

Conscription—No

Robert K. Fullinwider

In his brief for restoring military conscription, Bill Galston attributes to the All-Volunteer Force two significant civic costs. The all-volunteer policy of raising military forces permits the flourishing of citizenship-without-responsibility, he claims, and “has contributed to a widening gap between the orientation and experience of military personnel and that of the citizenry as a whole.”

As to the second cost, Galston misidentifies its cause. An “experience gap” is a function of numbers. If a large proportion of Americans serves under arms decade after decade, eventually a large percentage of the civilian population will have military experience. If a very small number serves, an “experience gap” will become a prominent feature of the civilian world. It doesn’t matter what mechanism—conscription or volunteering—generates the big or small numbers. Currently, the military takes in 250,000 recruits a year. Given our total population of 290 million, this intake (and consequent outflow) is miniscule. Small force size is the cause of any present and future “experience gap.”

As to the first cost, why does Galston impute it to the all-volunteer policy of military recruitment? There are any number of historical and structural features of American life that might lead some young Americans to believe citizenship is duty-free or too casually to endorse military action. However, suppose the existence of the AVF does contribute to these outcomes. Despite this unfortunate side-effect, the soundness of the all-volunteer policy is determined by its effectiveness in producing a first-class military force, and Galston concedes that on this score the all-volunteer policy has been an “impressive” success.

Nevertheless, he wants, while preserving “the gains [in military effectiveness] over the past thirty years,” to tamper with the all-volunteer policy by “enlist[ing] the military more effectively in the cause of civic renewal.” He would reinstate conscription and make it universal for eighteen-year-olds, although he leaves vague the operational details of the new policy of forced service and the effects it would have on the uniformed services. These details and effects matter a lot, as I will show below.

Philosophical Foundations

Galston also provides a philosophical defense of the government’s resorting to coerced service. Against Richard Posner’s paean to the libertarian state, Galston quotes John Stuart Mill:

Everyone who receives the protection of society owes a return for the benefit, and the fact of living in society renders it indispensable that each should be bound to observe a certain line of conduct toward the rest. This conduct consists, first in not injuring the interests of one another . . . and, secondly, in each person’s bearing his share . . . of the labors and sacrifices incurred for defending the society or its members from injury and molestation.

From these propositions, it is not hard to draw the same conclusion Galston draws: society may legitimately coerce military service *in the nation’s defense*. I agree that society may do so when such coercion is necessary. However, under current circumstances, our nation’s military defense is being met without coercion. Coercion would add nothing to it. In fact, the universal service scheme Galston proposes reaches far beyond the simple propositions Mill adduces on behalf of conscription to defend “society or its members from injury

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and molestation.” Galston needs premises that support *conscription to promote a social experiment*. Why? Because almost all of those conscripted under his plan will end up working in some inner city homeless shelter or tutoring first-graders how to read or engaging in some similar task that by no stretch of the imagination can be called “defense of the nation.” In being forced to undertake these “duties,” young people will learn, Galston hopes, that citizenship is not free and that rights bring responsibilities. Moreover, they will experience a kind of “civic socialization,” the rich and privileged sons and daughters of America no longer “hermetically sealed from the rest of society” but laboring alongside the

lower classes. For a brief time in forced service, upper, middle, and lower class kids will experience intensely a kind of equality they will not know most of their lives. However, that this forced service will actually civically profit those who bear it or successfully teach the right lessons in responsibility is highly speculative. This is why I said Galston needs a philosophical defense not of conscription to defend the nation but of conscription to promote a social experiment.

Practical Difficulties

Galston limns military service as one of the few experiences that can yield the civic socializing he wants, but a close reading of his essay shows that military service is *not* what his coerced servers will be experiencing. He proposes, ideally, a universal draft of eighteen-year-olds. The draftees can choose between military or civilian service. However, if all military slots are already filled, he notes parenthetically, then civilian service will be the only option available to new conscripts.

