

# AMERICA & THE DRAFT

**THE U.S. HAS GONE BACK AND FORTH BETWEEN A VOLUNTEER MILITARY AND CONSCRIPTION. COULD THE DRAFT BE BROUGHT BACK TODAY?**

by Monica Davey in Chicago

**A**merica may be fighting two wars, in Iraq and Afghanistan, but 17-year-old Theo Seman isn't too worried about the prospect of a return to the draft—even though he'll soon have to register for one, like all 18-year-old men, just in case it's brought back.

"As far as I can tell, the voluntary army seems to be working out," says Theo, a senior at the Francis W. Parker School in Chicago.

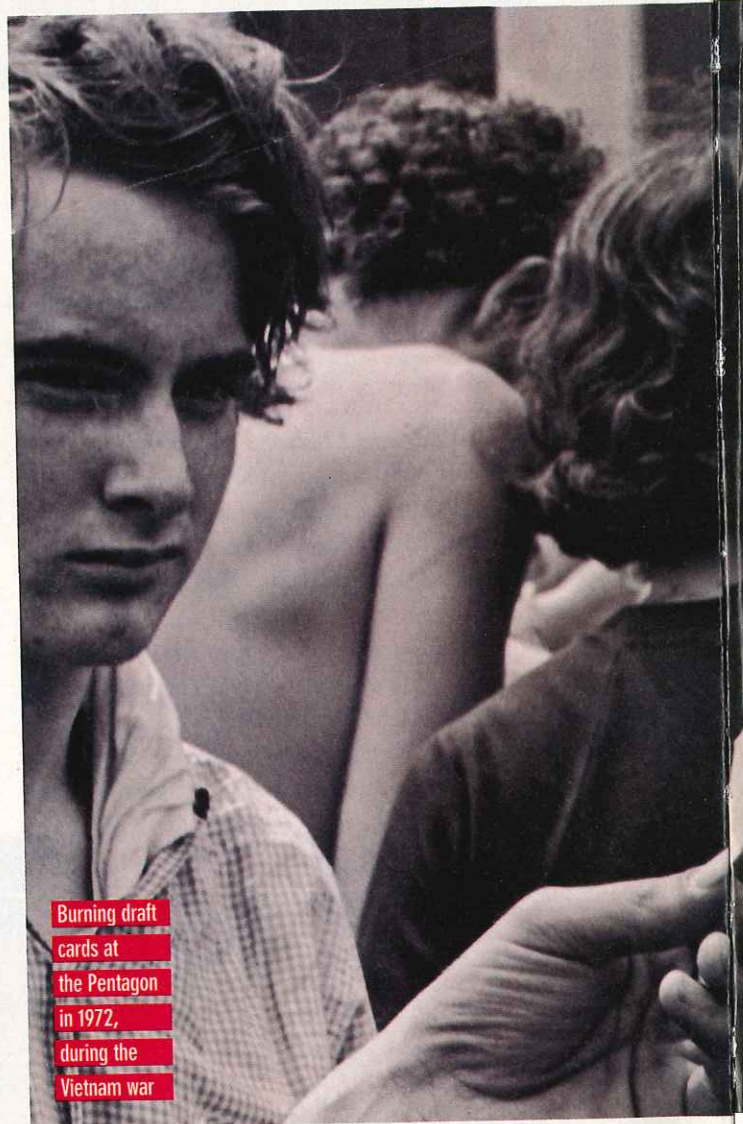
For teenagers like Theo, registering with the Selective Service, the federal agency that administers the draft, is not something they give much thought to when turning 18. But four decades ago, the military draft—and the Vietnam War in which 1.8 million conscripts were called to fight—consumed the nation.

On a May morning in 1969, across the city from Theo's high school, a group of protesters torched a Selective Service office, then stood outside watching the flames and singing "We Shall Overcome," until police arrived to arrest them. Similar protests—most peaceful, but some violent—took place in cities and on college campuses across the U.S. in the late 1960s and early 1970s, in many cases with young men burning their draft cards in defiance.

## CIVIL WAR RIOTS

In fact, the draft has proved controversial throughout America's history—even today, when some advocate its return to address what they see as the inequities of the volunteer military that the U.S. has relied on since Vietnam.

During the Revolutionary War (1775-83), some states drafted soldiers into their militias, and General George



Burning draft cards at the Pentagon in 1972, during the Vietnam war

Washington wanted the Continental Congress to give his fledgling national army the same power, rather than relying on volunteers to fight the British. But it refused—as did the U.S. Congress in dismissing similar calls from several Presidents in the early 1800s.

Interestingly, the Constitution is neutral on the subject: It grants Congress the "power to raise and support armies," but says nothing about service being voluntary or mandatory.

