

MILITARY COUNSELING NETWORK

SOUND OFF



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Objector Agustín Aguayo brought back for court-martial in Germany

Just before Army Specialist Agustín Aguayo's unit was about to deploy in September for a second tour of Iraq, a commanding officer told him – if he was really going to refuse to deploy – he just shouldn't show up. It was the first order in years Aguayo felt comfortable following.

Twice declined for a Conscientious Objector discharge and further let down by the federal appeals court system, Aguayo briefly went absent without leave that night before turning himself in to the Military Police on his base in Schweinfurt, Germany, Sept. 2, 2006, saying he would not deploy to Iraq and would accept a court martial after several Article 15s (non-judicial punishment) for refusing to pick up his weapon for the last year. Instead, military police officers took him to his home to get his gear and prepare to deploy.

At that point, Aguayo's commanders reiterated he would go to Iraq, even if that meant handcuffing him, driving him to the airport and forcing him onto an airplane. Such actions took place during the first Gulf War, but this is the first time the U.S. Military



Agustín Aguayo walks handcuffed through Frankfurt International Airport with his first sergeant Oct. 3, 2006.

attempted to do so during the current Iraq war.

As commanders and military police officers waited with Aguayo's wife in the family's living room, Aguayo escaped through a bedroom window. He fled the Schweinfurt base on foot before making his way back to Los Angeles, where he ultimately turned himself in at Fort Irwin in Southern California.

"I believe that participating in this, or any, deployment would be fundamentally wrong, and therefore I cannot and will not participate," Aguayo wrote in statement he

submitted as part of his discharge application. "I believe that to do so, I would be taking part in organized killing and condoning war missions and operations. I object, on the basis of my religious training and belief, to participating in any war."

Aguayo was soon transported back to Germany, arriving at Frankfurt International Airport Oct. 3. He now passes the time in Coleman Barracks in Mannheim, waiting both for a court martial date and to learn whether or

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CO Success

By David Leon Henise

I think of my time serving in the military as a generally good experience. I accomplished some good things for myself personally and professionally, and could tolerate well my job as a "computer guy" for the Army. However, of course, my conscientious objection application process brought some spiritual and emotional challenges with it, though I did gradually come to view the CO process as just as much a professional matter as the rest of my military career.

In December 2005, I knew that I had come to fit the description of a conscientious objector, even according to the Army's definition, and that the only honest thing I could do would be to apply to be recognized as an objector. But, at that time, I was deployed to Baghdad, Iraq, carrying a rifle around with me everywhere, and suddenly no longer planning on using that rifle. It's good that my decision to apply as a CO was made approximately five days before I was scheduled to re-deploy to Kuwait, where I would no longer have to carry a weapon at all times.

As far as how I became a CO, in

short, I considered myself to be a Christian in December 2005, and had quite a history of studying Christian theology, philosophy and spirituality. However, in that year, I had been gradually coming to view Jesus differently than I did before. Then, I read much of Leo Tolstoy's *The Kingdom of God is Within You* while becoming, and applying to be, a CO, and even watched my beliefs naturally turn into Buddhism, about June of 2006.

After the Department of the Army approved, on Aug. 4, 2006, my request to be discharged as a conscientious objector, I actually ran into more administrative difficulties than I had during the application process. I had a brigade sergeant major who, never having spoken with me, recommended me to a brand new brigade commander for a general rather than an honorable discharge, despite my solid military record and a Meritorious Service Medal which had been approved through the previous brigade commander. I also had other complications with trying to "clear" my camp in Kuwait as quickly as possible, since I had been stationed in, and not deployed to, Kuwait.

