

Testimony Submitted for the
Subcommittee on Administrative Practice and Procedure
of the Committee on the Judiciary
of the United States Senate

STATEMENT BY THOMAS C. REEVES, NATIONAL DIRECTOR
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As National Director of the National Council To Repeal the Draft, I welcome the opportunity to submit a statement on the problems and injustices of the Selective Service Act and possible alternatives to it under study by this Subcommittee.

The National Council To Repeal the Draft was created early in 1969 to unite the efforts of the many groups and individuals working to end the draft. By November of 1969 people from more than forty national organizations were members of the National Council. Active support has come from groups ranging from the Ford Local 600 of the United Automobile Workers of America and other labor unions to church groups (e.g., House of Bishops of the Episcopal Church), political groups (Americans for Democratic Action, Council for a Volunteer Military, Resist), student organizations (e.g., National Student Association) and others (among them, Southern Christian Leadership Conference). Outstanding Americans including Mrs. Martin Luther King, Jr., Bishop John Wesley Lord, labor leader Emil Mazey, actor Tony Randall, Rear Admiral Arnold E. True, and Harvard Professor George Wald sponsor the Council and are working actively for draft repeal.

We have received an amazing degree of support as we have begun the campaign, with local and regional groups springing up throughout the country. On one day this past

Thomas C. Reeves
National Council To Repeal the Draft
Testimony - Subcommittee on Administrative Practice
and Procedure
Page 2

summer in Cleveland Heights, Ohio, members of a local organization, Women Speak Out, gathered more than 7,200 signatures for draft repeal in two shopping centers. During the recent debate in the House of Representatives, in which N.C.R.D. supported an open debate on the whole Selective Service Act, we received confirmation of over 5,000 telegrams from 40 states sent in two days favoring repeal, many of them from academic, religious and political leaders.

It is the position of the National Council To Repeal the Draft that any changes in the administration of conscription should consider the possibility of an early transition to a voluntary military. Since we view the basic principles underlying the draft as themselves unjust, we feel it is difficult, if not impossible, to abolish the injustices in the draft system without establishing new ones. Congresswoman Shirley Chisholm spoke clearly to this point at a press conference on October 29, 1969, sponsored by the National Council To Repeal the Draft. Calling the President's proposal for a lottery with nineteen-year-olds first a "negative reform" aimed primarily at satisfying college students, Mrs. Chisholm said, "Conscription, no matter which system utilizes it, will be inherently unequal." Any changes which are made should be carefully studied to see that the correction of one abuse does not increase problems in other areas.

Of the many points which deserve attention, I will mention three here which seem to me to have received insufficient attention in earlier testimony before this Subcommittee:

Problems of a lottery procedure taking nineteen-year-olds first:

Ways of offsetting the costs of a voluntary military, and

The ability of a voluntary system to cope with sudden military crises.

The National Council To Repeal the Draft believes that the lottery will do practically nothing to improve the Selective Service System. Although put forward as a major change, it does little more than "exchange one lottery for another," as Congressman Mendel Rivers put it. If the lottery is instituted together with a policy of taking nineteen-year-olds first, but without other changes, it may bring about increased problems for some. High school pupils not planning on college, that is, our working youth including many blacks, will not find the new arrangement particularly helpful. The Bureau of the Census shows that the typical age of high school graduation is now 17, and that for technical high school students, this age is even more typical for graduation. Employers will be extremely reluctant to hire 17- and 18-year-olds, especially for on-the-job training positions, and non-college youth will face a difficult period of two or more years until their induction number has been assigned.

Without an end to student deferments, the most glaring errors of the system will continue, and the new reforms will seem to be aimed again at pacifying the children of the middle class. Surprisingly, students have not come out in favor of the lottery. Many view the President's announcement that he will inform students in advance of their position in lottery pools after college as an attempt to meddle in politics on campus and to isolate dissent by removing the pressure from those whose numbers indicate little likelihood of later induction. Dan Siegel, student body president of the University of California at Berkeley,

Thomas C. Reeves
National Council To Repeal the Draft
Testimony - Subcommittee on Administrative Practice
and Procedure
Page 4

said at an N.C.R.D. press conference, "Nixon cannot buy off anti-war students by making token draft reforms." Jessica Josephson, student body president at Skidmore College, called the lottery a "war game" which young men would be forced to play. David Hawk, co-chairman of the student Vietnam Moratorium Committee, said, "It is insufficient and unsuitable to choose men to kill and die by gambling with their fate."

