

As the “American experiment” enters into the twenty-first century, the country continues to face questions that have no comparison in the history of the world. When the United States began it was the first state to be founded on the idea of the people governing themselves. Many people, including Benjamin Franklin after the ratification of the Constitution of 1789, did not give the new country much of a chance of survival. Despite many trials and tribulations, however, the United States of America has succeeded in its experiment of government by consent of the masses and many countries throughout the twentieth century, and no doubt into the twenty-first century, have attempted to model their government after the example of America.

In spite of this flattery, the United States still has some unanswered questions about how to implement its democratic ideals. One of the most troublesome issues the United States has faced throughout its history is how to deal with the military, specifically military service from its citizenry. Many scholars have debated over about whether or not a democratic society can force its citizens to serve in the military. At crucial times in the country’s history the military was not strong enough to meet the crisis at hand. During those times the government resorted to a draft to fill the ranks of the military. Many times this was met with tremendous resistance.

However, as America enters into the new millennium it is faced with a shrinking number of volunteers to fill the needs of the military. Some observers have pointed to the draft to fill the vacant spots the military needs maintain the national security of the United States. Other people feel the need to scale back the military. This paper will

explore the role of the draft in American society and propose a possible solution for the military to fill its vacant positions.

To explore the role of the draft in American society, we must take a look at the history of the draft in the United States and the American people's reaction to the draft. During the colonial wars in the 18th Century some of the 13 North American colonies resorted to a draft to meet the quotas demanded by the British. However, the burden of this service fell to the lower classes because many of the well to do could hire substitutes to serve for them.¹ During the drafts for the American War for Independence and the War of 1812, the policy of the wealthy hiring freed slaves, indentured servants, and the lower classes to serve in the state, or colonial, militias continued.²

This policy of allowing the richest Americans the ability to buy their way out of military service continued in the American Civil War. After the draft was instituted in the North in 1863, the wealthy could hire a substitute to serve or pay a "commutation fee" of \$300. Of the 207,000 men who were drafted into the Union army, about 74,000 men hired substitutes while another 87,000 men paid the fee to avoid military service.³ This time, however, this policy of conscription met with violence. While the causes of the riots in New York City in 1863 were numerous, an observer can not discount the role the draft had in upsetting the citizenry of the Union.⁴

Partially because of the experiences of the draft during the Civil War, when conscription was again instituted during both World Wars, which are the country's largest efforts at military mobilization, the well to do were as able to defer military

¹ Millet, Allan R and Peter Maslowski, For the Common Defense: A Military History of the United States of America, (New York: The Free Press, 1994), 42.

² Weisberg, J., "A Slight Draft," New Republic, 11 March 1991, 14.

³ MacPherson, James, Battle Cry of Freedom, (New York: Ballantine Books, 1988), 603-608.

service. Henry Ford's successful campaign to get a deferment for his son Edsel was the exception instead of the rule.⁵ Because the draft during this time was based on citizenship rather than economic status, the problems associated conscription during the Civil War were largely avoided.⁶

Despite the lessons learned from previous drafts, the United States allowed the upper-classes avoid the draft during the Vietnam War, the war that has had the most influence on the politics of the country in the latter half of the twentieth century. Through graduate school deferments and monetary influence, the children of the upper classes were able to avoid service in Vietnam. Bill Clinton, Dan Quayle, Richard Cheney, and many others spent the Vietnam years in school or in token military service. Like the riots in New York in 1863 were caused by many factors, including the draft, the protests surrounding the Vietnam war were numerous, but one of the leading factors of the protests was the unfair nature of the draft.⁷ Richard Nixon ended the draft and instituted an all-volunteer military in 1973.

In 1980 the draft was not reinstated, but in reaction to the Soviet invasion of Afghanistan, Jimmy Carter instituted the Selective Service system to be in place in case a draft was needed. All male citizens of the United States, under the Selective Service Act, between the ages of 18 ½ and 26 were required to register for the draft. The only deferment allowed was that of conscientious objectors. The law required all other men, regardless of class, color or creed, to register.⁸ Since July 2, 1980 all boys on their 18th

⁴ Chudacoff, Howard P. and Judith E. Smith, The Evolution of American Urban Society, (New Jersey: Prentice Hall, 1994), 72-3.

⁵ Weisberg, 15.

⁶ Janowitz, Morris, "American Democracy and Military Service," Society, Jan/Feb 1998, 41.

