

2008/2009

Lincoln Douglas Debate

Topic Analysis



Writers & Contributors

Adam Torson, Shan Stafford, Douglas Jeffers
Amanda Liverzani, Peter D Van Elswyk, Tim Case

Contributing Editors: Tim Case

Managing Editor: Mike Bietz

Publisher: Victor Jih



victorybriefs
www.victorybriefs.com publishing

TOPIC ANALYSIS BY ADAM TORSON	6
TOPIC ANALYSIS BY DOUGLAS JEFFERS	28
TOPIC ANALYSIS BY PETER D. VAN ELSWYK	38
TOPIC ANALYSIS BY AMANDA LIVERZANI	48
TOPIC ANALYSIS BY SHANE STAFFORD	58
AFFIRMATIVE EVIDENCE	64
Discrimination:	64
Conscription is Unequal – Discriminates against women	64
Conscripts don't necessarily lose biases and prejudices while in the military	64
Military conscription fails to foster equal relations in society	65
Military conscription would do little to change the racial divisions in the military	65
A volunteer army is best for racial minorities	66
Conscription is an Unequal Tax:	67
Those who are conscripted bear a greater portion of the military burden than those who are not	67
Military conscription places an implicit tax on the conscripted individual by denying him occupational preference	67
The implicit tax individuals' who are conscripted must bear manifests through their decreased level of satisfaction in the military	68
Conscripts disproportionately bear the burden of military service	68
Conscripts bear a greater financial burden than the non-conscripted	69
The draft is like an unequal tax on conscripts	69
Military conscription is a form of underpayment or taxation based on coercion	70
AVF Good – Quality is better than Quantity:	71
AVF produces better quality soldiers	71
Higher Quality Soldiers are generally better for survivability in combat and the desire to fight	71
Volunteer armies are of better quality than conscript armies	72
AVF = More Benefits/Less Costs:	73
Volunteer armies respect individuals freedom of choice	73
Volunteer armies reduce discrimination	73
Volunteer armies are better for the university education system	74
AVF – Solves Better:	75
AVF is the best protector of the peace	75
AVF has better survivability rates	75
An all volunteer military is superior to a conscripted military	76
The AVF in the U.S., instituted after the disaster of the Vietnam draft, has produced the most formidable military in history	76
The volunteer system has succeeded in filling the military ranks	77
Soldiers are consistently better educated than civilians contrary to stereotypes about volunteer armies attracting the poor and uneducated	77
AVF = All that is Necessary:	78
An All-Volunteer Army is Sufficient	78
Modern warfare has negated the need for military conscription resulting in its abolishment across the globe	78
A/T: Citizen Obligation to State:	79
Citizen duties in a society are owed to other members, not to the state	79
Conscription = Slavery:	80
Forced enlistment is tantamount to turning citizens into slaves	80

Conscription is a form of slavery and the ultimate commodification – depriving people of the ownership of their labor	80
The draft is a form of slavery	81
Conscription is Slavery	81
A/T – Civil Military Relations	82
The civil must always be supreme over the military	82
Autonomy is Key:	83
Autonomy and Human Agency are fundamental rights as they underlie all other rights	83
Conscription violates autonomy/liberty:	84
Conscription is incompatible with the governments duty to protect liberty	84
Autonomy is incompatible with coercion	84
Coercive acts undermine autonomy	85
Compulsory military service is a threat to freedom	85
Conscriptions Harms Productivity:	86
Conscription harms society by removing people from their productive functions in society	86
Conscription & Government Abuse of Power:	87
Conscription can lead to government manipulation and abuse	87
The acceptance of the principle that a man's life belongs to the state is precursor to manipulation	87
Conscription makes government the tool of tyranny	88
Conscription violates the basic concept of social contract – protection of your rights cannot force you give up your most basic one	88
Conscription = More Wars:	89
Countries that conscript are more likely to engage in wars – empirically proven	89
Draft leads to Militarism/Militarism Bad:	90
Citizen involvement in the state is used to co-opt activism and breed support for militarism	90
The military is an institution of organized violence	91
Pervasive Militarism erodes the civil functioning of society, causes more wars, entrenches masculine stereotypes	92
Militarism risks extinction and the undermining of human integrity	94
Militarism leads to the destruction of the environment	94
Militarism leads to authoritarianism	95
Militarism is at the root of violence against women	96
Militarism is the greatest threat to planetary survival	97
Conscription = Expensive/Social Costs:	99
Military Conscription Increases the Cost of Raising a Military	99
Military Conscription Would Increase Costs Across the Board	99
Those who claim the draft would save money are wrong – empirically proven	99
Conscription produces an inefficient military	100
Conscription creates economic dislocations	100
Military Conscription Incurs a Larger Opportunity Cost than a Benefit	100
Injuries would increase from an Inexperienced Conscripted Army and would be extremely costly	101
Conscription causes economic distortions that arise from avoidance of the draft	101
Military Conscription places the greatest cost on young draftees	101
Conscription would degrade effectiveness by overloading the services—diminishing marginal utility	102
Conscripted armies are inefficient – more men = more deaths = more costs	102
Conscription causes Social Division:	103
A Draft Would Divide Society	103
Many potential draftees oppose military conscription – protests would ensue	103
Conscription would harm soldier benefits:	104
Conscription would decrease soldiers' wages	104
Conscription undermines educational opportunities and wages	104
Conscription Undermines Democracy:	105

Military conscription undermines the basic principles of democracy	105
Military conscription infringes upon the freedom of individuals and violates democratic principles	105
Teaching conscripts obedience and discipline doesn't prepare them for democratic life	106
Military conscription is attractive to totalitarian states	106
The military is a total institution that differs greatly from liberal democracy	107
Military ideals violate many democratic values	107