I was finally able to leave Kuwait on Sept. 20, 2006, about one year and two weeks after I had first arrived there. About a week later, I was told that my orders bringing me from Kuwait to Fort Lewis, Wash., for discharge were so unclear that they would have to be corrected by the people who had created them in Kuwait. So, as I finish writing this, on October 8th, I am on my "terminal leave" with the Army, but am still unable to get my discharge certificate until my orders are corrected and I am put into the finance system correctly. Again, administrative errors and lack of knowledge have messed me up. But I'm home. And that means I (almost) made it through the process successfully. ❖



From the CO Claim

"To sum up my story one more way: Despite my lack of knowledge on all the details of my beliefs, which I may clarify and construct in the future, I do now securely believe in non-violence. And I have the confidence to say this because I now see that humanity has no other positive direction to go, but in the direction of principles as huge and important as that of non-violence.... And I believe that now, for me, there is simply nothing else to do but to lay down my own pride, to recognize what has been revealed to me, and to act on the conviction that has now been given me in this area – the area of non-violence.

I, personally, must put these principles into action, no matter what I think of all the future details that may come of them. I have this responsibility to begin to put these principles into action simply because I have been given the vision of the principles, and the reasoning behind them. I do believe the principles to have a religious connection.... And I say this because of the sheer strength of the reasoning behind "no violence", that I've now seen, and the sheer responsibility to put these principles into action, which I have now been given simply by the fact that I *can* see the non-violence principles. I cannot now simply step away from these principles. Period." ❖





A Word on Words

By Tim Huber



Hi there. My name's Tim. I'm the new guy here at the Military Counseling Network.

I think the biggest thing that differentiates me from my predecessors in the second story office at Hauptstrasse 1 in Bammental is the fact that I do not come directly from college graduation ceremonies.

Most recently, I worked for nearly two years as a reporter at a small daily newspaper in Newton, Kan. I didn't have one particular focus or "beat," but instead covered an extremely wide array of people, places and events. Newton – while one of America's great Mennonite meccas – also does quite well at providing a tidy microcosm of the nation's current polarity. That means I got the opportunity to write stories about soldiers' warm and fuzzy homecomings, as well as Jim Wallis' "God's Politics" book tour stop at Bethel College.

Though my detachment from college does distance me from the typical MCN volunteer, my college experience still frames much of my outlook on war, conflict and even misunderstandings.

While at Tabor College in Hillsboro, Kan., I took a turn or two in the driver's seat of a school newspaper opinion column. It was during that little window of time – between starting the now-five-year-long hunt for bin Laden in Afghanistan and invading Iraq – that I began to write monthly pieces on politics and international conflicts that echoed what I felt was a minority view among the students but a majority view among the faculty.

Perhaps it was out of frustration, perhaps it was just fun, but my typical approach was to belittle my opposition. In hindsight, I wasn't just deconstructing an opposing view or providing more sensible alternatives. Instead, I reflected the talking heads populating television, radio and print by talking down to my foes and making fun of people who didn't agree with me. Just a little.

The high-water mark probably came when I constructed an entire column in rhyme as an invasion appeared more and more imminent. A number of my running themes came seamlessly together when I wrote "Jingoistic elephants run campaigns built on strife, we put to death our enemies while women must choose life." It went on to critique the effect of multiple trade embargos' effect on the Iraqi children as well, but I believe the piece's intent is evident.

That bit of poetry inspired someone to respond with their own writing in a letter to the editor. I still remember its main sound bite asking "Who cares if a bunch of sinners in the Middle East die?"

To put it lightly, my rhetorical style didn't exactly embrace my opposition and my opposition didn't exactly embrace me. At the time, the validation of my efforts was ready and waiting. You're facing tough opposition. You know in your heart you're doing the right thing. The longer you prevail is a testament to your courage, faith and sincerity. I guess at the time I didn't know I had so much in common with what I was trying to stop.

Though I doubt I won anyone over to my side, I eventually gained more than scrapbook material from my efforts. Analyzing my words' ability to rile others, I came to realize there is a power within them. Words can be tools and tricks, bridges and bombs. They are only carefully selected combinations of letters, but depending on how they used, feelings can be hurt, beautiful art can be created, wars can be sold, or soldiers can gain conscientious objection discharges.

In my previous job as a reporter, I saw in my own articles how much even one word can affect a story. Once, just by including a quote a representative made about a company's CEO, I was threatened with a libel lawsuit. The matter was settled by allowing the

company to publish a letter to the editor accompanied by the paper's own disclaimer standing by the story, but the power of a handful of letters smashed together into words was evident.