The first real national draft occurred during the Civil War, as both the Union and the Confederacy turned to conscrip-

# A 200-YEAR DEBATE



tion to fill the ranks of their exhausted, depleted armies. After President Lincoln called for a draft early in 1863, Congress passed legislation that made single men up to age 45, and married men up to 35, eligible for the draft lottery.

There were, however, two big loopholes that aroused popular anger: Those who could afford it could pay the government \$300 (equal to about \$5,200 today) or hire a substitute to avoid service.

Draft protests broke out in several cities in the North and turned deadly in New York, where more than 100 people

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## **NIXON ASKS DRAFT LOTTERY WITH 19-YEAR-OLDS FIRST; ORDERS DEFERMENT STUDY**

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were killed and thousands more were injured in several days of rioting across the city.

In May 1917, a month after the U.S. declared war on Germany and entered World War I, Congress passed the law creating the Selective Service. During America's involvement in World War I (1917-18) and World War II (1941-45), 13 million men were drafted, with relatively little opposition. Both wars were viewed as critical to the nation's interests, even its survival, and public service and personal sacrifice were seen as important to the war efforts.

The draft continued with little controversy through the Korean War (1950-53), and during the peaceful but tense Cold War years that followed. It was during the Vietnam War, and the general tumult of the 1960s, that the draft faced its greatest opposition.

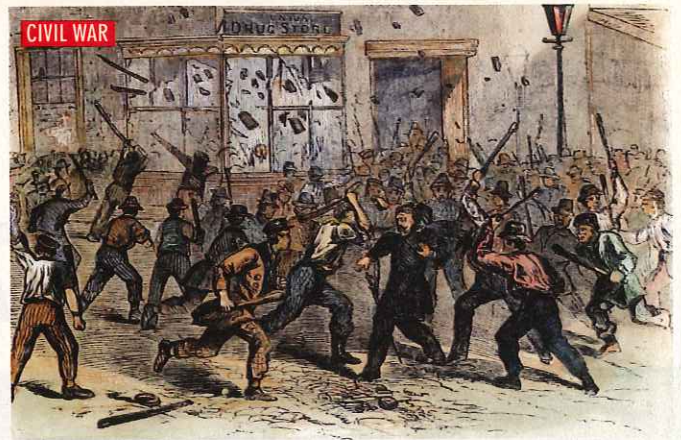
## DRAFT BOARDS & DEFERMENTS

In 1965, President Lyndon Johnson sent the first U.S. combat troops to aid South Vietnam in its fight against Communist North Vietnam. As the war dragged on and American casualties mounted, the public increasingly turned against the war, which ultimately claimed 58,000 American lives.

For much of the war, local draft boards across the nation determined who was most eligible for the draft, and who would be exempted or given a much lower chance of being called. Going to college, as an undergraduate or a grad student, greatly increased the chances of getting an exemption, as did marrying and having kids. Thousands also used connections to win deferments from their draft boards. Minorities and the poor, however, often found it harder to avoid being called up. By one estimate, 76 percent of the soldiers in Vietnam were from working-class or lower-income families.

"People were drafted because of the color of their skin, of their class," says Ernest E. Garcia, now the acting director of the Selective Service. Garcia joined the Marine Corps during the Vietnam War when he was 19 because he felt certain he would be drafted, and enlisting generally gave men a chance for better assignments.

Nearly 2 million men were drafted, with many sent to the jun-



### TIMELINE VOLUNTEERS AND DRAFTEES

#### REVOLUTIONARY WAR

After the 13 colonies go to war against Great Britain in 1775, the Continental Congress establishes a national army and appoints George Washington as commander. He asks for a draft to counter troop shortages and thousands of desertions, but the Congress refuses.

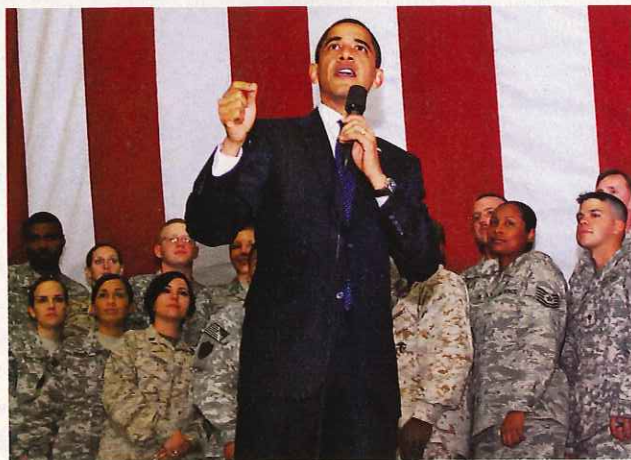
gles of Vietnam. (Millions of other volunteers, including a quarter million women, also served in the military during the war.)