NEGATIVE EVIDENCE **108**

Citizens have an Obligation to Serve the State:	108
Citizenship rests on a balance of rights and obligations	108
Every citizens has an obligations to the whole of society – no one has a moral right to avoid the state's coercive monopoly because of the state of nature	109
Obligatory military service is a citizen's political obligation	109
As the government fulfills its obligation of preserving the rights of its citizens, the citizens in turn must play their part in contributing to the security of the community.	110
Universal military service is the truest expression of equality as the state obligation to protect its citizens requires the aid of those citizens	110
Conscription is Consistent with Democracy:	112
Military conscription is at the heart of a democratic state.	112
Military conscription is democratic because it treats people equally.	112
The Founding Fathers believed that the willingness of citizens to accept the burden of military service was crucial to maintaining a democratic state.	113
Conscription Increases Civil Engagement/Govt Accountability:	114
Military conscription expands and intensifies national citizenship.	114
Military conscription fosters moral strength and order.	114
If everyone is involved in the military, then all citizens have an invested interest in political and international affairs.	115
Mandatory national service would lead to more citizen involvement in government increasing government accountability	115
A draft prevents militarism and imperialism and allows for civilian oversight of the military	116
Mobilization of the popular class into national politics transforms citizenship	117
Conscription is key to the growth of the community:	118
Military conscription is frequently justified by its capacity to construct community.	118
Social groups are brought together through military conscription.	118
Conscription fosters the political community – binding all citizens together.	119
Society benefits from conscription – it increase civic engagement and civic community	119
Volunteer Army is failing – the Military is Stretched Thin	120
There are practical limits to common recruitment techniques.	120
The standards of the all-volunteer force are decreasing and stress of volunteers increasing.	120
Reservists are increasingly being stretched thin, leaving holes in the workplace.	121
The quality of current troops is at risk.	121
The Army is consistently lowering its standards for enlistment.	122
High Quality Enlistees Have Dropped Significantly	123
Shorter Recruitment Periods Means Shorter Training Periods and a Less-Prepared Army	123
Conscription is Beneficial to Military Readiness/Strength	124
Military conscription is beneficial to society and the armed forces.	124
The draft is needed to maintain military superiority	124
The draft is key to increasing the number of soldiers who are prone to master foreign languages and for effective peacekeeping	125
The armed forces benefit from conscription.	125
Conscription Key to Strong Civil-Military Relations:	126
In the absence of military conscription a divide develops between the military and civilians.	126

The example of Norway demonstrates how military conscription can ground the military in the people.	127
Abolishing conscription in the United States resulted in a civilian-military gap regarding constitutional values.	128
The military is supposed to be the institution that protects democratic values, but within its own ranks such values aren't respected.	129
Without military conscription civilian society has lost touch with military culture.	130
The civil-military gap in post-draft American resulted from the end of compelled national service.	131
The gap in civil-military relations has resulted in the failure of the military to keep up with the moral principles of society.	132
The civil-military gap in a volunteer force can harm military readiness.	133
Conscription allows for more civilian oversight of the military – increasing CMR	133
Conscription would bring the army closer to the people – making it more representative of society	134
A lack of CMR would lead to more wars and conflict	134
Without civilian oversight, the entire structure of civil-military relations falls.	135
AT: Technological/Economic Concerns Limit the Effectiveness of Conscription	136
Economic and technical concerns do not exclude the option of conscription.	136
Conscription key to Build Individual Character:	137
Military service teaches individuals valuable character lessons.	137
Military conscription produces virtues in men that are cohesive to family life.	137
Conscription prevents military corruption/abuse/violence:	138
Military conscription democratizes military affairs.	138
Conscription grounds the military in the people reducing the potential of violence.	138
Conscription increases rights claims:	139
Military conscription has historically enabled people to gain rights from the state.	139
AT: AVF Alternative:	140
All volunteer armies place the burden of war disproportionately on minorities.	140
Non-conscript armies run the risk of acting on their own interests rather than the peoples.	140
The military has changed drastically from the constitutional ideal since the abolishment of the draft. The All Volunteer Army is at fault.	141
The AVF is more harmful to peace than a conscripted army	142
America's volunteer military cannot sufficiently fight a war and defend the homeland.	143
AT: The Draft Discriminates (The AVF is worse!)	144
Without military conscription the armed forces result to inequality in social ranks.	144
The political and ideological gaps between military and civilian societies are particularly pertinent in the cases of African-Americans and women serving.	144
The shift to a volunteer army has ultimately been worse for women's equality.	145
The "Don't Ask, Don't Tell" policy demonstrates the constitutional decay in civil-military relations since the start of the all-volunteer force.	146
The End of Conscription Resulted in Increase Military Conservatism:	147
The end of military conscription resulted in a conservative shift in the armed forces.	147
Conscription Stops Internal Turmoil:	148
Military conscription prevents youth from joining insurgent groups.	148
Conscription leads to more citizen involvement preventing socially dangerous groups that would attempt a coup	148
Conscription would Decrease/End War:	149
Military conscription would eliminate unjust wars.	149
Conscription creates a much more secure world because soldier's lives aren't risked unnecessarily.	150
Conscription is a deterrent to war, because more people are involved in the process	151
Conscripts lack the desire to pursue aggression and war as much as volunteers do.	152
Conscript armies are better defense forces and have been the key to ending major wars – empirically proven	152

Benefits for Conscripts Too!:	153
Conscripts benefit from conscription.	153
Benefits of military service exist into retirement.	153

Topic Analysis by Adam Torson

This year's Nationals resolution has many interesting potential avenues to explore. In the United States, military conscription was a major feature of social life in the 20th century, and produced its share of controversy. With the marked increase in the number of troops needed to carry out American foreign policy in recent years, the subject has been creeping its way back onto the national scene. But the resolution implicates more issues than simply conscription in the classical sense. Other contemporary manifestations of forced military service may also be relevant. The U.S. military's much-publicized "stop-loss" policy has extended agreed upon deployment and commitment terms by years for many American service men and women. Human rights advocates have drawn significant attention to the use of "child-soldiers," particularly in civil conflicts in Africa but in other places as well. Several countries continue to require mandatory military service for young people for a certain period of time. Each of these issues implicates the question of whether a state (or perhaps other entities) may justly force its citizens to serve in the military.

I will start by addressing some issues of framework and interpretation, in the process suggesting how these tools might be used to develop particular kinds of case positions. Next, I will discuss several issues related to constructing standards for this topic. Finally, I will discuss some of the major substantive positions available on the topic that you are likely to see at NFL Nationals.

Framework / Interpretation

The resolution is incredibly short – only four words long. Nonetheless, there is still significant ambiguity, due primarily to the absence of much context in the resolution. There are a variety of circumstances in which the resolution might come up. Is the mode of conscription fair or unfair? Are we discussing a particular nation using military conscription? If so, which nation? Might the agent

in the resolution be some type of non-governmental organization like a rebel military group? What about a nation forcing foreign citizens to serve in its military? Once we determine the agent and manner of conscription, we may nonetheless believe that the resolution may be true in some instances but not in others. For example, ought we to discuss the propriety of conscription in wartime only, or is a peacetime draft also on the table? Is the nation under immediate military threat, or is the need for more soldiers due to expanding commitments overseas? Some of the contemporary manifestations of forced military service I listed above highlight some of these issues.

This ambiguity raises some of the classical questions about affirmative and negative burdens. The first, of course, is how much must be proven in order to affirm the resolution? Must the affirmative demonstrate that military conscription is categorically unjust – unjust in every instance? The converse burden is that the negative need only prove that military conscription is just in single instance. Alternatively, the affirmative burden may be to prove that military conscription is unjust as a general rule. This is a less onerous burden but also one that is significantly more nebulous than the categorical burden. Finally, the affirmative may articulate an interpretation under which it need only demonstrate that military conscription is just in one instance or set of instances. Under this conception, the affirmative justifies the conditional nature of her advocacy on the grounds that such an interpretation is more fair or educational.