Now, since the military services have met their accession needs over the last two decades through volunteers, a coercive universal service scheme piggy-backed onto the present system would seem to yield no increase in military experience and, thus, no increase in egalitarian shoulder-rubbing. Of course, no coercive scheme can actually be piggy-backed onto the present system without *altering* it, and that is why Galston needs to put some operational details of his draft on the table and discuss their effects.

If we are to have the draft Galston envisages, here are some basic changes we might expect. First, we have to reconstitute the central bureaucracy of the Selective Service System and reestablish the roughly 4,000 local draft boards around the country. Second, we have to be prepared to put people in jail. For good reasons and silly ones, plenty of conscripts will resist. Their resistance cannot be allowed to succeed if the whole coercive scheme is not to be undermined. Third, we have to be prepared for gender inequities. Suppose there *were* some slots in the military the new draftees could take. Those slots could be filled only on an 8 to 1 ratio, men to women. This ratio represents the current gender configuration of the military and no one in the services or Congress wants to change it. Under Galston's draft, some women will complain that they are disproportionately and unfairly excluded from their preferred choice, military service.

Fourth, we have to be prepared to put in place a set of exemptions and deferments. Galston insists that only the unfit (physically and mentally) will be exempted from service under his plan but this is surely not feasible (and further, this exempted group itself will turn out to be very large if *military* standards are

imposed; the single largest group of young men of draft-age who did not serve in the Vietnam War era were those who failed their preinduction physicals). For example, a new high school graduate may be an unmarried mother of a small child or the financial mainstay of a household with ill or disabled parents or a crucial income-earner in a family already below the poverty line. There can be no politically feasible conscription that does not exempt on the basis of hardship (and it is worth recalling that ten times as many young men received hardship exemptions from the Vietnam draft as received student deferments). There will be clamor for other exemptions, as well. For example, young Mormons go on extended tours of foreign missionary work after high school; Congress will undoubtedly be asked by the Mormon Church to exempt these young people from Galston's draft or at least defer their service. Other groups will make their claims, as well.

More important from the military's point of view will be way in which a draft will threaten enlistment standards. Galston asserts that the AVF policy has had a profound effect on the educational composition of the services and he is right, but not in the way he suggests. The eighteen-year-olds recruited into today's

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military are far better educated than their civilian counterparts. This is because the military can be selective. It can turn away not only unqualified but *minimally* qualified applicants and accept only those who meet a much higher standard. Newspaper stories periodically observe that the AVF has to work hard to meet its recruiting goals. What the stories don't mention is that the services have to work hard because they set their standards so high. They recruit, with few exceptions, only high school graduates, and among those the services look for kids who score above average on the Armed Forces Qualifying Test (more than two-thirds of enlistees do). The services would have far less trouble recruiting if they lowered standards—especially if they lowered them to the level prevailing in the conscription years Galston looks back on fondly. And lower its standards the military might have to do if Galston's conscription plan goes into effect. If the new conscripts are to be given a choice of service, military or civilian, it will be politically difficult to deny the military option to those who are *minimally* (though not exceptionally) qualified to serve.

The Real Message of Coerced Service

As part of his philosophical defense of coerced service, Galston notes the expressive dimension of the law. The law not only tells us what to do, it sends messages as well. What message will Galston's draft send?

It won't be the message World War II conscription sent. In World War II, America was in a fight to the death against fascism in both its German and Japanese variants. Between 1941 and 1945, ten million men were drafted and twenty million served overall—this out of a national population of 140,000,000. The great majority of able-bodied men under thirty bore arms. Those who remained on the home front—men, women, and children—did their part. Women went into the factories; children collected scrap. Everyone submitted to rationing and regimentation. Consequently, the conscription law's expressive effect was unmistakably a message of social duty and needed sacrifice.

Galston's draft law is unlikely to send any such message because its rationale is so transparently didactic. His law will more likely come across as a meddling busybody, disdaining the life courses young adults might choose for themselves (with civic and service components incorporated in any number of legitimate ways) and insisting that all of them submit to the particular pattern the government thinks best for their civic souls.

