans present medical documentation of PTSD or TBI from a physician, psychiatrist or psychologist. Veterans who apply for upgrades without adequate representation and information may lose expedited treatment and consideration by a medical officer as a result.

Unfortunately, the DTM applies only to servicemembers and veterans whose conditions fall in the neat categories of PTSD or TBI, and only those who develop the conditions as the result of, or at least after, service in contingency operations. Other illnesses and injuries common to combat-area service will not be given the same consideration in discharges or discharge review, although depressive disorders, non-PTSD anxiety disorders and many physical injuries are common results of such service. Trauma or injuries in pre-deployment training or non-combat-area service are also excluded. Veterans and women’s organizations such as the Service Women’s Action Network (SWAN) have raised strong criticism of the exclusion of military sexual trauma (MST) as a basis for special review, despite the high number of servicewomen who develop PTSD as the result of sexual assault.

How the Military May Try to Get Out of Following the Policy

The policy has other serious weaknesses as well. If “discharge under OTH conditions” is given its normal military usage, the policy will not apply to servicemembers who face misconduct discharge under the subcategory of “minor infractions,” where the least favorable character of discharge would be General. Other subcategories of misconduct discharge, warranting OTH discharge under the regulations, might also be excluded if commands advise members that the least favorable character of discharge to be considered in their cases will be General rather than OTH. This is currently a common practice where the grounds for discharge are weak, or where commands are merely anxious to get rid of problem soldiers with a minimum of fuss. Commands and separation authorities often take the position that command assurance of no less than a General discharge for misconduct eliminates the need to provide troublesome rights in OTH cases, particularly the right to an administrative discharge board hearing. It seems likely that this practice will be used to avoid the DTM’s equally annoying requirements of medical evaluation and special consideration by reviewing officers and separation authorities.

Another weakness lies in the distinction between administrative discharges and courts-martial or related proceedings. Convening authorities may opt for court-martial and



its more serious consequences instead of misconduct discharges without medical examinations or special consideration of PTSD or TBI. The DTM's use of "related proceedings" here suggests that administrative discharge in lieu of court-martial may also be exempt from the DTM. If so, commands will have an easy way to separate problem soldiers who may feel forced to "request" discharge in lieu of court-martial to avoid criminal conviction and punitive discharge.

More Ways the Military May Avoid Medical Discharges

In addition, it appears that the new provisions are meant to serve as mitigation, affecting characterization of discharge, more than a basis to halt administrative discharges. The DTM does not revise current policy which gives precedence over medical retirement proceedings to any discharges which may result in OTH characterization. Thus, soldiers whose severe PTSD is found to be the source of disciplinary problems may avoid an OTH, but are unlikely to be medically retired even if the conditions are disabling.

The discharge review provisions affect only the DRBs, and do not make any changes at the Boards for Correction of Military/Naval Records (BCMRs). Yet the BCMRs rather than DRBs have authority to change administrative discharges to medical discharge or retirement.

While the presence of medical personnel on DRBs may benefit veterans with PTSD- or TBI-related claims, and expedited treatment may save months of waiting, the new policy does not require any special consideration of PTSD or TBI as mitigating factors. Medical problems are often raised as an equitable basis for upgrades at the DRB, but these Boards frequently find psychiatric or medical conditions insufficient to warrant upgrades. Without a requirement that the Boards actually consider the effects of PTSD and TBI, the DTM may be of limited benefit.

Military Shell Games and Limited Reforms

The military has a long-standing tradition of side-stepping "unpleasant" policy reforms and regulation changes that offer greater rights or benefits to servicemembers. With the 2008 change to PD policy, attorneys and counselors, including this writer, feared that PD discharges would simply be replaced with other designated physical and mental conditions (ODPMC) and misconduct discharges to avoid medical evaluation boards and disability retirement.

