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The Draft: Reform or Repeal?

by Ron Young

In 1940 the United States adopted a selective draft law. Even at that time when there were far fewer Americans than today questioning the purposes of the U.S. military and U.S. foreign policy, opposition to conscription was very strong.

"This vast power thus granted to the military permits control over the lives and destiny of the entire registry. This control may be exercised through the allocation of men to particular industries as a condition of continued deferment and compels millions of others, regardless of will, to be subjected to the threat of conscription at any time during the entire period the law is in force. Thus it is apparent that the military forces of the Nation assume complete control over the lives and destiny, not only of those selected in the draft, but through the power to cancel or change deferment, over the lives of the entire registry. Does this great grant of power smack of dictatorship?"

Congressman Frank G. Keefe, Wisconsin
Congressional Record, Vol. 86, Part 10, p. 11371

The extreme difficulty of ending the draft once it is adopted was also recognized.

"Believe me, gentlemen, it is going to be difficult to ever repeal such a measure once you get it established, for you will have made of your military establishment one of the greatest economic factors in your whole country. You will have vested the greatest power in the Executive and the Army that the Congress has ever granted in all American history."

Congressman Jerry Voorhis, California
Ibid., p. 11396

--Both quoted in "Brief History of Conscription," from The Draft?, A Report Prepared for the Peace Education Division of the American Friends Service Committee, Hill & Wang, 1968. \$1.25

We are faced as Americans with prospects of a permanent draft, unless we educate and mobilize people now and through the period up to 1971 when the present Selective Service Act expires.

The bills before the Senate now to reform the draft, especially the bills introduced by Senators Kennedy and Javits, will tend to reinforce the basic legitimacy of the draft and thereby better insure its permanent continuation. The job of people seriously committed to ending the draft is not to work for any draft reform legislation, but rather to work at various levels, including direct work with Congressmen and Senators, to insist that now is the time to press for repeal of the

draft, not reform. It is important to recognize how this argument holds essentially even for a bill introduced by Senator Hatfield, which he claims is a bill to "repeal the draft." People should carefully examine any legislation on the draft to see if its real intent is to abolish the draft or, by means of some minor or "major" reform, to offer another facade of legitimacy to a basically illegitimate and undemocratic institution.

On February 5, 1969, a group of persons attending the Clergy and Laymen Concerned Conference in Washington, D. C., participated in a breakfast meeting with Senator Hatfield and his legislative assistant to discuss the bill on the draft (S-503) he is co-sponsoring in the Senate. In his opening remarks to the group, Senator Hatfield outlined the bases for his opposition to the present draft system. He stated that the draft is an encroachment on the freedom of individual citizens to decide according to their own minds and consciences how to serve their country, a freedom held to be essential to American democracy. This kind of coercion is especially tragic today, he said, when American youth have demonstrated by their involvement in the Civil Rights Movement and their response to the Peace Corps and Vista that they are more ready than ever to serve the needs of their fellowmen. The existence of the draft makes it dangerously easy for the President to involve the country in an unpopular war, like the war in Vietnam, without the advice and consent of the people or their representatives in Congress. The draft reinforces the inequities in the society between whites and black, rich and poor, more educated and less educated citizens. Referring to the increased questioning of the military domination of foreign policy, much of which is justified in Senator Hatfield's opinion, he said that the draft has always been one of the key instruments of military influence and control.

It is ironic that Senator Javits and Kennedy, both of whom have raised questions about the increasing militarization of American society, have introduced bills that not only would preserve the draft, but include a provision for drafting the youngest first, which long has been a lobbying goal of the Department of Defense, based on the fact that younger, less educated men, being more malleable, are more suitable for military discipline and indoctrination. The other side of this argument was reflected in the fears of the Johnson Administration that if student deferments were abolished, as the Marshall Commission recommended (none of the present bills call for abolishing student deferments), as many as twenty-five percent of American college students might refuse to serve. (James Reston, N.Y. Times, May 5, 1967.) It should be an important lesson to persons who up to now have been advocating "fundamental draft reform" that two of the "fundamental reforms" which many groups agreed were necessary, broadening of the provision for conscientious objection and the abolition of student deferments, are not included in the Kennedy-Javits proposal for "draft reform." Regrettably, many persons will still support these measures as "the best we can get." Hopefully, many others will come to the decision that the real fight is for repeal of the draft, not reform.

Senator Kennedy's bill (S 1145) does not call for repeal of the draft now. Moreover, he devotes only seven lines to a section calling for a "Volunteer Army Study," while he devotes a total of eighty-two lines to sections calling for studies of the "National Service Corp" idea, which would expand conscription to include non-military work and a

proposal to establish "Military Youth Opportunity Schools" to provide special educational and physical training to men who otherwise would not qualify for military service. Kennedy and Javits both appear to accept the proposition that continued conscription and increased militarization of the society are part of the solution to the problems of the poor, rather than at the heart of the problems. Daniel Moynihan, Assistant Secretary of Labor for Policy Planning and Research under Presidents Kennedy and Johnson, summarized this position in his article "Who Gets in the Army?," New Republic, November 5, 1966.

"Civil rights as an issue is fading. The poverty program is heading for dismemberment and decline. Expectations of what can be done in America are receding. Very possibly our best hope is seriously to use the armed forces as a socializing experience for the poor - particularly the Southern poor - until somehow their environment begins turning out equal citizens."

The meaning of these bills for the present and their implications for the future make it difficult to understand how anyone can consider the bills as "significant reform."