Galston claims to eschew any policy like the Vietnam-era draft. This is a wise move, since that draft was thoroughly discredited by the time it ended in 1973. However, the basic flaw in that draft was not that it gave some college kids deferments or led to an active force skewed toward the lower middle classes. Indeed, the Vietnam-era draft had far fewer loopholes than the 1950s draft Galston admires. (For example, Galston notes that the conscription of the 1950s brought college graduates into the enlisted ranks, thus producing the social mixing he desires. However, he doesn't say how many of these graduates stayed in uniform and for how long. In the 1950s, a drafted college graduate could get right back out of the service by teaching in a public school, and some not insubstantial number did.)

What discredited the Vietnam-era draft more than anything else was its expressive content. Let me explain. By 1968, although America's active-duty military numbered 3.6 million, Selective Service was filling slots from a national population of 200 million, a population disproportionately bulging right at the youth end, as the leading edge of the baby boom was slamming its way through high school. Nearly 27 million men came of draft age during the Vietnam War but 16 million of them—more than half—never served at all. Of that number, four million were lottery escapees—men put in the lottery pool after 1969 but lucky enough to possess lottery numbers that excluded them from the annual draft calls. (Incidentally, these lottery

escapees amounted to eight times the number of college kids given student deferments.) Small draft calls from a large target population made conscription look not like a mechanism of universal service but like a booby-prize for the unlucky few. *That* was the expressive effect of the Vietnam-era draft.

If a draft is to teach a lesson in universal duty, it needs to approach universality itself, as it did in World War II and in the early stages of the Cold War. This is no doubt why Galston wants to conscript all eighteen-year-olds. However, he concedes that shanghaiing into service a sizeable portion of the four million kids who turn eighteen each year might take a considerable bite out of the public fisc and dampen voter enthusiasm for a fully universal conscription. "The best response" to this state of affairs, writes Galston, is limited conscription using a lottery—in other words, the best response is reinstating the very feature of the Vietnam-era draft that divided youth into the unlucky few and the lucky many.

Conscription Properly Bounded

Galston suggests that the country's current military engagements may require more manpower than current enlistments provide. If manpower shortages arise, the military will be loathe to return to a draft until other options fail. The impressive success of the AVF that Galston refers to arises out of three facts—first, that the men and women who make up the services' platoons, companies, and battalions want to be there; second, that they are well-educated, committed, disciplined, and trainable; and third, that they serve long enough to become highly proficient at their jobs. The American military is an expeditionary force, designed to fight overseas, using complex weaponry and sophisticated tactics. Even in the infantry, it needs soldiers who can master an array of technical tasks. Short-termers (which is what draftees would be) would barely learn their craft before finishing their active duty. Moreover, nothing undermines unit morale and cohesion like the presence of malcontents, troublemakers, and malingerers—and a draft will deliver up plenty of each. Under conscription, the Army cannot reward bad behavior with a discharge—otherwise coerced service wouldn't work. It has to keep bad eggs in the barracks or in the brig.

Even so, if the Army truly needs not 70,000 but 140,000 or 280,000 recruits a year and can't meet this need through voluntary enlistments, then the country may have to resort to a draft. It might be a draft short on the civic lessons desired by Galston but it would be one justified on the grounds set out by Mill.

Further, if the country decided that defense against domestic terror attacks requires the creation of a substantial new homeland "light" military force (e.g., soldiers trained to stand guard around every nuclear



*"Next to my two years in the Marines,
you're the best thing I've ever done."*

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power plant, chemical factory, airport, train station, power grid, hydroelectric dam, hospital, and government office in the country), then something approaching universal conscription might be appropriate. The point is, the question of conscription should be settled on grounds of national defense, not determined by hoped-for civic by-products.

Postscript: A Comment on Class

Galston laments the absence of the college-educated from the ranks. Privileged youth currently escape the burden of service, he says, and this is bad for America.

Others likewise see the AVF through the prism of "class." Unfortunately, much of the discussion of the military's class structure is built on an implicit class bias. For example, consider a recent policy report by Marc Magee and Steven J. Nider, "Citizen Soldiers and the War on Terror," for the Progressive Policy Institute. In their report, Magee and Nider praise legislation passed last year that will make available a "citizen soldier" option in which individuals can enlist for an 18-month tour of duty in one of the armed services and then serve a further period in the Individual Ready Reserves, the Peace Corps, or Americorps.

