

## HAMPSHIRE COLLEGE

### The Military Selective Service Act: An Unfair Bargain for Upward Mobility

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**To:** Senators John Kerry and Edward Kennedy

**From:** Raul Matta

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**Problem:** The United States currently operates using an “all-volunteer” military force. This force is comprised primarily of recruits from neighborhoods with incomes below \$47,837. Recruits from upper-middle and high-income neighborhoods are significantly underrepresented.<sup>1</sup> For the past fifty years, this “all volunteer” military force, has been “backed up” by the Military Selective Service Act (MSSA) and its corresponding registration requirements.<sup>2</sup> The MSSA requires that all males living in the US must register for selective service before their 26<sup>th</sup> birthday. It is not possible to register after the age of 26 and the penalties for not filing include up to 250,000 dollars in fines, 5 years in prison, or both. Additionally, young men may not receive federal or state financial aid until they have registered.<sup>3</sup> It is the coupling of financial aid eligibility with selective services registration that results in a form of economic coercion that specifically targets young men from lower socio-economic classes. While young men from wealthier circumstances may wait until they are 26, young men who are not able to attend college without financial aid must register earlier. Even with federal financial aid, many of these young men also find that they must “voluntarily” enlist in the military to be able to afford a college education. When a young man or woman enters into military service because they see no other option for obtaining a college degree, they have been economically conscripted.

This inequity is not congruent with the foundation of the MSSA - “Congress further declares that in a free society the obligations and privileges of serving in the armed forces and the reserve components thereof should be shared generally, *in accordance with a system of selection which is fair and just*, and which is consistent with the maintenance of an effective national economy.”<sup>4</sup> Accordingly, fulfilling the true Congressional intent expressed in the MSSA requires decoupling financial status with military registration and military service.

#### **Solution:**

##### *Mandatory Selective Service for all Young Persons Between the Ages of 18 - 24*

There are two ways to balance the current system of military service. The first is to separate financial aid eligibility from signing the MSSA and to dramatically increase federal spending on student financial aid. The second, and more effective method, is to require that all young men and women, regardless of their economic privilege, should engage in one or two years

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<sup>1</sup> Graph: “Army Recruits by Neighborhood Income, 2004 and 2007” -<http://www.nationalpriorities.org/graphmilitaryrecruiting2007>

<sup>2</sup> Pub. L. 50 U.S.C. App. 451 et seq.

<sup>3</sup> “Basic Draft and Registration Information” - A Publication from The Center for Conscience and War (NISBCO). Washington, DC

<sup>4</sup> Pub. L. 50 U.S.C. App. 451 et seq.

of mandatory military service. While many people shudder at the thought of nation-wide conscription, mandatory military service is already common in nearly many countries including Germany, Sweden, China, Denmark, Finland, Mexico, Israel, and Singapore, to name a just few.<sup>5</sup>

It is frequently argued that conscription undermines the military by flooding it with unwilling recruits. Lottery systems, such as those used during the Vietnam War, do little to remedy this. A better solution would be for the federal government to impose a requirement that no student can be enrolled in a two or four year college without completing a term of military service. This provides a vital element of personal choice, while at the same time equalizing the economic representation of those who serve. Additionally, it would provide the military with a strong base of high-grade recruits (currently only about 44% of armed forces recruits are considered “high-grade”).<sup>6</sup>

It is also argued that the military would not be able to adequately provide housing, equipment, salaries, and medical care for the more than one million young people who are college-bound every year. This can be addressed by offering selective service options that include serving with AmeriCorps, Peace Corps, the Department of Homeland Security, and the Federal Emergency Management Agency, in addition to the option of serving with the armed forces. While all recruits would receive stipends and significant college grants, those young people who opt for military service could perhaps be offered larger stipends and larger college grants. A mere 10% of one million young people would provide the military with 100,000 recruits who are college-bound and college-grade with commensurate intelligence and skills.<sup>7</sup> At the same time, those young people who want to go to college but do not want to bear arms in service for religious or ethical reasons, are afforded an option to serve their country *and* to afford a college education. Meanwhile, the entire country has the benefit of more than a million young people each year working to build its defenses *and* its infrastructure (teaching Head Start programs, building houses in New Orleans, providing meals in homeless shelters, etc.). This reframing of selective service as an opportunity to institute a national level of community engagement and service among young people has the potential to address multiple levels of this Nation’s social environment and to bring about many changes that range far beyond a term of national service. When people participate as a group, they feel an increased sense of community. They are more likely to see their involvement as relevant and to feel empowered to engage in societal change-making. In this way, national service can pave the way to a lifetime of civic engagement.

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<sup>5</sup> See “*Refusal to Bear Arms: A Worldwide Survey of Conscription and Conscientious Objection to Military Service*” by Bart Horeman & Marc Stolwijk - <http://www.wri-irg.org/co/rtba/index.html>

<sup>6</sup> See “Table Three: High Quality Army Recruits” - <http://www.nationalpriorities.org/table2militaryrecruiting2007>

<sup>7</sup> *Ibid.* The Department of Defense aims to have 90% of new recruits be high school graduates, however the proportion is now the lowest it’s been in 25 years. In 2006, the proportion of new recruits with a regular high school diploma dropped for every state and nationally, with the exception of North Dakota. In 2007, the percentage of tier 1 recruits dropped further.

**Sources:**

Center for Conscience and War (NISBCO). Basic draft Registration Information. Washington, DC: Center for Conscience and War, (Last Updated 2007)

The Central Committee for Conscientious Objectors (CCCO). What the Government Doesn't Want you to Know About Draft Registration. Philadelphia, Penn: CCCO, Last Updated 2005.

The Central Committee for Conscientious Objectors (CCCO). State Penalties for Non-Registrants. Philadelphia, Penn: CCCO, 2001.

The Military Selective service Act: As Amended Through July 9, 2003. Pub. L. 50 U.S.C. App. 451 et seq.

The National Priorities Project. "Army Recruits by Neighborhood Income, 2004 and 2007" – <http://www.nationalpriorities.org/graphmilitaryrecruiting2007>

As part of this research I have worked with students, teachers, and local activists to develop a better understanding of the pressures felt by low-income communities to comply with the agreement. Most recently I worked with Professor Falguni Sheth, Assistant Professor of Philosophy and Political Theory at Hampshire College, and Sara Littlecrow-Russell, Esq., former CPSC Alumni Fellow, to further discuss the presentation and language I used for this proposal.