



# GIs — Know your rights

## GIs have the legal right to:

- Consult with a lawyer, civilian counselor or service, or a congressional office about a problem.
- Appeal any non-judicial punishment, discharge denial, or court-martial conviction.
- Say what they think and feel about the military, and participate in peaceful demonstrations, when off-duty, out of uniform, off-base, and in the U.S.A. (DoD Directive 1325.6).
- Protect themselves against racial, sexual, and sexual orientation harassment and discrimination (Articles 93, 134 UCMJ).
- Protect themselves from assault by other military personnel (Articles 93, 117, 120, 124, 128, 134 UCMJ).
- Request redress from Commanding Officers for any grievance (Article 138 UCMJ).
- Write a formal complaint against Commanding Officers if not granted redress (Article 138 UCMJ).

- **You have the right to keep one copy of this or any other information at any time** (DoD Directive 1325.6).

## GIs don't have the legal right to:

- Demonstrate on-base or breach law-and-order anywhere. GIs can't take part in anything "when violence is likely to result."
- Encourage violence or urge others to violate regulations, disobey lawful orders, desert, or refuse to do their jobs.
- Call high government officials names, including "fascist", "thief", "murderer", "tyrant", "fool", or "gangster."
- Join a labor union (DoD Directive 1325.6).
- Sue the military for monetary damages (Feres Doctrine).

## Discharges | DEP | Hazing | Discrimination | Gay AWOL/UA | Harassment | Conscientious Objection

Call for information from a network of nonprofit,  
non-governmental organizations.

The service is free. The call is confidential.

**877-447-4487**

From Overseas:  
202-483-2220

## The GI Rights Hotline

[girightshotline.org](http://girightshotline.org) [girights@girightshotline.org](mailto:girights@girightshotline.org)

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**ANGRY, ALARMED, OR FED-UP with what the military has done to you, or made you do to others?**

Do something about the way you feel. Your commander may not like it, but many inside and outside the military agree with you. Read military regulations and the Bill of Rights. Contact an organization listed on this card. Acting alone can make you a target, but find out what you can do with others to preserve liberties and human rights, and to stand proud with others who want to do the right thing. Hold On to Your Humanity. **Get help.** Remember that **Rights are not given — they are fought for and exercised.**

**Seeking a Discharge:**

- You may seek a discharge from the military at any time. Regulations that superior officers are required to follow cover every kind of discharge.
- You may be able to get out of the military if:
  - You are opposed to war in general.
  - Military life or your assignment creates an unusual hardship for your dependents.
  - You have a persistent medical or psychological problem that makes military service difficult.
  - You are gay, lesbian, bisexual, or transgender.
  - You qualify for another discharge available under military regulations.
- Educate yourself first. Talk to the GI Rights Hotline; talk to a civilian lawyer with experience in military law. **Don't go it alone!**

**Some things to remember:**

- Get civilian counseling before signing anything you're not sure about. You don't need to go it alone.
- Address important requests to your CO by name and in writing with a date.
- Keep a log when seeking discharge or documenting harassment.
- Make at least two copies of documents — keep one and send one to at least one trusted person off-base, such as a counselor, attorney, friend, or family member.
- Rumors about automatic discharge upgrades after six months, or whenever, are not true, but with a little planning, it is often possible to get a better characterization of service than you might think.
- "The justification for acts done pursuant to orders does not exist if the order was of such a nature that a man of ordinary sense and understanding would know it to be illegal." (Court of Military Appeals, US v. Keenan) Courts have often not supported this basis of refusal.

- Congressmembers can conduct inquiries and initiate investigations of the military; an aide in each member's local office is supposed to help constituents with problems with the military. See [www.votesmart.org](http://www.votesmart.org) for a directory of Congressional offices. Talk to a counselor first to find out when best to pursue this option.

**Helpful organizations, in addition to the GI Rights Hotline:**

- National Lawyers Guild / Military Law Task Force — [www.nlgmltf.org](http://www.nlgmltf.org)
- Courage to Resist — [www.couragetoresist.org](http://www.couragetoresist.org)
- Iraq Veterans Against the War — [www.ivaw.org](http://www.ivaw.org)
- Madres Contra la Guerra — [madrescontralaguerra.blogspot.com](http://madrescontralaguerra.blogspot.com)
- Service Women's Action Network (SWAN) — [www.servicewomen.org](http://www.servicewomen.org)
- Veterans for Peace — [www.veteransforpeace.org](http://www.veteransforpeace.org)
- Vets 4 Vets — [www.vets4vets.us](http://www.vets4vets.us)
- Suicide Prevention Hotline — 1-800-273-TALK (8255)

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