The new short-term option, Magee and Nider believe, "would appeal especially to college-educated

youths, who are now dramatically underrepresented in" the military.

The creation of a citizen soldier enlistment track marks the most important change in America's military recruitment policies since the draft was ended. The introduction of the all-volunteer force in 1974 ushered in an era of military recruitment that targeted people primarily interested in cash, job security, or technical training. The citizen soldier track adds a civic dimension to this economic model.

Instead of using a recruitment strategy "based exclusively on economic incentives," write Magee and Nider, the new track will allow "the nation's most fortunate sons and daughters" to act on their duty to contribute to America's defense.

Here we see the germs of a charge that has been thrown at the AVF since its beginnings—that it amounts to a "mercenary" force. (One recent example: John Gregory Dunne, essayist and novelist, gives voice in the May 29, 2003 issue of the *New York Review of Books* to the claim that the AVF is a "Hessian force of the unlettered and underprivileged.") Do we want people to do our fighting who enter service motivated exclusively by the prospect of financial gain? That's how mercenary armies are formed. Can we honor what Magee and Nider call our "civic ethic of equal sacrifice" by turning the job of defense over to mere hired hands?

This “mercenary” charge has been around since the AVF was created. What merit does it have? None. It is true that military pay was raised after the draft ended, because military recruiters had to begin competing in an open job market. Today, a private in the Army with less than two years service earns almost \$1,100 a month basic pay. Factor in the free food, housing, and medical care he receives by living on base, and this is not a bad income for a twenty year old with only a high school diploma. Moreover, the private may get an up-front cash bonus for enlisting and be eligible to receive quite substantial college tuition benefits at the end of his term. All in all, the military offers an attractive option for many youth. But this is not an option open to the truly “unlettered and underprivileged.” As we’ve already seen, the services set a high bar for admission. Those who fill the enlisted ranks of the AVF come principally from lower middle- and middle-class blue collar and white collar families. They are high school graduates with good grades, good entry-test scores, and capable of college work. Indeed, many of those who leave service after their initial term of enlistment go straight on for a baccalaureate using the tuition benefits they’ve earned.

A decent wage and prospects of future financial rewards: do these make a recruit a mercenary? Where is the evidence that no “civic dimension” weighs in the choices of current recruits? Where is the evidence that enlistees in the AVF are motivated “exclusively” by financial inducements rather than by a mix of patriotic feeling, desire for adventure, and a wish for an occupation both socially meaningful and personally challenging, all of this leavened by an attractive economic package to boot? Where is the evidence that members of the AVF are Hessians who would abandon their Army, Air Force, or Navy jobs to serve in the Canadian, Libyan, German, Venezuelan, or Chinese armies for higher wages and bonuses? There is none. Indeed, the “mercenary” charge is not an induction from empirical evidence, and never has been, but a deduction from unstated prejudices. The deduction moves from the fact that economic incentives offered by the military play a role in enlistments to the conclusion that enlistees are mercenaries. There’s a missing premise here. What is it? That people for whom economic incentives make a difference are mercenaries? This can hardly be the right premise, as the report by Magee and Nider so ironically illustrates. After initially characterizing the AVF policy as targeting people “primarily interested” in money and relying “exclusively on economic incentives,” they extol the new “citizen soldier” option that will, they hope, appeal to upper middle-class and college-educated youth. Part of that appeal, however, turns out to be *cash*—a \$5,000 cash bonus or an \$18,000 education grant to pay off tuition loans! Now, if upper-class youth aren’t turned

into mercenaries by accepting substantial bundles of cash, how are lower middle-class youth nevertheless compromised by the military’s financial compensation packages?