Were we too cynical? On August 10, 2010, an *Army Times* article looked at the data obtained by Senator Bond's office and pointed out that PD discharges dropped sharply

in 2008 and 2009 – while 1,072 servicemembers received PD discharges in 2007, the number fell to 640 in 2008 and to 260 in 2009. (Interestingly, the drop began before personality disorder discharge regulations were formally promulgated, suggesting that the efforts of veterans groups and the media had a direct impact on the use of this discharge.)

At the same time, the *Army Times* pointed out, discharges for ODPMC rose from 1,453 in 2006 to 2,747 in 2008, and to 3,844 in 2009. The article concluded that adjustment disorder diagnoses were the basis for many ODPMC discharges, though the discharge is also used for other minor psychological problems, developmental disabilities, and physical illnesses or injuries not rising to the level of medical discharge or retirement. An editorial in *Navy Times* on July 12, 2010, similarly noted the trend of discharges for sailors who were "fit but unfit," fit for duty under medical retention standards, but unsuitable for performance of military duties. The editorial described the ODPMC discharge of a sailor with a muscle tic disorder, and mentioned one attorney's concerns after seeing one to two "fit but unfit" cases a week. The article also pointed out an increase in discharges for "pattern of misconduct," which may be based on two or more minor disciplinary problems.

This trend does not suggest that the new DTM on OTH discharges will be followed scrupulously. It is likely that servicemembers facing OTH discharges will not be informed of the new provisions until the services are required to include it in discharge notification, that many commands will neglect the DTM and implementing service regulations, and that OTH discharges will continue to be used to avoid retirement of seriously ill or injured personnel. Similarly, unrepresented veterans may lose the benefits of the new policy because they were unaware of the policy or of the need to trigger it by raising PTSD or TBI in their applications and supporting the claim with a MD's or psychologist's diagnosis.

Counselors and attorneys can play an important role in forcing commands, separation authorities and DRBs to follow the new policies by informing servicemembers and veterans of the DTM, pressing commands to follow it, and challenging OTH discharges given despite the policy. *On Watch* will provide updates on implementation of the DTM in service regulations and in practice, and readers are encouraged to share observations and counseling or advocacy suggestions on the new policy.



MLTF, Other Groups Support Bradley Manning

Soldier Linked With Whistle-Blowing in Solitary Confinement

The MLTF continues to monitor the case of PFC Bradley Manning. Manning was arrested in May, 2010. He has now been charged with two violations of the UCMJ, Article 92 and Article 134. He is facing a maximum sentence of 52 years. He is currently in solitary confinement at the Quantico detention facility.

The allegations against PFC Manning stem from a video leaked to the media showing U.S. forces bombing civilians in Baghdad in July, 2007. He is also charged with leaking classified State Department cables. The MLTF supports Bradley Manning, the Bradley Manning Support Network, and supports whistle-blowing and other efforts to bring U.S. war crimes to light.

The Bradley Manning Support Network has formed a very visible presence on the Internet. People can learn about ways to support Bradley by going to www.bradleymanning.org. There is also a Facebook page, "savebradley" and a Twitter feed "@savebradley." The group [Courage to Resist](#) has also taken a leading role in

publicizing the case and raising money for Bradley's defense.

Supporters have started [a petition in support of PFC Manning](#). An Advisory Board has been formed, which includes MLTF Co-Chair Kathleen Gilberd.



There are also days of support planned for September 16-19 with demonstrations organized in major cities around the country and internationally. Further information regarding these can be found on the Manning website. We hope to have further updates on the situation in the next issue of *On Watch* and on the MLTF website.

Don't Ask Don't Tell Update

Despite Public Support for Repeal, Congressional 'Leaders' Unlikely to Act Unless Pressured to Do So

BY JEFF LAKE

Since the last issue of *On Watch*, there have been significant new developments in the struggle to repeal the "Don't Ask Don't Tell" (DADT) policy concerning homosexuality of those serving in the military.

At the end of May, the U.S. House of Representatives passed a Pentagon policy bill that allows for the repeal of DADT. The vote was 234 to 194. The House bill states that the current policy would remain in place until a study is completed in December and the President, Secretary of Defense and Chairman of the Joint Chiefs all certify that the new law "will not have a negative impact on readi-

ness, recruitment, retention, and any other key factors affecting the military."