At Nationals, the latter approach is probably not generally preferred by most of the judging pool. The most compelling positions will probably adopt some variant of the “general rule” framework, although it will be important to contextualize your interpretation so that the affirmative burden is much more clearly defined than in an undeveloped general rule interpretation. I’ll discuss contextualization strategies in several places below.

Another common issue when the resolution contains little context is what aspects of military conscription are the proper objects of consideration for the debate. On the one hand, many debaters will argue that only aspects that are inherent to military conscription ought to be debated. Any problems that only have to do with the application of military conscription are deemed “implementation problems,” and therefore presumed not to have direct relevance to the truth or falsity of the resolution. In other words, debaters will argue that just because military conscription can be misused (i.e. child soldiers forced into service), that is not a problem with conscription per se but merely of certain manifestations of it. You don’t condemn a hammer simply because it could be used to assault somebody. The alternative position emphasizes the importance of context in evaluating any social phenomenon. There is no such thing as a social practice that exists extrinsic to a particular social/political/cultural context, and so trying to evaluate the justness of such practices without considering any context is a theoretically meaningless exercise. Trying to evaluate military conscription completely in the abstract, this position would claim, divorces it from any of the practical purposes of making or debating normative claims in the first place: to guide our actions and social policy.

These same issues have been reflected in two different theoretical paradigms for approaching debate resolutions that have been widely discussed recently: “truth-testing” and “comparative worlds.” In resolutions of this kind you will definitely find it useful to consider what your approach might be under these different perspectives. Under the truth-testing model, the resolution is treated something like a mathematical equation. It is a proposition of formal logic, and the object of the debate is to demonstrate that it is true or false. Typically this will require each side to identify some formal feature(s) of justice or injustice, and show that their side of the resolution meets them. The affirmative will likely identify some sufficient condition for a social practice to be just, and then show that military conscription meets that condition. The negative, conversely, will identify some

necessary condition for a social practice to be just, and then show that military conscription fails to meet that condition.

Under the comparative worlds approach, on the other hand, the object of the debate is to show that the world in which we treat the resolution as if it were true is preferable to the world in which we act as if the resolution is false. Specifically, under the comparative worlds approach we would need to compare military conscription to some alternative. This implies that the negative has a burden to produce an independent advocacy – some alternative to the world defended by the affirmative. It is not enough to say that military conscription is unjust in some formal sense; the negative must show that a world without military conscription is preferable because it is more just (or less unjust). Thus, in these types of debates you will want to be ready to skillfully compare concrete impact scenarios on some standard capable of comparing the effects of different policies. The alternatives to which military conscription could be compared are numerous. The most obvious is of course a world in which we simply do not engage in military conscription. Affirmatively stated, this means the negative must defend either an all-volunteer military or no military at all. Alternatively, the negative might propose that instead of engaging in military conscription, we hire private military firms to carry out military missions, or develop advanced technologies to deal with our military needs. Regardless of which approach you prefer, it will be important to be prepared to debate under frameworks that operate under these parameters in a broad sense, and perhaps to argue on a theoretical level which is preferable should your interpretation clash with your opponent's in a given round.

One useful approach to clarifying these interpretation issues is to define the question of the resolution narrowly. Narrowing the scope of the inquiry is best accomplished by invoking particular contextual parameters; you frame the question with the context. Usually detailed interpretations like this will suggest case positions as well.

There are several ways to go about defining the context and the question of the resolution narrowly. First, you might argue that a particular issue (or set of issues) is the core question or central normative concern reflected in the resolution. For example, you might argue that the resolution is fundamentally about how a nation might appropriately respond to military necessity (the threat of foreign invasion for example), because no nation would reasonably force its citizens to serve in the military if such a threat were not present. Alternatively, you might argue that the resolution is centrally concerned with whether a volunteer or conscripted military is more effective, because that is the primary goal of military policy. Finally, you might argue that the severity and far reaching negative consequences of war between nation-states makes avoiding it the central concern of international relations and U.S. foreign policy. If that is the case, then advocacies should focus on whether a conscripted military makes war more or less likely.

Another way to frame the resolution contextually is to invoke the various theoretical paradigms that are employed to study international relations. Different approaches to international relations have different assumptions about the fundamental nature of the international system and the most important concerns for policy-makers. For example, Realism proposes that the international system is characterized by competition among nation-states for power and security. While this has many implications, one is the “security dilemma.” The security dilemma derives from the fact that it is difficult to distinguish between offensive and defensive military capability. State A builds up its military to protect itself, but State B doesn’t know that State A’s purpose isn’t to attack it. So, State B builds up its military in response. This produces a spiraling arms race. If you articulate the core premises of Realism you might persuasively argue that the international system should be primarily concerned with ways to mitigate the security dilemma. This is just one example of how you might contextualize the resolution using the insights of international relations Realism.

Another theoretical approach that could be used to frame the resolution is international relations Liberalism. Liberalism posits that international peace and cooperation require international trade, global institutions, international law and other transnational agreements. If you articulated Liberalism's fundamental assumptions as the basis of your advocacy, you might persuasively argue that the core question for international relations and foreign policy is how to increase the number of these kinds of formal transnational agreements and improve their effectiveness. Military conscription may help or hurt in this endeavor, but in articulating this interpretation you have narrowed the question of the resolution and made your burden more easily identifiable.

A third theoretical paradigm used to study international relations is Constructivism. Constructivism holds that the way we frame international relations is enormously important in the way we ultimately act in the international arena. This places social phenomena such as identity, culture, and global norms as the primary elements in any study of international relations. One critical objective a Constructivist might identify is to frame the international system cooperatively instead of competitively. From this perspective, you might argue that viewing the international system as fundamentally competitive or dangerous is a self-fulfilling prophesy, and that we should work to counter conceptualizations of the global system which lead to harmful results. Military conscription implicates many international normative rules, and military policy generally is key to constructing the international system. Again, using these core insights of Constructivism are ways to contextualize the resolution and narrow the question.

Leaving aside theoretical paradigms of international relations, another way you might contextualize the resolution is to invoke some of the fundamental challenges of contemporary global politics and argue that they are the central concerns of the resolution. For example, one of the major current challenges in both global politics generally and U.S. foreign policy specifically is how to

respond to international terrorism. A debater might argue, for example, that dealing effectively with terrorism is important because of the severe danger posed to lives and property from such activity. A successful counter-terrorism strategy might also be important because heavy-handed responses to the problem tend to promote a cycle of violence and undermine civil liberties in nations attempting to address security concerns. Policies about military conscription may affect the global war on terrorism in a variety of ways, all of which might form the basis of an advocacy if the resolution is framed properly.

Another major concern in contemporary international relations is how to respond to the U.S. posture in global politics since 9/11. Many critics have argued that U.S. actions have been increasingly militaristic and have failed to adequately address the concerns of people and nations around the world. Others argue that U.S. strategy in response to 9/11 is appropriate and justified to maintain national security and certain global norms. Regardless of your opinion, describing this dynamic as a challenge for international relations will allow you to argue that the appropriateness of military conscription ought to be decided primarily on the basis of its effect on U.S. disposition toward the international community.