Senator Hatfield's arguments against the draft system were far more cogent and compelling than his view that the bill he is co-sponsoring will eliminate the injustices or dangers of the draft. The bill calls for a partial suspension of the operation of the draft, while continuing indefinitely the requirement of registration at eighteen years of age, and by implication, the present system of classifications. Re-activating the induction powers of the draft would require a declaration of war or recognition of a state of national emergency by the Congress; this is, obviously, the bill's strongest selling point. Yet by keeping registration, the bill would by no means abolish the draft. The whole instrumentality would be ready and waiting. And, in light of this fact, the requirement of Congressional decision to reactivate the induction procedure gives little sense of security when it is recalled how, with the draft operative, but before the calls were high, President Johnson easily obtained Congress' backing for his Vietnam policy after the highly manipulated, if not manufactured Gulf of Tonkin incident. When, having been elected as a peace President, Johnson received the Tonkin resolution as a carte blanche, the manpower needs zoomed upwards and so did the draft calls. Moreover, compulsory registration and classification, under threat of imprisonment, are just as fundamental to the draft and to its injustice as the actual operation of induction machinery. The whole system of regimentation and channelling remains; if registration and classification remain even though the induction of men may be temporarily suspended. Indeed it may be argued that now to keep this basis and suspend the machinery until another "emergency" occurs would actually be to accept the military draft as fundamental and permanent in our government system.

Senator Hatfield expressed the view that the bill he has proposed is "the best that can be expected to pass Congress." Even if this were true, and I think it is not, there is not enough positive good in the bill, at least in its present form, to make it worth supporting. Contrary to the Senator's view of the inadvisability of calling for abolition of the draft now, it seems more likely that this two year period

offers our nation its best, and perhaps last, chance to eliminate conscription. Public awareness and opposition on the draft, encouraged by President Nixon's campaign pledge to abolish the draft at the end of the Vietnam war, are higher than any time since a peacetime draft was first instituted two decades ago. The tragedy of our nation's involvement in the present unpopular, immoral and unnecessary war, involvement facilitated by the existence of the draft, is fresh in the minds of millions of Americans. At present there is still a lively consciousness among many Americans regarding the difference between voluntary and compulsory services, and there is clear preference for voluntary service, at least in the case of youth. But if trends toward centralization and bureaucratisation continue and there are two more years of high-powered propaganda for such double-think concepts as "universal-voluntary service," this important and positive preference of Americans for voluntarism may disappear. There is a growing concern at all levels of the society about the domination of the military; a political struggle against the military draft is certainly one area where this concern can be expressed. It is sad that precisely at a time when political courage in calling for an end to the draft is most needed and potentially most relevant, the bills being introduced in Congress are so weak.

Senator Hatfield's bill could be made stronger, and to the extent that it is, it will predictably gain support. Sadly, many so called "political realists" will support the bill in its present form, reflecting the tendency among liberal Americans always to see the choices more in terms of what is, rather than in terms of what is possible. If this bill were strengthened to become in fact a bill to repeal the draft, or if a new bill to repeal the draft were introduced, it would gain the support of millions of young Americans who, while they are beginning to recognize the need for changes which go beyond liberal reform, also recognize that certain "reforms," like abolition of the draft, actually do go beyond reform.

A bill to end the draft would need to have a provision for ending the requirement of registration and abolishing the draft classification system. This would make it clear that the intention of the bill is to abolish the draft, not simply suspend the power to induct, thus to blur the actual retention of the Selective Service System. In its present form, Senator Hatfield's bill calls for the termination of induction procedure six months after the bill's adoption by Congress. A reasonable and positive addition to the bill would be a provision terminating the requirement of registration one year from the bill's passage. Indeed, the addition of such a provision would convert it from a bill that masks a continuing and more insidious draft system into a bill that would actually end conscription.

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Ron Young is National Director of Youth Work for the Fellowship of Reconciliation. This article is reprinted as an educational service by the National Council to Repeal the Draft with permission from the Fellowship of Reconciliation.

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Many opponents of the draft have focused opposition on the gross inequity of the present system of draft classification. It is at this point that those who are for "improving" the draft - doing away with the "inequities" - argue for a fair-and-random-choice or lottery system. It is indeed true that such a changed system, which allowed no student or occupational deferments, a reform neither Kennedy nor Javits advocates, would do away with much obvious prejudice against the poor and against lower middle class youth who cannot get into a college full time and cannot get jobs which qualify for occupational deferments.

But such a random-choice system would by no means do away with the real inequities of the draft. Rather it would make those inequities all the more absolute by smoothing over the surface of the things: by making the draft look democratic it would all the more obscure the fundamental undemocratic nature of military conscription and of all conscription. Such a new veneering would probably permanently hide the fact that any draft is basically class discrimination against all youth and directly against male youth. (As Bill John says: "It's always the old who send us to the wars, and it's always the young who die.") In addition, and this is directly to the point of the democracy by lottery proponents, it could not possibly do away with the inherent discrimination of a military system against those who do not have the class background and intellectual training to be officers and to do important work absent from the combat zone. The military system--like the public school system--is based on the discrimination of "tracking" and grading; but the difference is that the military system could not exist without it, while a public school system could.

Most important of all, any conscription system--whether it is manifestly "military" or not (e.g., it could be a "national service" and/or a national work corps system operative in "peacetime")--is deeply discriminatory against every human being in the society. It is based on the assumption that the citizen belongs to the state, rather than the converse. It is of course this assumption that totalitarian states themselves are based on. And a democracy holds that the government belongs to the people. When in a democracy this assumption of forced service owed to the state is accepted, the result is a totalitarianism more deadly than any other kind, for the citizens of such a state believe they are in a democracy and they call their totalitarianism "freedom."

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Suggested Reading:

- The Draft: A Report prepared for the Peace Education Division of the American Friends Service Committee. \$1.25
Bitter Greetings - The Scandal of the Military Draft by Jean Carper. \$1.00