The Senate Armed Services Committee also voted 16-12 in May to include this language in the Senate defense bill. However, the bill has yet to come before the full Senate. Some Senators, including John McCain, are threatening to filibuster the entire defense bill to prevent adoption of even this highly equivocal and qualified language concerning DADT.

(Continued on page 6)



GI Coffeehouses, continued from page 1

sume mutual understanding. One of the biggest mistakes seems to be in the definition of *organizing* versus *activism*. Activism is self-expression with the goal of fostering social change, while, organizing has a much broader focus with the goal of movement building. In short, activism involves the individual, while organizing must involve the entire community. The current GI coffeehouse projects are excellent examples of effective organizing that can teach important lessons about organizing in general.

This larger definition I want to use for “organizing” comes from a challenging source. A recent article in *Counter Punch* magazine, “How to Build a Movement,”¹ put a spotlight on Mark Rudd, a controversial organizer. Rudd started organizing with the anti-war group SDS (Students for a Democratic Society) in the 1960’s and was later involved in the “Weathermen Faction” which morphed into the notorious Weather Underground, a radical faction dedicated to the violent overthrow of the

US government. This group was responsible for several bombings and prison breaks in the 1970s. I admit it seems ironic to take organizing advice from someone once involved in such a destructive movement; however, like many of the Weather Underground, Mark Rudd in recent years has largely repented of his role in the group’s violence and has shown this by publicly speaking about his experiences (both positive and negative) to a new generation of social justice advocates.

Rudd draws a helpful distinction between activism and organizing in the article. He explains that social change movements today are largely composed of activists and therefore are relatively ineffective (similar to the Weather Underground), while successful movements that actually brought positive change (such as the Civil Rights movement in the South) were largely composed of dedicated organizers. So, instead of narrowly defining organizing as simply building and defending the infrastructure of an organization, Rudd’s more inclusive concept of organizing as community-building provides a much richer and

continued from previous page

For its part, the military has put together a “confidential” survey of 400,000 active-duty and reserve troops’ attitudes concerning service by openly gay people. The survey was almost immediately leaked to the media and was roundly criticized for its blatant anti-gay biases. Service-members United, in a statement, said:

Flawed aspects of the survey include the unnecessary use of terms that are known to be inflammatory and bias-inducing in social science research, such as the clinical term “homosexual”; an overwhelming focus on the potential negative aspects of repeal and little or no inclusion of the potential positive aspects of repeal or the negative aspects of the current policy; the repeated and unusual suggestion that a co-worker or leader might need to “discuss” appropriate behavior and conduct with gay and lesbian troops; and more.

The Pentagon reacted to the criticism in typical fashion. Spokesman Geoff Morrell was “discouraged” that the survey was leaked, conceded that the survey was not scientific and admitted that the Pentagon did not consult with advocacy groups about the design of the survey. However, he called the media reporting “inflammatory.”

Another survey for military family members was sent out in mid-August. As of this writing, the contents of that survey has not been released or leaked to the public.

On the legal front, in July a U.S. District Court in Riverside, California conducted a trial on the constitutionality of the DADT policy, despite the Obama administration’s repeated attempts to dismiss the case. The Justice Department called no witnesses and submitted only the statute and the legislative history in defense of DADT. Judge Virginia A. Phillips ruled in favor of the Log Cabin Republicans’ request for an injunction. Judge Phillips found that the Plaintiffs had dem-

onstrated that they are entitled to a judicial declaration that DADT violates the Fifth and First Amendments. As of this writing an injunction is being prepared. The MLTF will continue to follow this litigation.

In addition, Air Force Lt. Col. Victor Fehrenbach, who, with 19 years in, has filed suit to block his potential discharge under DADT. The Air Force has agreed to allow a hearing on an injunction to be held following notification that they intend to discharge him.