A third important issue might more generally consider the structure of the international system. At different times in history, the international system tends to be dominated by a greater or smaller number of powerful nation-states. For example, Europe was long characterized by a “multi-polar” system, in which many powerful states balanced against each other’s military and economic capability. During the Cold War, the international system could be described as “bipolar,” meaning that there were two superpower states competing with one another for resources, military might, and the loyalty of less powerful states. Today, many scholars describe the world as “uni-polar,” meaning that there is one powerful state that clearly predominates in the international system. This presents unique opportunities and challenges. On the one hand, a single global superpower might bear the cost of certain global goods like facilitating

international trade, and the absence of meaningful military competition with the United States has reduced the prospects of a catastrophic nuclear exchange. On the other hand, there is no single power that can effectively check the military or economic might of the United States, and many argue that such expansive power is prone to abuse. In any case, one important question for scholars and policy-makers around the world is how to respond to a uni-polar international system. Should nations try to ally with one another to balance against the superpower? Should they cooperate in an attempt to secure global peace and security? The fact that this is an open question makes room for case positions that argue that we ought be centrally concerned with the global response to uni-polarity, and that military conscription is an important component of shaping that response.

Finally, a key feature of the modern international system is a phenomenon known widely as “globalization.” Globalization can have many different meanings in different contexts. It is often used to refer to the increasing exchange of information transnationally, emergent forms of international culture and consensus on global norms, the reduction of barriers to the exchange of goods and services between nations, the ability of more people to travel internationally, and the increasing significance of transnational actors (including multinational corporations and charities that operate across borders) at the expense of nation-states. In many parts of the world, nations have responded to these increasing global pressures with an emergent nationalism and markedly protectionist policies. Responding to the globalization phenomenon is thus an important concern for policy-makers and those attempting to describe the theoretical dynamics of the international system. A debater can use this context to narrow the resolution in a number of ways. She may, for example, argue that nationalistic responses to globalization threaten international trade and global human rights in ways that are extremely harmful, and that policy on military conscription therefore ought to be aimed at mitigating such responses. Again, there are many ways to use the broader context provided by this particular global challenge to more narrowly frame the question of the resolution.

Standards

Below I will discuss several major substantive advocacies that debaters might consider, so it is not my intention here to suggest particular standards for case positions. Rather, I want to say a few things about the importance of constructing an adequate normative framework and clearly articulating its implications. It is generally true, and particularly true at nationals, that a distinguishing feature of top tier debaters is the ability to tie up loose ends on the standards level. Permitting ambiguity or obvious avenues of attack is often a strategic disaster, for the obvious reason that most arguments made on this level of the case constitute positional take-outs. Taking time to think about and thoroughly construct meaningful standards analysis will not only prevent this but also enable you to use your standards as an offensive weapon. Being comparatively ahead on the standards debate is, for debaters who can articulate its implications properly, a surefire way to impress judges at nationals.

That said, I want to caution you about several ambiguities or assumptions which debaters permit and which thoroughly problematize their standards. It will be particularly easy in this resolution to equate necessity with justice. A common negative argument will simply be an appeal to the idea that nations must, at times, generate a defensive military force or suffer military defeat. Do not permit such appeals to necessity to go unchallenged. To say that something is “necessary” begs the question “necessary for what?” In other words, necessity can only appeal to a separate standard; it cannot constitute an adequate standard by itself. If military conscription is necessary to prevent military conquest, then a complete argument would require an articulation of why military conquest is normatively undesirable. Don’t let your opponent simply skip real standards analysis. Tell the judge, “this may seem like an obvious link, but don’t make it for him. He had the burden to articulate a standard in his constructive.” By simply invoking “necessity” and not articulating a fleshed out normative

framework, your opponent robs you of the ability to question the foundational premises of his advocacy, and to meaningfully compare the alternative normative framework you have offered.

This lesson is particularly important to note even where you have framed the resolution comparatively. The temptation is to act as if costs and benefits can be compared without reference to any specific standard. That logic is fatally flawed, however. To say that it is difficult to evaluate all relevant impacts on a given standard is true, and debaters should avoid arguments that unreasonably exclude meaningful impacts. But such blanket exclusion of impacts only happens where debaters do not devote adequate time to articulating a well-developed normative framework through which to evaluate impacts in the round. Weighing the relative importance of the costs and benefits of different impact scenarios can only be done clearly and logically in relation to a standard. Don't let your opponents get away with listing off big impacts (nuclear war, environmental destruction, mass starvation, etc.) without taking the time to articulate a standard by which these impacts can be evaluated and compared to other impacts. Again, the idea that such impacts are bad and to be avoided may be intuitive, but judges should not do work for debaters to establish that this is so. More importantly, the absence of a meaningful standard for such impacts prevents you from comparing your impacts to theirs, which is the precise motivation behind case constructions that seek to compare worldviews. Long story short: even where your case is constructed to compare impact scenarios, don't skip the thorough articulation of a normative framework through which to evaluate those impacts.

Finally, just as I suggested with interpretation issues above, I am going to suggest that you make your standards as contextual and narrow as possible. This is advantageous for several reasons. First, contextual standards tend to be less subject to generic philosophical objections to particular kinds of standards – i.e. 10 arguments that say that consequentialism of any form is meaningless. Second, utilizing context to frame your standard is a good way of developing an

adequate normative framework without making expansive metaphysical claims that are difficult to defend or even develop in the context of a six or seven minute constructive. Third, it solidifies the work you did in the standard to make your burden as concrete and specific as possible, enabling you to more easily articulate a clear link story for the judge to follow. Finally, context in the standard can be used offensively. If you argue that some contextual factor is inexorably relevant to the topic at hand, then any generic standard that fails to explicitly acknowledge its importance can likely be cast as inadequately tuned to the specific normative demands of the situation. The devil is in the details, as the saying goes, and your opponent is missing the details.

Substantive Issues / Topic Areas / Case Positions

Individual Rights versus Collective Interests

There are several major topic areas from which debaters will commonly construct their positions on this topic. Thinking generally about the dynamics of these particular sets of issues may help you to deal with many different case positions that fall under the same basic category of argument. It may also help you to fortify your own position.

First, a significant number of positions may be derived from the classical clash between individual rights and collective interests. It would not be at all surprising to see cases which consist exclusively of a comparison of the two concepts in the abstract, or who attempt to reduce the debate to simply a theoretical comparison of the respective merits of deontology and utilitarianism. (Note that this is the opposite of the contextualized approach I have recommended. Positions such as these should be contested as far too general and abstract to meaningfully answer the question posed by the resolution in a way that would be useful to scholars or policy-makers.) From this tension conceived by many theorists in the classical LD canon, debaters might explore several case positions. You will see arguments that claim that protecting individual autonomy is the central purpose of

society, and so sacrificing individual autonomy to protect society is fundamentally inconsistent. In a similar vein, you will see arguments which claim that individual conscience comes morally prior to the demands of society, and one ought therefore to abide by her individual conscience even when it conflicts with prevailing social norms or the commands of government. The classical example of this position is Henry David Thoreau, who refused to pay his taxes as a way to protest the Mexican-American War. Another common position will be the claim that forcing a citizen into the military is a mode of indoctrination. Many argue that the nature of military culture and training undermines individual autonomy and independent thought. If that is the case (although the claim is certainly contestable), then forced military service fails to respect an individual's autonomy by compromising her ability to act freely and independently. The common element in each of these positions is that forcing someone to serve in the military is an impermissible violation of her autonomy, to which she has a fundamental right.