The same can be said for the military world. It takes only a few words and the stroke of a pen to enter the military, but pages of personal statements, reams of paperwork, and months – sometimes even years – of bureaucracy to get out.

It may be daunting, but the power of words is even there. Ask any soldier and they can easily tell you just how few words it takes to get a superior in an unpleasant mood.

That power is ready and waiting for anyone, and that is why I am here. I tried voting, and even though I was doing that in Kansas, I still haven't given up. I tried peace marches and other kinds of demonstrations, even coordinating activities with other colleges.

Those and other forms of organized demonstrations are important and needed, but I always came away feeling as if – like with the newspaper column – my efforts did more to simply annoy those who disagree with me. The war still started, the vets over at the VFW still hated peaceniks, and the polarity that was present before the day started was only larger when the day ended.

That's not to say people should stop demonstrating. Poll after poll shows what was the minority when we were marching in 2002 is now the majority, even if the number of actual marchers may have not risen as dramatically as many would like. The point is, I am thankful and energized to have both an outlet and job that allows me to directly affect the war in Iraq, the U.S. military, individual soldiers and the growing number of supporters back in America.

Now I'm for something, working with MCN, and not simply against something, grumbling on a couch in the center of the red state in the center of the red states. I will admit my expertise does not lie in memorizing military regulations and obscure statistics, but I do bring an interest in learning and a

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Back in the US of A

By Michael Sharp

From Philadelphia to Pasadena, from Virginia to Vancouver, former MCN director David Stutzman and I spent a large part of the summer months traveling around the U.S. in an effort to raise awareness about the personal side of the war in Iraq and to raise enough money for MCN to continue.

Between the two of us, we spoke to 56 groups in 12 states, and it was very encouraging to see the amount of interest people had in our work. Hundreds of people signed up for our newsletter and some decided to also contribute financially.

At one church, a man named Joseph* told me about his own struggle to come to terms with what he had done as a soldier during the first war with Iraq in 1991. He had a very difficult time reintegrating into civilian society and ended up in prison shortly after returning to the U.S. He handed me a piece of paper he had kept with him since his time in prison. It was a note of apology he had written on the back of a "court date reminder" form and had kept in his Bible ever since.

"To those who continue to endure the suffering from those tragic days from January to February 8, 1991: It's been 12 years since my experience that changed my life forever. I have finally found peace and forgiveness for my actions in the country of Kuwait. For all of you who have lost loved ones, I send you my blessings that you may one day be healed from the sorrow of their loss.

I was a young soldier, 23 years of age, when I participated and witnessed the massacre of your family and loved ones. I just want you to know that I also have never recovered from the images of those days. I never thought that those memories would send me down the road of self-destruction. I sought forgiveness through the use of alcohol and drugs. I don't know if it's the deaths of those people or the way they were buried that continues to torment me the most."