The DADT policy continues to be in full force and members of the military are discharged daily for violations. While there is clear public support for a repeal, and even widespread support for repeal within the military, our Congressional “leaders” cannot be counted on to do the right thing without significant pressure. The MLTF will continue to work with other groups and individuals to try to enact a repeal this year and to end this cruel and bigoted policy as soon as possible.



more useful means of thinking about social justice on a broad scale.

What is a community organizer?

During the Obama campaign, many were either repulsed or thrilled when Obama was said to have been a “community organizer” in Chicago. I wonder if most of the public even knows what a “community organizer” is. Despite some positive progress, I often feel like the peace movement is spinning its wheels. We frequently blame the conservative political environment for our lack of effectiveness, but I wonder if the real problem is that we have forgotten how to engage in genuine community building.

Thankfully, there are lots of good models from the past to look to for inspiration and education, such as the Catholic Worker movement, the Black Civil Rights Movement, and the United Farm Workers. Today, however, the best example I’ve seen of effective community organizing is the GI coffeehouse/outreach projects.

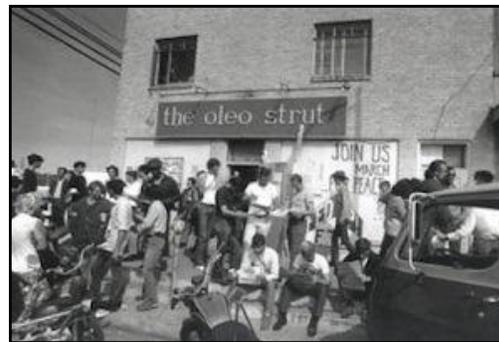
Coffeehouse roots

Contrary to popular belief, in the late 1960’s and early 1970’s, the anti-war movement was not the sworn enemy of the rank and file American troops fighting in Vietnam; rather they often were allies in fighting against the war machine. A wealth of documentary evidence as well as books (*Soldiers in Revolt: GI Resistance During the Vietnam War* by David Cortwright) and movies (*Sir, No Sir*) describe GI coffeehouses and underground GI newspapers as episodes of cooperation between motivated GIs and civilian organizers.

The movement began with the growing ocean of discontent in the ranks of the US military as the Vietnam War dragged on. While many gave in to despair, other troops found hope by identifying the real root of their problems, that they were being crushed by the same oppressive machine that was also crushing the Vietnamese people. The realization that their own liberation was tied to the struggle for liberation of the people of Vietnam was a revolutionary and critical concept, which led to resistance. Anti-war servicemembers published underground newspapers, went AWOL, and refused to go on missions. They protested, sometimes in uniform and often under the banner of their new organization Vietnam Veterans Against the War. Some committed sabotage on their ships or even “fragged” (assassinated) officers.² In one notable case, a soldier stationed at Fort Sill, Oklahoma, actually tried to unionize the military.³

Over time the civilian anti-war movement caught up to the revolutionary work of the GIs. In time a partnership

was born out of the mutual respect that was growing between anti-war servicemembers and anti-war civilians. This partnership led to a harvest of incredible and ground-breaking work. The main focus of this collective energy was the GI coffeehouses. These coffeehouses (more accurately described as outreach centers since not all of them were strictly “coffeehouses”) were created to be safe places for GIs to go on their time off duty. The coffeehouses often had fully stocked libraries with anti-war literature and were staffed by GI rights counselors who helped soldiers to navigate the red tape of military bureaucracy. Often there was also music and art to help give GIs a little glimpse of liberation in the middle of otherwise oppressive conditions.



The Oleo Strut near Ft. Sill was the first Viet Nam era GI Coffeehouse.

This work was, of course, opposed by the Brass. The coffeehouses were sometimes placed “off-limits” by the base commanders, but the troops kept coming. After that, the powers-that-be tried other ways to stomp out the resistance. Local organizers found themselves arrested by the local authorities on bogus charges, and on at least one occasion a coffeehouse was firebombed by local defenders of the war effort. Yet, the work to liberate GIs continued.