In the same subject area but on the opposite side of the resolution, negatives will often argue that the preservation of society is key to maintaining other substantive values. Subjugation to a foreign power may certainly compromise not only the physical wellbeing of the citizenry but also their fundamental rights. Such positions will generally make comparative claims. Individual autonomy is a laudable goal in the abstract, but we are faced in the resolution with violating some people's autonomy in a significant but not total way, or the potential for a complete loss of their autonomy under the domination of a military adversary. Certainly debaters will see social contract arguments in this context. Individuals preserve some measure of their natural freedom but agree to live under conditions where that freedom is limited in ways necessary for the preservation of a society in which like freedom can be enjoyed by all. When facing the prospect of military defeat, the freedom to abstain from military service is trumped by the need to create an effective defensive force to preserve the liberty of all.

Though these positions can be interesting and compelling if debaters give due diligence to developing them properly, they will be common, and the arguments against them familiar. This is a strategic disadvantage both because opponents will be more inclined to have prepared answers to your case position, and because judges will tend to either be bored by it or make unfair assumptions about it.

A more nuanced position in this same general topic area will seek to explore the nature and extent of a citizen's obligations to those around her. Significant work on this kind of inquiry has been done under the banner of communitarianism. To summarize some general conclusions, communitarians generally claim that human identity is fundamentally situated in a particular social context, and that our identities and sense of self are shaped or conditioned by social forces that exist outside of our control. These identities are to some extent opaque even to us, and structure our autonomy in ways that are difficult to theorize let alone to overcome. On this account, our autonomy and our social identity are irreparably intertwined. This complicates the normative requirements that are generated by classical conceptions of the relationship between the individual and society. Our individual moral worth is not entirely separable from our status in the community, nor is the community a static entity whose normative value can be concretely understood without relation to the understandings it helps individuals to generate about themselves. Having this very complicated relationship to the people around us casts the debate about military conscription in a new light. Our normative obligations derive in large part from a social context in which we are inextricably linked to a particular society and culture. Our atomistic "conscience" cannot be separated out and placed prior to these ties. At the same time, individual identity to which ethical rules can be attached is complicated, dynamic, and opaque. It cannot ever be fully attributed to the social environment in the sense that society "caused" the individual to be who she is. This probably means that the normative obligations that derive from our relationship to other people will be highly

dependent on how we have constructed our collective identity and the norms we have come to enforce at a given moment in our history. As you can imagine, there are many ways to use an argument of this type to formulate a case position, but it will generally be characterized by an attempt to specifically locate the question of whether conscription is permissible in a particular social context and ask whether at that time and place a citizen's obligations ought be extended to include military service.

War, what is it good for?

A second extremely common type of case position will consist of claims that military conscription makes war more or less likely, or more or less gruesome. There are several primary reasons advanced to justify the claim that military conscription makes war more likely. First, military conscription ensures that there will be human resources available to facilitate military adventurism. The ability of a military power to extend its power globally has for a long time largely been dependent on its ability to mobilize a large army of soldiers. Where the government is permitted to force military service, it has a sort of blank check to engage in imperialistic or otherwise aggressive military policy. It also makes it more feasible to use the military as an everyday instrument of foreign policy as opposed to an option of last resort that is used primarily for defensive purposes. Second, military conscription may make war more likely by feeding the security dilemma described above. Because a state cannot be sure that the increased military capability derived from another nation's conscription is not intended to be used aggressively, that state will engage in its own military buildup. In such a scenario, there is an incentive for anyone who feels they have an offensive military advantage to strike first, because they will be at a disadvantage should their adversary beat them to the punch. This unstable spiral of arms race and incentive for preemptive strike is likely to create more armed conflict. Finally, military conscription may make war more likely by fostering nationalistic or militaristic sentiment. Critics of conscription often claim that soldiers are inculcated with political values that emphasize the use of violence over the use of

compromise, the defense of the nation over the potential for international cooperation, and a general unwillingness to call into question political authorities under the belief that doing so is not sufficiently patriotic. These claims require substantiation, of course, but seem to bear out historically in prototypically militarist nations.

A related set of arguments will claim that military conscription makes war more gruesome. There are also at least three arguments on which a debater might base this claim. First, military conscription invests the outcome of an armed conflict as a source of a kind of national pride. The public will be much more inclined to support policies aimed at saving face or exacting revenge where all or many have family and friends who are engaged in military service, and where militaristic values such as honor and masculine domination are inculcated in a large proportion of the citizenry. Second, there is significant evidence that conscripts are poorly trained in relation to soldiers in an all-volunteer army. While again this claim would require substantiation, if true it would certainly provide support for the claim that military conscription makes war more gruesome. Finally, military conscription complicates the applicability of rules of war under traditional just war doctrines. A conscript is not exactly a willing combatant, but at the same time his activity poses an active threat to enemy soldiers and the security of the nation. Where the line between combatant and non-combatant is blurred, the door is open for the use of horrific weapons targeting civilian populations as has been seen all too often in the 20th and 21st centuries. Factory workers, for example, who produce munitions or even parts to supply vehicles which might be benign in peacetime may well seem to fit into this rubric of people who are not willing soldiers but who nonetheless pose a direct threat to a military adversary. In a world without conscription, the distinction between combatant and non-combatant is eminently clearer.

On the other hand, some argue that military conscription makes war less likely. For starters, where everyone may be a potential soldier, the whole population is

invested in not going to war unless it is absolutely necessary. Moreover, military conscription may enable a nation to maintain a strong military presence such that any potential aggression is deterred by the implicit or explicit threat of retaliatory violence. All of these claims sound plausible. There is almost certainly some social science research out there which attempts to answer this question empirically. Do nations with conscripted militaries tend to be more or less war prone, adjusting for possibilities like a nation choosing conscription because it is more often under military threat? Given the frequency with which these types of arguments will be exchanged, it would be very valuable to have evidence prepared on this point.

There are also arguments that claim that wars employing primarily military conscripts tend to be less gruesome. There is some evidence to indicate that conscripts fight better than volunteer armies, perhaps because many are serving out of a sense of strong patriotism. Military conscription may also increase civilian support of a given war effort, reducing the negative fall out on the troops both during and after their military deployment.