Consider this further fact. The military maintains a substantial officer corps, largely composed of graduates from the service academies or from college ROTC programs. These graduates are not individuals who’ve taken a vow of poverty. The cadets and midshipmen at the academies gain a free college education; many ROTC students receive substantial scholarships. A newly commissioned lieutenant begins with more than twice the basic pay of a private. While a Master Sergeant with fifteen years experience and a family of four takes home \$53,000 in RMC (regular military compensation, which includes basic pay, food and housing allowances, and tax advantages), a Lt. Colonel with fifteen years experience and a family of four takes home \$95,000. To the critics of the AVF like Magee and Nider, the Sergeant is part of a tainted volunteer system relying “exclusively” or “primarily” on economic incentives. Yet, except for rare moments in our history, the officer corps has always been all-volunteer. If the Sergeant is a mercenary, why then isn’t the Lt. Colonel a super-mercenary? The critics of the AVF never draw this conclusion. Why not? It begins to look like the missing premise in the “mercenary” argument is some piece of class snobbery: for lower-class kids the money is all that counts, while for upper-class kids the money merely eases the way for them to act on selfless motives of service and duty. What else explains the dual attitude Magee and Nider take toward the regular enlistee and the “citizen soldier,” the latter drawn (they hope) from “the ranks of the best educated and most well-off citizens,” while the former comes from an average American family?

Magee and Nider, like many critics of the AVF, focus on the enlisted ranks and then treat them as the whole military. For example, they claim that college-educated youth are dramatically underrepresented in the AVF. However, the college-educated are underrepresented only in the enlisted ranks, not in the officer corps. Nearly every commissioned officer is a college graduate. Magee and Nider lament the fact that only 6.5 percent of active duty enlistees have had some college experience, by contrast to 46 percent of the general population. However, when you add in the officer corps, the percentage of active duty military personnel *in total* with some college experience jumps to 21 percent. Indeed, 15 percent of the military have a bachelor’s degree or higher, a figure not terribly out of line with the civilian world, where 26 percent of individuals twenty-five or older possess at least a baccalaureate.

The low percentage of bachelor’s degrees in the enlisted ranks is a matter of concern only if we think the military will perform better by having college-

trained privates and corporals serving under high-school-educated sergeants. Even Galston's universal draft wouldn't supply the services with more college-educated privates, only more college-bound ones.

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Sources: Demographic data taken from Table 1, "Age and Sex: 2000," *United States: 2000: Summary Population and Housing Characteristics*, Part 1 (Washington, D.C.: U. S. Census Bureau, November 2002), p. 2; and "Educational Attainment in the United States," Report P20-536 (Washington, D. C.: U. S. Census Bureau, December 2000). Data about characteristics of

manpower in the services is drawn from the *Defense Almanac* <www.defenselink.mil/pub/almanac>. On the military recruitment standards and the qualities of current recruits, see Charles Abell, Principal Deputy Undersecretary of Defense for Manpower and Readiness, "Media Roundtable on Personnel and Readiness Issues," *Defense Link*, December 23, 2002 <www.defenselink.mil/news/Dec2002/t12232002caq.html>. For military pay, see "Military Compensation: Monthly Basic Pay Table – January 1, 2003" <<http://military-pay.dtic.mil/pay/bp/paytables/Jan2003.html>> and "Military Pay: Regular Military Compensation Calculator" <<http://militarypay.dtic.mil/militarypay/cgi-bin/rmc.pl>>. For details of the Vietnam-era draft, see Lawrence M. Baskir and William A. Strauss, *Chance and Circumstance: The Draft, the War, and the Vietnam Generation* (New York: Vintage Books, 1978), esp. pp. 20-22. The "citizen soldier" option is discussed by Marc Magee and Steven J. Nider, "Policy Report: Citizen Soldiers and the War on Terror" (Washington, D. C.: Progressive Policy Institute, December 2002). The remark by John Gregory Dunne is in "The Horror is Seductive," *New York Review of Books*, 50 (May 29, 2003), p. 23.

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Contributors: Benjamin R. Barber, Lloyd J. Dumas, Robert K. Fullinwider, William A. Galston, Paul W. Kahn, Judith Lichtenberg, David Luban; Verna V. Gehring, editor.

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