I believe that the anti-war GI movement is one of the most important movements in US history. Without it, we might still be occupying Vietnam.

How the movement almost died, but stayed alive to fight again

The end of the Vietnam War sapped energy from the cause, but it is still unclear why the anti-war movement faded away so quickly. Part of the problem might have been how the history of this era was later rewritten by those in power. Very quickly, corporate and government interests came together to paint a new picture of what had happened in Vietnam. Within only six years of the end of the Vietnam War, Ronald Reagan was elected President. His campaign was based in part on creating a new “history” to explain why we lost the war so that Americans would “feel pride in their country once again.”



As these lies piled up, the movement slowly suffocated.

The GI coffeehouses died early on.⁴ Most were shuttered by the time US troops were out of Vietnam because the movement didn't see the need to continue the outreach in what it assumed would be peacetime. Also the military quickly discharged most of the remaining low-ranking combat veterans, so that before long there were few troops in the military who remembered that it was the resistance of rank and file troops that made the end of the Vietnam war inevitable.

But seeds of resistance remained. Vietnam Veterans Against the War lived on (despite factional struggles that almost destroyed it) and found a new purpose in fighting for veterans to get their promised and much-needed benefits. By the time of the First Gulf War, there were still a few brave souls in the military that resisted,⁵ but no mass movement rose up. Still, seeds kept being planted during these years through the work of groups like School of the Americas Watch and Voices in the Wilderness.

In 1994, a powerful step forward began when the GI Rights Network (GIRN) was created. Over the next 16 years, this network of peace and conscience organizations would answer tens of thousands of phone calls and emails from military servicemembers seeking help to be free from the war machine. Overall though, there were few remaining outreach efforts being made toward active duty troops. What little outreach that existed was mostly happening online and through print literature, not through ground-level community-based organizing.

The rumblings of rebirth

September 11, 2001, changed everything. As the push to war in Iraq grew closer to consummation, the anti-war movement woke from its slumber and took to the streets. Hundreds of thousands marched in almost every major city of the world. Even in Oklahoma City, where I live, more than 1,500 marched against the war. (There were even protests in Oklahoma small towns like Shawnee, Guthrie, Muskogee, and Weatherford.) Despite widespread protest, the war began, and most peace activists gave into resignation and despair. Before long, peace organizers in Oklahoma were lucky if 150 would show up to the protests. The following years for many of us in the movement were days of darkness. We tried to be hopeful, but it all seemed like an exercise in futility.

But then something amazing happened. It was tiny and small, but it was earth-shaking.

The troops began to resist.

It started with Camilo Mejia, the first US soldier to refuse to deploy to Iraq in 2004. He would later go to prison (at the Fort Sill stockade in Oklahoma) for almost a year, but he stood his ground. Soon others rose up to resist as well. A new organization was founded from this resistance, Iraq Veterans Against the War (IVAW). In the coming years, other groups would rise up as well to support GI resistance, most notably Courage to Resist. Many long-established peace groups found new life and a new mission in supporting GI resistance.

Despite some successes, the GI movement was contentious. The duration of the wars in Afghanistan and Iraq and the growing psychic trauma was wearing the movement down. It was in this context that a new venue for organizing began to be fleshed out: a rebirth of the GI coffeehouse movement. Consequently these new coffeehouses (along with the one surviving Vietnam War era project) have brought new life and vitality to the peace movement.

Multiple models for outreach – The current GI coffeehouse movement

I have had the pleasure of working with all but one of the new coffeehouse projects. I can't claim to have an objective viewpoint, since the organizers at these projects are friends and allies, but I'd like to make an attempt to share some of their successes and failures in the work of organizing GIs and veterans.