There are several things that make positions of this type attractive. They tend to be simple and straightforward, and have compelling empirical evidence available to support their fundamental premises. Perhaps equally attractive is the opportunity these cases give you to articulate creative impact stories. Note that by creative I DO NOT mean plainly wrong or extremely far-fetched. The potential undesirable impacts of war between nation-states are very real. They are also very diverse. Impact structures might include certain undesirable geopolitical scenarios as fallout to an international war. It might include a description of the deleterious effects war has on international culture, particularly norms which protect human rights. Interstate war always impedes economic exchange, often wrecking havoc on whole regions and imposing suffering even on those who have little or nothing to do with the conflict. Many argue that war tends to foster domestic oppression in the form of heavy handed government attempts to secure

the nation from enemy infiltration or attack. War tends to foster nationalism, and may entrench the nation-state as the central actor in international relations. Feminists often argue that war is particularly harmful to women, who are often subject to sexual violence in the course of military conflict and whose voices are often excluded in military policy circles. War also has an enormous ecological impact. Some of the most severe incidents of environmental destruction derive from armed conflict among human beings. Witness, for example, the incredible damage done to the environment by the use of Agent Orange during the Vietnam War or of simply testing nuclear weapons. And of course there are the oft-uttered but rarely supported claims that war always poses an existential risk due to the possibility that it might escalate into a nuclear exchange. Having a good grasp of these impact scenarios and their precise implications will be particularly important when operating under a comparative framework in which you will spend a significant amount of time comparing alternative worlds.

Effects on Society

Another class of substantive positions will be those claiming that military conscription has negative or positive effects on society itself. Of the latter, at least two major arguments come to mind.

First, debaters may argue that military conscription will increase civic engagement in society. The potential of being forced to enter into military service gives everyone an acute interest in the political process and political leadership. The classical example in the United States would be during the Vietnam Crisis when the largely youth-oriented peace movement was significantly spurred by the omnipresent threat of the draft, both personally and to family and friends. Such engagement may have a number of positive implications for society generally and military policy specifically.

Second, many have argued that military conscription is a means to further egalitarian aims in society. Specifically, it has long been thought that the poor

and people of color bear a disproportionate share of the burden for defending the nation. The military is often a last resort for people who are socio-economically disadvantaged, and some empirical evidence can be cited to support claims that such marginalized groups tend to be assigned to combat roles more often, die more often when they are in those roles, and rarely occupy leadership positions up the chain of command. This has made it easy, the argument goes, for those in a position of power to decide to engage in military conflict, knowing that the chances that they will be personally affected are very low. Military conscription would aim to redress that concern. Conscription can be applied to everyone, so that anyone who is a citizen has to bear the burden of providing for the common defense. Whether a conscripted military is actually more egalitarian is open to debate, and there is substantial empirical data available addressing the question.

Finally, many have argued that military conscription has a deleterious effect on society in a variety of ways. There is some evidence to suggest that there may be a correlation between a high rate of conscription and a high rate of crime, although the causal links between the two remain highly speculative. At times of mass mobilization there may be a significant effect from taking working people out of the work force. While the severity of this effect may be called into question in a large industrial economy, one could certainly imagine a pronounced effect in a nation where a large proportion of the population was drafted and economic productivity was already relatively low. Finally, we might again point here to the possibility that military conscription may help to foster nationalism by inculcating a large part of the population with militaristic values and the rigid norms of military culture. Such nationalism may in turn be associated with a number of negative outcomes. Nationalism has been used to paper over important internal divisions within the nations, such as those along racial or economic class based lines. This can retard reform efforts aimed at securing important goals for the politically oppressed or marginalized from their own governments. Nationalism is also likely to interfere with any kind of transnational culture or economic exchange and predispose governments to exercise foreign policy with military

might rather than diplomacy or other modes of cooperation. All of these claims are as yet assertions, but when adequately supported may yield a compelling impact structure.

Alternatives and Counter-Plans

Many debaters will be running arguments that say that we can achieve more desirable results if we adopt a course of action other than military conscription. Whether these are formally run as counter-plans or simply offered more generically as “alternatives,” they are case positions you will need to be prepared to deal with, and may well want to employ yourself. These cases will be most effective when run against fairly specific affirmatives, because they depend on usurping or outweighing fairly concrete impact stories. Don’t be surprised to see these arguments run against the kind of contextualized case positions I described above. This is not a reason to shy away from these positions, but rather a reason to adopt them. If the negative is defending an independent policy alternative, they will have less time to articulate and defend it in the NC than you had in the AC (assuming they still want to attack the affirmative case), which makes your task in the 1AR much simpler. Here are a few of the types of alternatives to military conscription you might see.

First, debaters may offer diplomacy as an alternative to military conscription. This could take a number of specific forms, including strengthening certain international diplomatic efforts or requiring more nations to align themselves with international dispute resolution fora like the World Court. It may be as simple as pursuing military cooperation, for example through international coalitions, as an alternative to military buildup. In any case, negatives will claim that the effective utilization of diplomacy will mitigate the need for augmented military might via conscription, and bring with it all kinds of other benefits like cross-cultural exchange and freer trade. Remember though that alternatives need to be “competitive” with the affirmative advocacy. If you could do both the plan and the counter-plan at the same time, why not do it? Negatives running this position will

therefore need to argue that military conscription somehow undermines the improved diplomacy they propose, or that doing both at the same time produces far more severe negative consequences than simply doing the alternative.

Second, debaters might offer the increased use of technology as an alternative to creating more soldiers. Weaker versions of such alternatives will propose in the abstract that present technology suggests a reduced need for actual “boots on the ground,” and that in any case we will be much more effective investing our resources into developing new technologies than training and supporting new soldiers. The problem with such generic case positions is that they are highly speculative, and so it is difficult to meaningfully compare the supposed impacts of such a plan with those of military conscription. A stronger version of the same argument will identify a particular technology under development as key to reducing the need for soldiers either in the United States specifically or in the world more generally. This will be particularly effective in rounds where affirmatives identify a specific circumstance in which the use of military conscription seems advisable, as opposed to a more general affirmation of the practice. The comparative benefit of adopting a particular technology to deal with a specific problem creates a scenario in which negatives can claim to usurp affirm benefits in a much more concrete and compelling way than it will against more generic affirmatives. Be warned, however, that a case position of this type requires thorough research. Because technological development is so speculative, the prospects for successfully achieving the desired results should be quite high before a position like this should be run.

A slightly different twist on the same theme would be to propose the development of military technology so as to deter would-be opponents from ever engaging in competitive or aggressive behavior in the first place. The prototypical case would be the attempt to develop the Strategic Defense Initiative in the 1980s, widely known as the “Star Wars” program. The inability of other nations to cope with American military technology may well serve a deterrent function. Be careful,

however. The difficulty of predicting whether a particular technology will ultimately be successfully developed (SDI never was) is compounded in these cases by the uncertainty of how potential competitors may react. Developing technology as a response to threats from other technologically advanced nations may simply spur an arms race. Also problematic is the fact that this strategy would likely only be effective for the United States or other advanced industrial countries. For the moment, anyway, developing military technology would likely not be a feasible way to deter the United States or a European power from engaging in military aggression.