⁷ Patterson, James T. America in the Twentieth Century, (LOOK THIS UP!!!!)

⁸ "Selective Service System," United States Government Manual, 1997/1998, 660-663.

birthday have registered with selective service or have been subject to a substantial penalty.

While the history of the draft in American history has had mixed results, the debate over the draft continues. As the military is having an increasingly difficult time recruiting to meet its vacancies in the last decade of the century, the reliance on an all-volunteer armed forces becomes less viable. As the weaponry becomes more advanced, the skill and intelligence to operate these machines also increases. However, the citizens with the capability to handle these weapons are choosing to develop those skills in the booming civilian economy and military can not compete with the wages being offered by the private economy.

Some observers argue that the use of the Selective Service System to draft young adults into the military is the answer to meet the manpower demands.⁹ This proposal has been met with criticism from those who believe mandating military service is against the principles of democracy. Other critics against the reinstatement of the draft say that it would not create an effective military.¹⁰

First the argument against the reinstatement of the draft because it is against the principle of democracy is invalid. Even the “Founding Fathers” of the United States believed that rights needed to be given up for the good of the nation as a whole. Samuel Adams wrote in 1772 that all colonists had the right to life, liberty and property. However, he continued by writing, “Every natural right not expressly given up, or, from the nature of the social compact, necessarily ceded, remains.” Later in his letter to the Committee of Correspondence he defined the nature of the social compact. He wrote, “A

⁹ Weisberg, 16.

commonwealth or state is a body politic, or civil society of men, united together to promote their mutual safety and prosperity by means of their union.”¹¹ Adams believed that it was the duty of all citizens, regardless of status, of a society to provide for its protection.

However, a draft, even if done on an economically equal basis, would not be the best possible means to fill the ranks of the military because a soldier who is forced to serve is not as effective as the soldier who volunteers to serve is. One can only imagine the morale of a soldier who was chosen to serve in the military while his friends are getting a two or three year head start on the path to law school or Wall Street. At the same time, the draft would deny the lower classes one of the few opportunities they have to move higher on the economic scale. An observer could only imagine the violent protests against the draft as people who wanted to serve were kept out of the military and those who did not want to serve were drafted into the military.

On the opposite end of the military debate are those who wish to do away with the Selective Service System, and its \$26 million annual budget, completely. Bob Goldich, a defense specialist at the Congressional Research Service, stated, “The direct military rationale to maintain a robust standby of the Selective Service System is not really with us anymore.”¹² However, this view is not effective in maintaining a system that would allow the United States to mobilize within days of a majority vote in Congress to deploy a large number of soldiers in an emergency. Also, this argument against the Selective

¹⁰ Levins, Harry, “Despite a lack of recruits, the military would be ill-advised to revive the draft,” St. Louis Post-Dispatch, 30 October 1999, 21.

¹¹ Adams, Samuel, “The Rights of the Colonists: The Report of the Committee of Correspondence to the Boston Town Meeting, November 20, 1772,” Old south Leaflets No. 173, (Boston: Directors of the Old South Work, 1906), 417-428.

¹² Katz, Jeffery L., “Military Draft System May Just Fade Away,” Congressional Quarterly Weekly Report, 19 June 1993, 1579.

Service System does not attempt to answer the problems with recruitment the armed forces are currently experiencing.

In conclusion, the answer to the problem is to keep the all-volunteer armed forces. While the numbers of recruitment are decreasing, the quality of the soldier in the military is increasing. In 1997, 62.6 percent of recruits in all branches of the military scored as high quality on tests given to the new recruits. When compared to the 27.1 percent score of the new recruits in 1977, the soldier of the late 1990s is of higher quality.¹³ In addition the shortage of recruits could be easily dealt with by giving more incentive to stay in the military once their first contract is expired. Any sharp turn down in the economy would also bolster the amount of high school graduates considering the armed forces. However, to believe the Selective Service System is outdated is to underestimate the threats to the United States. The SSS is an effective deterrent to any nation that would threaten the United States because of the quickness at which the United States could mobilize.

However, there are still people who believe the draft is an undemocratic process. These people could not be more wrong. Without an effective defense of the country to the threats it is faced with in the world, the democracy of the United States of America would not exist. Whether that defense comes from an all-volunteer force or through a defense formed through an equal national draft, the United States of America must be defended.

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¹³ Levins.