COFFEE STRONG

near Joint Base Lewis-McChord in Lakewood, WA

Coffee Strong is the only real coffeehouse among the groups discussed in this article, as it is an actual retail coffee shop located in a strip mall in Lakewood, Washington

(near Tacoma). It is located within a few hundred yards of the perimeter of Joint Base Lewis-McChord in a typical Army town setting. The street is an interesting mix of hole-in-the-wall Asian restaurants, greasy spoons, Army surplus stores and cheap barbers. The neighborhood is definitely rough around the edges, but frankly not as im-





poverished as many other Army communities. The principal strength of Coffee Strong's approach is that they have a decent amount of random foot traffic as a retail coffee shop, which has been a boon to outreach.

Coffee Strong has computer terminals with free internet access and a nice seating area. They also have a library of books and tons of free literature. The decor is a mix of radical imagery (including a picture of Malcolm X holding a gun with the slogan "By Any Means Necessary") and the staff makes it clear that they are anti-war, but not necessarily pacifists. Coffee Strong also has resources available for military victims of sexual assault and has a Women's Night for female troops and vets to connect with each other.

Like all of the coffeehouses, the tone of the place is set by the staff and volunteers. The executive director of the project, Seth Manzell, is himself a combat veteran and speaks with knowledge to the folks who come to Coffee Strong. Another staff member (and combat veteran) is a mental health counselor, available to provide services to soldiers in need.

Coffee Strong tries to be visible in the community by the use of public protest. On a fairly regular basis, supporters of Coffee Strong demonstrate at the gates of JBLM.⁶

A DIFFERENT DRUMMER CAFE near Fort Drum in Watertown, NY

This coffeehouse is now closed. I never got to visit this project but have visited the Fort Drum/Watertown community and have read the article, "Shooting Pool Alone at Ft Drum: Lessons for the GI Movement," by Todd Ensign, which told its story.⁷

According to Ensign, the project existed from October 2006 - May 2009. They had an excellent facility, with internet-equipped computers, a pool table and a library. However, they were located in downtown Watertown, about 12 miles from base, a distance that was insurmountable for GIs without cars.

The project also struggled from not having a committed staff person who was part of the Fort Drum/Watertown community. This has always been a difficult issue (even during Vietnam, many peace activists were not excited about living in the rough Army town environment), so it is essential to have core organizers that are part of the community. Despite these problems A Different Drummer deserves praise for staying with the project as long as it did.

NORFOLK OFFBASE near Norfolk Naval Station in Norfolk, VA

In 2009, I got to visit Norfolk Offbase while traveling to nearby Fort Lee on a case. On my visit, I was very impressed by both the project's facility and its director, Tom Palumbo. The facility is an old warehouse that provides flexible space for events. There is also a nice library area.

At last report, this project is still in its early stages and is serving mostly as a hub for general peace organizing. I think one big struggle for them is that Norfolk has a large decentralized military presence, which makes it harder to do outreach. Without a single demonstration focus, it is hard to build much visibility in the community.

QUAKER HOUSE near Fort Bragg in Fayetteville, NC

This project is not a coffeehouse, but I think worth mentioning as it has been doing direct GI outreach for more than 40 years.⁸ The project is faith-based



but of a non-dogmatic Quaker variety. The director of the project is Chuck Fager, an author and Quaker historian with a long history of community organizing.

Quaker House serves as the central hub for peace organizing and GI resister support in the Fort Bragg area. Its location is a bit off the beaten path. In the Vietnam era, it was in a grungy neighborhood right next to the bars and strip clubs frequented by depressed soldiers, but today the area has gentrified. Yet, this quieter location works well in providing a haven for soldiers who need to get away from the Army environment.

Besides the local work, the staff at Quaker House also take a huge number of calls from the national GI Rights Network. Another special emphasis of Quaker House is their work in publicizing the sadly frequent cases of spousal abuse (and sometimes murder) by soldiers with PTSD.



UNDER THE HOOD CAFE near Fort Hood in Killeen, TX



Under the Hood, in Killeen, Texas, uses a very different model than the other projects. It is decidedly NOT a retail coffeehouse, but rather is more of a community space. It is located in what was previously a bail bond office in a fairly rough neighborhood, about half a mile from the East gate of Fort Hood (close enough that you can hear the bugle calls throughout the day when standing outside).