Third, debaters may propose that instead of increasing military might via conscription, we increase it by hiring private military firms. This practice has been widely used by the United States in Iraq in recent years, and the hiring of mercenaries is a practice almost as old as warfare itself. Again the strongest positions will be specific and well researched. There is evidence to suggest that hiring such firms may be less expensive, particularly for certain kinds of tasks, than training, equipping, and housing new soldiers, let alone paying for their lifetime medical benefits, college tuition, etc. Private military corporations have been utilized to take on manpower intensive tasks such as escorting convoys or guarding prisoners of war, with the idea being that this frees up conventional troops to carry out other missions for which they are more specifically trained. Such proposals are risky, however, because PMCs have come under significant criticism for their harsh methods, unreliability, and the negative image they generate of the United States around the world. Most affirmatives should have evidence in their arsenal that roundly criticizes the use of PMCs. In fact, a favorable comparison to PMCs might form the basis of an affirmative case. Essentially, the affirmative argues that if we don't use military conscription, the military will be forced to hire private firms to do defense work, with manifestly terrible consequences.

Finally, and I've saved the worst for last, there have been positions run on this topic which suggest several far fetched alternatives to using human soldiers. These include training dolphins to defuse underwater mines or using dogs to help detect landmines. There is some evidence on these topics generated from thus far unsuccessful military research programs, and their likelihood of success is so low that the positions should be easily dealt with. Running such positions is extremely high risk and almost never feasible at nationals. Many judges will simply reject the argument on its face. Nonetheless, the fact that evidence on these subjects is out there is good enough reason for you to be prepared ahead of time to answer such positions. Be prepared to blow them out the water (the cases, not the dolphins), and you will certainly make a favorable impression.

Conclusion

As I hope you can see, the subject of military conscription offers many interesting avenues of inquiry that might form the basis of fun and interesting case positions. Solid research, clear and simple positions, and thorough preparation are the keys to success at Nationals just as they are at any other tournament. Congratulations to everyone who has qualified, and good luck!

Topic Analysis by Douglas Jeffers

First a Few Words About Nationals

First of all hearty congratulations to all of you who qualified for the NFL National Tournament coming up in Birmingham. I wish you the best of luck as you prepare for and compete at the tournament. Before we get into the specifics of the topic, I would like to take some time to talk about Nationals as a tournament.

Understanding the way the tournament works, and the way that the judges think, will be very important for how you craft your cases.

The tournament itself is very long and grueling, taking place over the course of an entire week. If you make it to the end of it you will be tired. Nevertheless the schedule is usually fairly relaxed, and there are only about four rounds each day, so you will have a lot of time between rounds. This begs the question of what you should be doing at the tournament. My advice would be to avoid spending your time constantly crafting new arguments and editing your cases, instead you want to spend time re doing the speeches you have given, and practicing your execution. That execution will be very important.

Nationals is in many ways a kind of middle of the road tournament, its general style is less technical than the national circuit, and maybe a bit more technical than many local circuits. If your presentation and rhetoric is terrible then it won't likely matter how good your arguments are, if all you have to rely on is rhetorical fluff you won't get very far either. One thing about nationals is that all the judges take the tournament very seriously, it is after all a national championship, and in general play close attention and keep some kind of flow. Of course there is no replacement for gauging your individual judge, but in general you can trust that flow to keep track of the general flow of the round, but not every specific detail. That has a lesson in it: don't drop everything in the rebuttal and go for a point that was rather miniscule in the speech before, it may not even be on your judges

flow. In general you want to approach your rounds in a big picture sort of way. Talk about the big conceptual ways in which your position interacts with your opponent's, and talk about general conceptual flaws in your opponents case and refutation, this will keep the number of arguments in the round down to a manageable level. If you allow the round to devolve into a duel of long blocks, then it will be much to complicated for you to sort out concisely and plainly in your last rebuttal.

This also manifests itself in the way that your cases should be constructed. Before you ever write the AC, write the last minute of the 2AR. You may have plenty of time in that six minute AC to lay out a case with fourteen logical links that you need to win and explain, but that will not seem so easy when you are trying to sum up the round at the end of the 2AR. It is absolutely imperative that from the beginning you are writing a case that easily condenses down into about a thirty second summary, because it is the end of the 2AR and not the beginning of the AC that is remembered at the end of the round.

But I also want to make a certain caution. While your positions should not be so complicated that they involve too many logical links, and concepts that are too difficult to explain, they should not be the stock positions that everyone else runs. If you want to win the tournament, it would be a good idea not to use anything you find in this book in your case. This book will be very helpful in that it will show you what most of your competitors will be running, and get your mind going on the topic, but it should not furnish the materials for a case. What you want to do, after you have done your background reading in this book and elsewhere, is to go to the library and read until you find some original positions, or some original ways to apply positions to the topic, and then turn them into cases. I cannot stress enough that an argument can be quite simple and intuitive, and still be original.

I want to say a few words about presentation. It matters. You should put a lot of thought into the way you say everything in your case, and into the way that you are going to say it again in your rebuttals. You should also put a lot of thought into the way that you are going to deliver your refutation of all the common arguments that you are likely to face. I do not mean that you should write out blocks and read them, but that you should put a lot of thought, not just into the arguments, but into the rhetoric and examples that you are going to use, and you should practice them. Keeping the round looking like a unified whole, rather than a laundry list of arguments is also very important, so to that end you want to develop rhetorically compelling introductions and conclusions for your cases, and it would be a good idea to memorize them so that you can look at the judge while you deliver them. This can produce an important rhetorical effect.

Finally I want to say a few words about how you have to present yourself. You have to understand that most people who are judging your rounds are more or less asking themselves the question, "which one looks more like the national champion." It would be worth watching some old videos of past final rounds if you don't know what components go into a style like that. Aside from the main things you have to work on, that is, the arguments and the rhetoric, there are a host of intangibles. You want to be looking like a national champion at all times. Don't act like a idiot in the cafeteria. Don't untuck your shirt and take off your tie after every round. Be sure always to show up to each before your opponent, it just makes you look more professional. Dress as sharply as you can, you want to do everything you can to give a good impression. Don't do anything that makes you look like you are intimidated or insecure, act like you are going to win the national championship without appearing arrogant.

So much for all the intangibles for trying to win the national tournament. I don't mean to overstate the differences too much, like any other tournament it is about putting on a better show than your opponent, have the key to winning is understanding what kind of show that the judges want to see. You should also

bear in mind that there is a wide diversity of judges at the national tournament. What I have said about the mainstream of the judging pool should override what you can tell about the particular judges you encounter.

The Topic

Definitions

The definitions on this topic are pretty simple, since there are not very many words; nevertheless there are a few things to bear in mind.