For further indication of a growing feeling that the lottery proposal, if introduced alone, would be "negative reform," I refer you to the testimony before this Subcommittee of Mr. Marion Barry of PRIDE, Inc. Mr. Charles Palmer of the National Student Association, and Congressman John J. Conyers, Jr., of Michigan, and to recent testimony before the House Armed Services Special Subcommittee on the Draft by the Friends Committee on National Legislation.

In discussing the voluntary system as an alternative to conscription, I would like to point out that the Executive has the power, under existing laws, to procure military manpower totally by this means, even without repeal of the draft, if sufficient appropriations were made available for this purpose. Such a voluntary system is, therefore, appropriate for a discussion of administrative practice and procedure.

Many of the previous statements and speakers have questioned the feasibility of a voluntary army. Senator Kennedy has asserted that a very large expenditure would be necessary to maintain a voluntary force. The most recent estimate of these costs is that of Professor Walter Y. Oi, University of Rochester, in his article, "The Costs and Implications of an All-Volunteer

Force," published in *The Draft*, edited by Sol Tax, University of Chicago Press, 1967. Dr. Oi's statistics are based on work done as a consultant for the Department of Defense, and he is now revising them in research for President Nixon's Commission on an All-Voluntary Military (the Gates Commission). He estimated that, after a savings from an eleven per cent reduction in the total number of men needed to staff a mixed force of 2.65 million men, such a force would need a \$4 billion per annum payroll boost. The higher figures, cited by Mr. Kennedy, are those given before taking into consideration the savings in turnover. Even this cost is misleading. A great reduction in cost will come from the reduced training needs in a voluntary military. The inefficiency of training short term inductees becomes greater each year as increased sophistication of military technology requires longer and more complex training for all soldiers. Finally, the National Council To Repeal the Draft is undertaking a study to determine the savings in veterans' benefits in voluntary force. Since the turnover among draftees is more than 90% presently, and the turnover among volunteers -- including the reluctant volunteers who are escaping the draft -- is just over 30%, a voluntary military with a much reduced turnover will obviously bring a great yearly savings in the spiraling veterans' benefits. Such a savings could make unnecessary plans to curtail increases in benefits to individual veterans.

A second misgiving in connection with the voluntary military is that it would not provide the flexibility needed in case of sudden attack. The report of the Marshall Commission (National Advisory Commission on Selective Service), In Pursuit of Equity: Who Serves When Not All Serve?, Government Printing Office, 1967) indicated

Thomas C. Reeves
National Council To Repeal the Draft
Testimony - Subcommittee on Administrative Practice
and Procedure
Page 6

that fear of such an attack was an uncontested reason for maintaining the draft. There is now ample evidence from military and foreign policy experts to indicate that attacks and invasions on the scale and of the type of World War II, which need a sudden manpower increase, have ceased to be a realistic threat. For a thorough study of this problem from the point of view of a political scientist, see Raymond Aron, Peace and War (New York City, 1967), Part Two. Major General Leroy R. Anderson, commander of the 81st Tank Battalion in Europe under General Patton during World War II, Member of Congress from Montana, 1957-1961, former Member of the House Armed Services Committee, presently Member of the State Senate of Montana, and a sponsor of the National Council To Repeal the Draft, has made the following statement on this point especially for this testimony:

"The military power of the United States is sufficient to make extremely unlikely a sudden or direct invasion. It is almost inconceivable that massive land warfare with a requirement for millions of soldiers will ever again develop considering the changing nature of warfare. Nuclear weapons and technological and other developments create entirely new military situations ranging from nuclear attack to guerrilla and counter-guerrilla warfare. Even in the latter case, a sudden escalation in manpower is not called for. The kind of flexibility which allowed the Executive to steadily increase military commitment over a long period of time by using the draft is precisely that which should be avoided in the future. If American involvement in such a conflict is desirable, the Congress can and should deliberate and decide whether it merits a declaration of war or a military draft. However, should the need arise to face a traditional land force

threat, the Congress could provide for the availability of additional manpower as quickly as materiel and training could be provided. Delays in creating a large land army are not due to difficulties in obtaining men, but to problems of training and supply procurement. The Reserves have provided in the past for crises, such as those in The Lebanon, Berlin, The Congo, and Suez, without a corresponding increase in the rate of conscription. If proper incentives are given, they will do so in the future."

