Pay

The base pay rates of the armed forces were established in 1957 and partially revised for the first time in 1964. In 1965 a 50 percent increase in enlisted pay went into effect. Base pay in all grades is supplemented by high cost-of-living family and food allowances, scaled according to grades and number of dependents. In addition, enlisted men, student officers and student officer candidates who possess special skills are granted a proficiency pay called supplemented technical allowance. There is a great variety of special allowances which are paid to military personnel who hold distinctive positions, are assigned technical duties or belong to a branch of service receiving particular emoluments. Among these special allowances are hazardous duty pay, special uniform grants and increased payments for duty involving extraordinary expenditures. Conscripts receive only nominal pay until they have completed 4 months of service, at which time their pay is raised to that of privates.

Rations

Enlisted men of the lower three grades are authorized a ration allowance consisting of a basic food allowance and an administrative food allowance. The basic food portion is intended to provide cash for the purchase of the fresh food component of the ration (meat, fowl, fish and vegetables). The administrative portion covering rice, salt, tea, sugar and shortening is issued in kind by the quartermaster and is worth about 4.50 piasters per man per day. The basic food allowance varies from 14 to 17 piasters per man per day, depending on the area of assignment.

Separate rations may be authorized when personnel are living with dependents or when the unit to which they are assigned does not operate mess facilities. In such cases the entire ration allowance is paid in cash. Servicemen wounded in line of duty and receiving treatment in a hospital or troop unit dispensary continue to receive their ration allowance while being fed free of charge by the hospital mess.

Uniforms

The uniform worn by the armed forces are generally similar to those worn by the French in the tropics. United States Army influence, however, is quite strong and extends to a great number of articles of the uniform, including service caps, helmets, boots and fatigue clothing. Olive drab cotton garments are worn during most of the year, but woolen uniforms are supplied when needed. On special occasions officers and top-ranking noncommissioned officers wear dress uniforms—white for summer and light green gabardine for cooler weather.
Decorations

The Vietnamese tradition emphasized formal honors for achievement, and the attitude persists in the military service. Soldiers are proud of their medals and, when it is feasible, wear the full decoration rather than the ribbon bar on their duty uniforms. Decorations are customarily presented by the chief of state or the prime minister or their representatives at ceremonies which are held as soon as possible after the achievement for which they are awarded.

Five principal state decorations were authorized by statute in 1958: The National Order of Vietnam; the Medal of Military Merit; the Cross of Valor; the Wound Medal; and the Medal of Honor of Vietnamese Merit.

The National Order of Vietnam, the Republic's highest decoration, which resembles the French Legion of Honor, is composed of five classes—from highest to lowest: Grand Cross, Grand Officer, Commander, Officer and Knight. The medals of the two highest ranks are pinned on the left side of the chest below the breast pocket and are worn with a shoulder cord; the medal of the middle rank is suspended on a ribbon worn around the neck; the last two are suspended from ribbons pinned on the chest.

The Medal of Military Merit, comparable to the United States Silver Star, is awarded to student officers, noncommissioned officers and enlisted men for exceptional military valor. Under exceptional circumstances the medal may be awarded to service personnel of allied forces who have distinguished themselves in military action on Vietnamese territory.

The Cross of Valor resembles the French Croix de Guerre in appearance and is comparable to the United States Bronze Star. It is awarded in four grades, with bronze, silver and gold stars and with bronze palms.

The Wound Medal, comparable to the United States Purple Heart, is awarded to service personnel wounded in action against an enemy.

The Medal of Honor of Vietnamese Merit is awarded for outstanding service in either first or second class. First Class awards as a rule are made to officers and Second Class, to noncommissioned officers and enlisted men.

In addition to the state decorations various service awards are authorized. These include the Air Force Order, Air Force Honor and Air Merit medals, the Gallantry Medal, the Medal for Bravery and the Distinguished Flying Medal.

MILITARY JUSTICE

The basis of military justice in Vietnam is the Code of Military Justice, which was promulgated in 1951 and which, with relatively few amendments, remains in effect. The Code is based largely on French...
legal procedures and concepts and is administered centrally by the Minister of War and Reconstruction for all the armed forces. The Minister is assisted in discharging his responsibilities under the Code by a Military Justice Corps which is roughly equivalent to the United States Army Judge Advocate General's Corps. These men are generally law graduates, although some perform their duties while still serving the required probationary period before admission to the bar as qualified lawyers.

The South Vietnamese place considerable stress on pretrial investigation, which is performed by the Criminal Investigation Service of the Military Police. This function previously was performed by the National Gendarmerie, whose personnel were absorbed into the National Police and Military Police when it was abolished in January 1965.

The military court system provides for only two types of military courts: Regular Military Courts and Field Courts. These courts are generally similar to the American General Court-Martial in composition, jurisdiction and award of punishment. There are no South Vietnamese counterparts to the summary and special courts-martial of the United States Army. Regular Military Courts usually are convened at Hue for cases arising in I Corps, at Nha Trang for II Corps cases and at Saigon for those cases arising in the III and IV Corps areas and the Capital Military Region, except for those cases handled by the IV Corps Field Court at Can Tho.

A Regular Military Court is composed of a civilian president, four military members, a chief prosecutor and an examining magistrate, plus necessary administrative and clerical personnel. No defense counsel is provided the accused, although he may hire civilian counsel of his own choosing. If the accused cannot pay for counsel, a civilian lawyer is designated by the local bar association to defend him without pay.

The civilian president is usually a judge from the local court of appeals and is assigned to the military court for a period of 6 months. The four military members may be from any of the military services, are appointed from units within the area by the corps commander and are customarily senior in grade to the accused. Both the public prosecutor and the examining magistrate are generally officers appointed from the Military Justice Corps.

Cases referred to Regular Military Courts include offenses of moderate gravity (punishable by a fine and imprisonment not exceeding 5 years) as well as the most serious offenses (punishable by death or imprisonment for more than 5 years). An accused, if found guilty, may appeal to the Court of Cassation, the highest civilian court of appeals in the country. In cases where the death sentence has been
imposed, the accused always has the right to petition for amnesty, even after this appeal has been rejected.

A Field Court has the same composition as a Regular Military Court, except that the president is a military officer instead of a civilian judge. Although the pretrial procedure is simplified and abbreviated much more than for cases appearing before a Regular Military Court, the same classification of offenses are assigned to it for trial. The characteristic features of cases assigned are that they must have arisen during an emergency and they must be of a *flagrante delicto* nature. The South Vietnamese, however, apply the *flagrante delicto* concept in a somewhat wider sense than is done under American law, in that greater latitude is permitted in the presumption that the accused was involved in a crime. While both military personnel and civilians can be brought before these courts, civilian cases usually are limited to the most serious crimes involving the security of the state. Sentences pronounced by Field Courts are final and not subject to appellate review as in the case of Regular Military Courts. As a matter of established procedure, however, death sentences are not carried out without the approval of the Chief of State.

Nonjudicial punishment is not recognized by the Code of Military Justice, but it has long been authorized by various directives and orders of the Minister of War and Reconstruction. In general, the permissible types and amount of punishment under this disciplinary action vary according to the grade of the offender and the rank of the person imposing the punishment. The usual type of punishment is restriction or confinement, the forfeiture of pay not being authorized by regulations. The lowest grade Vietnamese punishing authority is a corporal, who can impose a maximum of 2-days' restriction on any enlisted man under his command. The highest is the Minister of War and Reconstruction, who may order solitary confinement for up to 60 days. The Vietnamese soldier does not have the option of electing trial by court-martial in lieu of nonjudicial punishment.
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