The layout of UTH is fairly open. At the front is a big screen TV with a video game system. Scattered throughout the place are tables, lamps, and comfy chairs and couches. In the very back is a small kitchen (where you can make yourself a cup of coffee for free), and behind that is the director's office and another smaller room with a TV.

Like all of the projects, UTH has a small library and lots of literature from different peace and justice groups. The décor of the place is a mix of images, ranging from a Palestinian flag, art created by one of the regulars, a framed picture of USMC two star General Smedley Butler (who upon leaving the service became an outspoken opponent of war), and clippings from the local newspaper about anti-war activity.

Hanging out at UTH on any given day, you are likely to be greeted by Cynthia Thomas. She is the heart and soul of the place and brings the passion of an angry Army wife to the fight. (Her husband served 18+ years in the Army, including several deployments). She stays busy talking to both regulars and new guests of the place. Besides her, on most days there are a mix of active duty soldiers, recently discharged veterans, and Army wives hanging out. Many of the visitors smoke, talk, and just enjoy each other's com-

pany. Regulars may be found playing video games, checking email, napping, or just talking. Officially the place is open from 5-10 p.m., but often folks don't go home until midnight or later. There are also a decent number of volunteers, some who stay for weeks or even months at a time to help out, while others just come up for the day to provide help for big events such as BBQ's and protests.

One logistical challenge of the work at UTH is that many of the regulars don't have their own transportation. Some of these guys are on meds that prevent them from driving, while others just don't have a car. Because of this, Cindy (or one of the other UTH volunteers) often drives on base after duty hours are over to pick up the guys from the barracks. Then late at night, someone will drive everyone back to base.

Protests are a big part of the work of UTH and are most often focused on the lack of quality health care given to combat veterans at Fort Hood, which is the one of the largest U.S. bases and is home to numerous combat units. Many of the active-duty regulars got involved after stopping to talk to participants at the protests.

UTH is both blessed and challenged by the fact that most of their regulars happen to be either active duty troops or recently discharged veterans. As a result of this, most of the regulars are only around for a limited amount of time before they get discharged and either go back home or move on to other adventures. Yet, the role of these individuals in shaping the direction of the work cannot be understated. The involvement of the troops and veterans in fighting for the liberation of both themselves and others is critical to a truly community-based organizing effort at Fort Hood, as well as providing a training school of sorts for vets who will take their activism on to other locales.

Commonalities and Differences in the different GI Outreach Models

While each of the projects discussed above look pretty different, there are certain key areas where they all are similar. These similarities can be helpful in providing a model for other efforts at community organizing.

1. The projects listen to GIs and veterans without imposing an agenda on them.
2. The projects allow the direction of the organizing effort to be set by the GIs and veterans themselves.
3. The projects seek to be non-judgmental of service-members and their perspectives, yet are willing to defend the "safe space" on behalf of marginalized populations. They do this by speaking out when guests use sexist, racist or homophobic language. This



is hard to do but necessary. In time everyone sees that the rules of the Army don't apply here. Sexism, racism and homophobia are simply not acceptable, and of course the tyranny of rank is not welcome either.

4. Multiple-viewpoints are expressed and respected. Points of unity are limited to only core areas of concern.
5. The projects are mindful of the mental health and substance abuse problems of the participants and try to steer folks in trouble to helpful resources.
6. The projects empower GIs and vets to help other GIs and vets.

These strengths help to offset the almost insurmountable challenges that the projects face. The biggest challenge is the draining nature of the work. Burn-out is always a real risk, and all too often organizers let themselves be defined by their activism. This is hard enough for civilian volunteers and staff, but for recently discharged veterans, this dynamic can be harder. The transition to civilian life (even when the soldier is relieved to be free) can be pretty rough. Making this transition while engaged in activism can be even harder.

Finally, money is always a problem for the different projects. Without the kind of mass support that existed during Vietnam, it is hard to see how a widespread coffeehouse movement could take root today. Fundraising is a continual struggle and source of anxiety for all of the outreach projects.