The primary factors maintaining the draft, then, are habit since World War II, some outworn myths about military needs and dangers, and a misunderstanding of the hidden costs of the draft and the probable costs of a volunteer army.

One problem remains -- the fear that a volunteer army will be a "professional" one, and thus a greater threat to our democracy. This overlooks the presence now of a professional group of military and civilian officials whose entire lives are taken up with military matters, and whose decisions on defense contracts and other vital matters are already dangerously insulated from effective public control. The military of a great nation always carries with it a potential danger however the manpower may be raised. Edward Luttwak indicates in his thorough study, Coup D'Etat: A Practical Handbook (London, 1968), that military takeovers, especially recent ones, have come mostly from draft-based armies. Kenneth Boulding has written of the intimate connection between the draft and the aggressive warfare state ("The Impact of the Draft on the Legitimacy of the National State," in The Draft, Sol Tax, ed.). Every aggressive or imperialist state in this century has turned to the draft as the only possible way of obtaining sufficient manpower. Far from

"democratizing" the military, the draft -- as a form of slavery itself -- sets a precedent for blind obedience to arbitrary authority. By involving thousands more men per year than would be needed under a voluntary system, the draft in fact may be used to militarize or at least neutralize a large segment of the population which might otherwise be critical of the military. Despite the rising number of soldiers reacting to the military with protest and anger, the typical response of young men and their families is to feel an involvement and hence an interest in military policy. Those involved are very unlikely to look favorably upon dissent against policies for which they have been used. Greater popular control of our military should be a pressing concern, whatever administration and recruitment of manpower is chosen, but it is not a logical reason for maintaining an unjust system.

It is important for those men who will be conscripted in the coming months under the present system that major changes be made to remedy at least partially some of its evils. It is equally important that those changes be made with the greatest care not to create new problems. Changes which merely streamline and make the draft more palatable, but no less unjust, are not desirable, because they tend to make less likely an end to the draft as a whole. With between 10,000 and 16,000 of our best men already living in exile because of it, and with more than 80% of those under thirty considering it totally wrong, our most important aim should be to abolish the draft. The President of the United States can in fact suspend it under present laws, but it is the Congress where decisions about the draft should be made, since it is the Congress which has the Constitutional responsibility for raising armies and waging wars.

Thomas C. Reeves
National Council To Repeal the Draft
Testimony - Subcommittee on Administrative Practice
and Procedure
Page 9

General Leroy Anderson, in his statement prepared for this Subcommittee, summarizes all of these points:

"The draft is unnecessary, unjust, expensive in money and moral values. It is an un-American as the old British custom of shanghaiing or impressing seamen by force. Let Congress determine the size of the military and then provide the funds to staff it with those who willingly choose the military profession. Whatever the required strength, the personnel can be recruited if the pay and other incentives are competitive with other occupations and proportional to demands of service. This will be more economical in the long run than our present antiquated system of conscription.

"Tremendous savings and vastly improved efficiency will result. We must move in this time of increasingly sophisticated weapons from a system of draftees much of whose term is spent in training to a military that is career-oriented. Certainly a better standard of performance will be achieved by a much smaller number of properly paid professional military personnel supported by civilian employees where feasible.

"In simple justice every young man should make his own choice. A few should not be chosen by lot or any other arbitrary manner to make a sacrifice for the security of us all. Justice demands that we should all pay for that security and not exact payment by draftees of an obligation which all of us share. At present, the cost of our national security is obtained by the sacrifice of some of our young men while business and capital grow fat and sleek on the profits of military spending. The draft is a terrible injustice, not simply a poorly conceived system in need of repair. Let us end it and restore the voluntary spirit to the military."