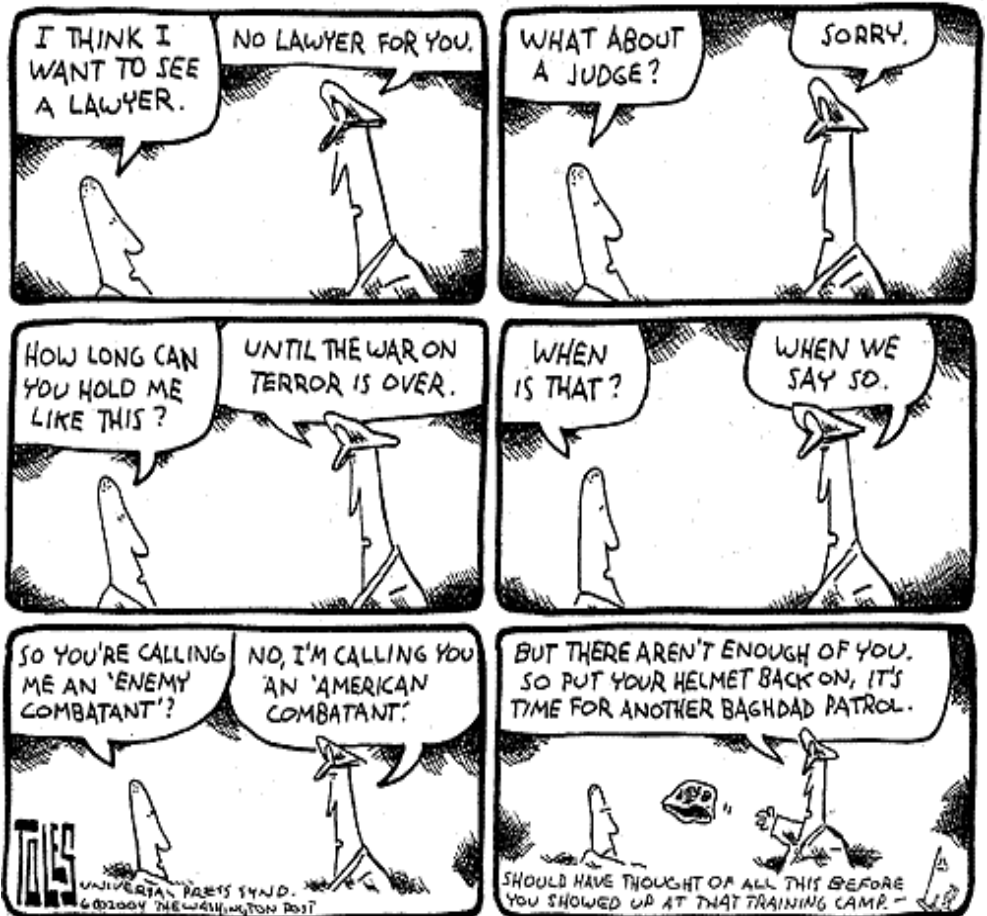
Joseph's is not an altogether unique story. Many come back from combat with a completely new view of life. His experience changed his outlook on war and eventually brought him to new religious beliefs.

The goal of MCN is not to convert the entire military to Christian pacifism, but it is our goal to be available for those who, like Joseph, have been through traumatic experiences and are beginning to question their participation in war. We hope that whether they choose to apply for conscientious objection or not, we can help them to at least be able to work through and deal with their experiences and to confront



what for some of them is a newfound struggle of conscience.

**name changed*



... Continued from page 3

still-valid membership card with the mass media to the table. I have already tasted the satisfaction of helping a soldier desperate for solutions, and I think I could get used to that. ❖

Tim arrived at MCN in July of 2006 for a three-year term in conjunction with Mennonite Central Committee.



Agustín Aguayo is a conscientious objector waiting in the U.S. Army Confinement Facility-Europe in Mannheim to learn what if he will be charged with desertion and when his court martial date will be. Aguayo was an Army medical specialist who unsuccessfully applied and appealed for a conscientious objection discharge nearly three years ago.

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not he will be sent to be with his unit in Kuwait or even Iraq.

While based at the U.S. Army base in Schweinfurt and during his tour in Iraq, Aguayo was a medic with the Army's 1st Infantry Division. He applied for Conscientious Objector status before deploying to Iraq for one year in 2004 and 2005.

He recalled a briefing he and other medics received from a homeward-bound colleague soon after arriving in Iraq in 2004.

"The medic said to be sure to tell the other soldiers, 'When you use your weapon, make sure you finish the job, otherwise that's more work for you,'" Aguayo said. "He was treating death as a way to make your life easier."

That and other experiences culminated in the lengthy personal statement included in Aguayo's Conscientious Objector application that was ultimately denied by both his military superiors and the U.S. District Court system.

"Even though I deployed as a non-combatant in 2004-05 I still carry guilt from my participation," he wrote. "While there as a non-combatant, I was still required to do guard-duty, although I chose to carry only an unloaded gun. While there as a non-combatant, I was still required to patch-up, treat, and help countless soldiers for 'sick-call' in order to facilitate their prompt return to combatant duties.

"...I regret involvement in those activities, because ultimately I was contributing to the war mission and enabling others to do what I oppose," he wrote. "By doing guard duty, appearing to be armed, even without bullets, I gave the false impression that I would kill if need be. I am not willing to live a lie to satisfy any deployment

operation."