Conclusion

I strongly believe that the current GI coffeehouse outreach projects are excellent examples of effective organizing. The coffeehouses empower GIs and veterans to become organizers themselves. This is important because, servicemembers are told from day one of boot camp that,

“we don't pay you to think.” So when GI organizers tell those same troops, “we do care about what you think, and we want you to be part of our decision-making process,” it can be a significant and life-changing thing. At a GI coffeehouse, GIs are not objects receiving charity, but rather are the subjects of the movement, empowered to make their own history. I think all social movements can learn a lot from this.

GI coffeehouses are also a safe place. It might seem unimportant in today's cyberspace era, but having an actual physical space where people can meet together is important. It is hard work to make the space comfortable and free from oppression for everyone but it is worth it.

Finally the coffeehouses teach us that there is not one right way to organize. There are multiple effective models. Each coffeehouse has strengths and weaknesses, but all stay focused on the local needs. What they do share is a common tactic of combining confrontational protest action with ongoing practical support of those in need. The protests by themselves would have some value (by putting the post on notice that there are folks in the community who care), but this value is multiplied when there is a focus on outreach to GIs themselves. Often the protests draw in radicalized active duty soldiers who are looking for a way to fight back. These same soldiers then become the core of future organizing efforts.

The coffeehouse approach of combining protest with genuine community building is one that would be useful for any social justice movement.

The author wishes to thank Rachel Jackson and Jim Bligh for their help in fleshing out many of the ideas in this article; Victor Agosto, Fran Hanlon and Seth Manzell for critiquing early drafts of this article; and Rebecca Faulkner and Rachel Jackson for their invaluable editing assistance.

1. The article is available online at <http://www.markrudd.com/?organizing-and-activism-now/how-to-build-a-movement.html>
2. I mention the fraggings, not to glorify violence but rather to illustrate the level of frustration that service members were experiencing. According to Wikipedia, more than 230 US military officers were killed by their own men during the Vietnam War.
3. The story is told in *Up Against the Brass: The Amazing Story of the Fight to Unionize the US Army, 1970*, by Andy Stapp.
4. One GI outreach project survived (and still exists), Quaker House in Fayetteville, NC.
5. See *A People's History of the United States*, 2003, by Howard Zinn, p. 623-624
6. JBLM was recently formed by the merger of Fort Lewis (Army) and McChord Air Force Base.
7. Published in the June 2009 issue of the *Veterans for Peace newsletter*, online at <http://www.veteransforpeace.org/files/pdf/2009JuneNewsletter.pdf>
8. The story of Quaker House is told in the recently published book, *Yes to the troops, No to the Wars: Quaker House, 40 years of Front-Line Peace Witness* by Chris McCallum.

Submissions, comments or questions should be sent to:

onwatch@nlgmtf.org

On Watch Editors

Chris Ford

Kathleen Gilbert

Rena Guay

Jeff Lake

Production

Net Routes

About the Military Law Task Force

The National Lawyers Guild's Military Law Task Force includes attorneys, legal workers, law students and "barracks lawyers" interested in draft, military and veterans issues. The Task Force publishes *On Watch* as well as a range of legal memoranda and other educational material; maintains a listserv for discussion among its members and a website for members, others in the legal community and the public; sponsors seminars and workshops on military law; and provides support for members on individual cases and projects.

The MLTF defends the rights of servicemembers in the United States and overseas. It supports dissent, anti-war efforts and resistance within the military, offering legal and political assistance to those who challenge oppressive military policies. Like its parent organization, the NLG, it is committed to the precept that human rights are more sacred than property rights.

The Task Force encourages comments, criticism, assistance, subscriptions and membership from Guild members and others interested in military, draft or veterans law. To join, or for more information, please check our website at www.nlgmtf.org or contact the Task Force at:

MLTF, 730 N. First Street, San Jose, CA. 95112 ▪ (619) 463-2369 ▪ info@mltf.info



Military Law Task Force
730 North First Street
San Jose, CA 95112