As TV images of America's dead on the battlefield became a staple of the evening news, a draft widely perceived as unfair became a flashpoint. In cities across the nation, young people, religious and civil rights leaders, and thousands of others demonstrated against the war and the draft, and in some cases, tangled with police. About 100,000 men who were unable to avoid the draft fled the country, many to Canada, rather than report for duty.

While many people supported their actions, others were angered by "draft dodgers" refusing to do their civic duty.

David O'Brien, a 19-year-old from Massachusetts, was arrested for burning his draft card on the steps of a

South Boston courthouse in March 1966. At his trial, he told the jury that he had done so as an act of "symbolic speech," hoping that "other people would re-evaluate their positions with Selective Service, with the armed forces, and re-evaluate their place in the culture of today." The case went all the way



President Obama with U.S. troops in Baghdad in April

**VIETNAM WAR****AFGHANISTAN WAR****CIVIL WAR DRAFT RIOTS**

In March 1863, Congress approves a national draft for the Union Army. A provision allowing draftees to provide a substitute or pay \$300 to avoid service arouses widespread public anger, and protests occur in several cities. In New York, more than 100 people die and thousands are injured in four days of rioting.

**WORLD WARS I & II**

Congress creates the Selective Service System in 1917 and authorizes the first draft since the Civil War. Nearly 3 million men are conscripted to fight in World War I. During World War II, 10 million men are drafted and 6 million more volunteer for the five-year fight against Germany, Japan, and the other Axis powers.

**VIETNAM WAR**

In 1965, President Johnson sends combat troops to help South Vietnam fight North Vietnam. Draft-card burning becomes a symbol of declining public support for the war, and anti-war protests mount. Two million conscripts are called up, while 500,000 men illegally evaded the draft before President Nixon ends it in 1973.

**IRAQ & AFGHANISTAN**

An all-volunteer military is fighting two wars, with 130,000 U.S. troops in Iraq and 65,000 in Afghanistan. President Obama has pledged to withdraw most troops from Iraq by the summer of 2010. While there have been some calls for a return to the draft, it seems unlikely in the absence of a military emergency.

to the U.S. Supreme Court, which in 1968 upheld the federal law that made it a crime to burn or destroy a draft card. (O'Brien served two months in prison.)

At the end of 1969, facing intense criticism, the Selective Service re-instituted a draft lottery, in an effort to make the process more logical and equitable: 366 balls showing every possible birthday (including Feb. 29 in leap years) were pulled randomly from a drum to determine the order in which draftees would be eligible. There were, nevertheless, still charges that blacks, Hispanics, and those without money or connections were drafted at a disproportionate rate.

Finally, in 1973, as American troops were being withdrawn from Vietnam, President Richard Nixon put the draft on hold, and a volunteer army has been in place ever since.

Four years later, in a controversial decision, President Jimmy Carter pardoned all those who had avoided the draft illegally.

**IS A VOLUNTEER ARMY REALLY BETTER?**

Today, even with a volunteer military, most men ages 18 to 25 are required to register for the draft (at [www.sss.gov](http://www.sss.gov), or with forms often available when getting a drivers license or at other government agencies), and local draft boards still exist should the draft return. (Men who fail to register can be denied federal financial aid for college, refused federal employment later on, and face a fine of up to \$250,000 and imprisonment.) Some feel that women, who increasingly hold key roles in the military, should be required to register too.

Since the start of the wars in Afghanistan and Iraq in 2001

and 2003 respectively—and with thousands of troops dealing with multiple deployments because the military is stretched so thin—some have called for a return to the draft. Ironically, many of the arguments used against the draft during Vietnam are being used against the volunteer military today: that the armed forces still do not “represent America” because there are, they argue, disproportionate numbers of minority, rural, and blue-collar soldiers.

**A CONGRESSMAN'S CRUSADE**

Congressman Charles B. Rangel of New York, a Korean War veteran, has introduced legislation to reinstitute the draft several times in recent years, but has failed to garner much support in the House of Representatives. (In 2004, his bill failed 402-2.) He has said he will try to reintroduce the bill again this year.

“Those that have to go to fight should not be selected from those who volunteered because of economic circumstances,” Rangel said in 2003.

The politics of the draft, however, and the Pentagon's general belief that the quality of a volunteer force is higher than what a draft would produce, make it unlikely that the draft will return anytime soon.

“In truth, I have been surprised that the military has somehow, through two conflicts, been able to patch it together without a draft,” says Michael S. Foley, a historian who has written about Vietnam and conscription. “But I think the public is so much against the idea, and most in the Congress think it would be political suicide.”