Aguayo is the first publicly known case of a soldier refusing to deploy from Germany. Approximately 67,000 U.S. soldiers and 80,000 dependents are stationed on 73 bases in Germany, a key logistical hub for the U.S. military effort in the Middle East.

The military has yet to file formal charges, but Aguayo could face two counts of being Absent Without Leave, one count of missing movement by design, and desertion. The combined charges carry a penalty of up to six years, including hard labor, in a military prison.

Three U.S. civilian attorneys specializing in military law mounted a legal battle on behalf of Aguayo in the United States Court of Appeals in Washington, D.C. On Aug. 5, 2005, they filed a Writ of Habeas Corpus with the Washington, D.C., U.S. District Court asking the court to order Aguayo's release from the Army as a conscientious objector.

On Aug. 24, 2006, former Army officer and current U.S. District Judge Royce Lamberth denied Aguayo's request to be released from the Army as a CO. Aguayo immediately filed an appeal of that order to the U.S. Court of Appeals for the D.C. Circuit. (The Washington, D.C. federal courts have jurisdiction over cases brought by U.S. military personnel stationed overseas.) On Aug. 25, Aguayo's counsel moved for an emergency order "barring the Army during the pendency of this case (the appeal) from deploying him to Iraq, Kuwait, Afghanistan, or any other place where he would be required to provide support for combat operations."

Attorneys representing Aguayo appealed the decision and arguments are scheduled for November.

"In my last deployment, I witnessed how soldiers dehumanize the Iraqi people with words and actions. I saw countless innocent lives which were shortened due to the war. I still struggle with the senselessness of it all – Iraqi civilians losing their lives because they drove too close to a convoy or a check point, soldiers' being shot by mistake by their own buddies, misunderstandings (due to the language barrier) leading to death." – Agustín Aguayo



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How You Can Help a CO

The Low Down:

MCN has been working with COs for more than three years now. Many of them submitted their claims as soldiers on the frontline – Iraq. Sadly, the military is not recognizing many claims, disapproving COs who embody the very definition of having a “firm, fixed and sincere objection to participating in war of any form or the bearing of arms” (Department of Defense Directive 1300.6 §III.A.). These beliefs crystallized directly from experiences in the military and from the dissonance of coming to terms with the fundamental task of what a soldier is required to do. COs are not the only ones dissatisfied by the military’s reluctance to discharge soldiers. Numerous soldiers have expressed to us that in times of war, bodies are simply needed. That is the bottom line.

What they need:

Folks in the military need to know that there are others on the outside, who support what they are trying to do and will stand by them. They need personal support and financial assistance. Although, their cases involve a symbolic struggle for CO rights, they will also need the personal support.

How you can help:

Send this Newsletter to people you know who might want to help. For individuals, peace organizations, small groups and congregations interested in helping, you can make personal contact with soldiers like Agustín. They will need financial support to make this happen. We encourage churches and organizations to make a contribution, of \$200 to \$500, towards the court fees. (See below)



Contribute Financially



Germany

**Deutsches Mennonitisches
Friedenskomitee (DMFK)**

Hauptstr. 1
69245, Bammental
Germany →

Bank Account:

Kontonr. 21240069,
Kreissparkasse
Heilbronn,
BLZ 620 500 00
Attn: “MCN - Court Fees”

USA

Mennonite Mission Network

Mennonite Mission Network
P.O. Box 370
Elkhart, IN 46515-0370
USA →

Please send check with note that includes:

- Name of individual or group
- Date
- Mark for “EU 105: MCN”
- Signature

About Our Newsletter:

Sound Off is a publication of the Military Counseling Network (MCN). It is a platform for people to tell their stories and relate their opinions in this time of war and political uncertainty. MCN is dedicated to the discussion of issues relevant to servicemembers and their families; Germans and Americans, soldiers and civilians.

We welcome any submissions to the newsletter that deal with the War in Iraq, Americans abroad, Americans at home and European-US relations. We especially welcome submissions from soldiers and their families. *Please send us your opinions, letters and stories!*