Military Conscription

On the face of it military conscription means that someone is compelled to enlist in the military. The military is the organization of the state that applies coercive force to foreign powers. On the face of it military conscription looks morally problematic for a couple of reasons, and we need to analyze those reasons to see what the negative has to defend.

In the first place military conscription is a fairly definite infringement on liberty. One has to drop whatever one is doing for however many years, and then submit to an intensive process in which the state attempts to remold your very personality. After that one's movements and occupation for several years are at the disposal of the state, one has limited free time, and limited access to family and friends, etc.

Furthermore military conscription seems to carry with it the idea that the conscript will be required to risk his life in combat, and potentially to die.

Military conscription also carries with it financial costs on the conscripts. Though they are generally paid, they are paid less than many would have been able to make in the private sector, and they often lose marketable skills that they had before they entered the military. In addition owners of businesses may return to find that they have lost clients and are unable to rebuild the businesses and practices they once had.

Finally there is the fact that war itself is a morally ambiguous area. Many people object to it altogether, and most people differ over when, if at all, it is justified. Military conscription also at least potentially causes people to have to compromise their consciences.

The term is further complicated by the fact that the resolution does not tell us anything about the military or the purpose on the conscription in question. It could be for last ditch self defense in light on an impending invasion, it could be a standing national service thing that operates even in peace time, or it could even be in order to wage wars of aggression. I think that it makes most sense to look into the justifiability of conscription itself, since the justifiability of uses of a conscript army can be treated as a different question. But by its nature conscription is kind of an extreme measure, it might well be that the extremity of the circumstances warrants it in some cases and not in others. Obviously one might argue certain positions (like militaries are inherently evil, or the state may command its citizens to do absolutely anything) that would override these questions of interpretation, but in general I think that you want to put some thought into a reasonable interpretation of this point, and then craft a case that will fit it. At a tournament like nationals judges will tend to get bored with framework debates, and your chances for impressive or engaging rhetoric on those kinds of issues are also less, so in general you do not want to advocate positions that will require you to spend an excessive amount of time arguing the definitions.

There is a further point that deals with ambiguity in the phrase military conscription, and that concerns who would be conscripted. There are at least three relevant questions.

The first question concerns rich and poor. Historically, one who is drafted has been able either to serve himself, or else hire someone else to serve for him. In this way the rich have often been able to escape military service in ways the poor could not. The negative will want to preclude this kind of conscription from consideration.

The second question concerns gender. In most times and places women have not been subject to a draft. Once it is decided whether women are included in the conscription, it opens up a range of issues for debate. Some would argue that an all male draft empowers women (since they take over jobs and households), some argue that it subjugates them. Some would argue in favor of an all male combat force, and some against, but deciding this point will determine ground on a whole range of issues. It is something to think about.

The last question concerns conscience. Historically people who have objections to the morality of war in general, or of this war in particular, have been excused from the draft. Forcing them to serve against their conscience seems problematic, as is allowing such a way of avoiding service. Whether or not conscientious objectors (or supposed objectors) are required to fight seems to shape the ethical contours of the question.

Is Unjust

This phrase ought to be pretty straightforward. Of course what constitutes justice is more of a philosophical issue than a debate theory issue, so we won't talk about it too much. All I will do is to take a moment to rave about one of my pet peeves. Unjust does not mean that something has nothing to do with justice, it

means that there are rules or requirements or necessary conditions of justice that the thing in question violates. No one in common speech ever calls a thing unjust and expects to be understood as saying that it has nothing to do with justice, or that he is indifferent to it, when you use that word we mean it as a criticism. That means, to my mind, that the affirmative has the burden of demonstrating why such and such is a requirement of justice, and then demonstrating that military conscription fails to respect it. So put away all your arguments about how there is not such thing as justice, or about how state actions are not subject to moral categories. Not only does it not meet a sound interpretation of the topic, but it is not really the type of thing the judges at nationals want to hear anyway. Remember I said that you should try to make your arguments intuitive, not predictable, but intuitive.

Arguments

Affirmative

Like I said before, the basic outline of an AC is to point out why such and such is a requirement of justice, and then to demonstrate that military conscription fails to meet it. In the section on definitions we went over the raw material for demonstrating this violation. The most obvious approach is to pick out some or all of the arms to the conscript, to his life, liberty, property, etc., and then to argue why those things are essential to justice. The NC will no doubt be constructed to show why the circumstances of war justify that kind of normally unacceptable behavior, and you will be more or less at the mercy of the NC, having to refute it for your case to matter, a position that an affirmative never wants to find himself in.

Another option is to criticize something about the military and increased participation in the military itself. Here I think that the options are either to adopt pacifism, and give it a coherent defense, or else to argue against the military as

an institution. It might be that the military is a sexist institution, and it might be that it promotes aggression, nationalism, militarism and violence. All of these things would seem easy to link to an electorate and a citizen body that is more prone to go to war, with all of war's disastrous consequences. Of course one will want to be careful here that the criticisms you level against the military don't turn into reasons to abandon the military altogether, and therefore oblige you to defend the consequences of a nation that is not able to defend itself. The argument would work best if it argued, not against the harms of having a military per se, but against the harms of widespread involvement in the military by the civilian population who then become voters and citizens, and carry the militaristic attitudes that they learned in the military into public life.

In any event the outlining of harms will have to be accompanied by some analysis of the rights of states and the duties of citizens, to show that the required sacrifices exceed what citizens can be expected to owe the state.

Negative

The negative by contrast, will want to offer a general justification of the practice of conscription. I can see two primary ways of going about it.

The first way of going about it would be to make an argument about rights and responsibilities. You might make an argument that we receive lots of benefits, including military defense, from the state, and that that obliges you to participate in providing those benefits. Since people are often unwilling to participate in the military (hence the need for conscription) that requires some compulsion, in a manner exactly similar to taxes, which are generally seen to be morally unproblematic.

You might also be able to frame an argument that builds on human obligations to one another. It seems fairly intuitive, and at least a case can be made, that we

would be obliged to help people when they are in sever danger and we have the power to protect them. It is then only a simple matter of extending the argument over space, and enlarging the magnitude, such that when an entire country is threatened, then those who are able to defend it have an obligation, which the government can insist on in the form of conscription, to defend their defenseless countrymen.

Though it seems less intuitive, Hobbesian social contract arrangements also belong here. An argument that can justify the right of the sovereign to possess an absolute and unquestionable type of power would have the capacity to give a blanket justification to military conscription. On the other hand at a tournament like nationals one generally wants a more intuitive argument with more mass appeal.

The second class of arguments would stem from the utilitarian benefits of having a large body of citizens who had been engaged in the military. Though it is not immediately obvious, it might actually have a retarding effect on war. Legislators, for example, will be less likely to go to war if their sons are in the army. Public opinion would likewise be less willing to support it. The more people who are exposed to violence and the military, they more people who will have learned the awful reality of war, and will become voters less likely to want to engage in one. Besides that one might argue that there is a deterrent effect to having the larger armies that would generally result from conscription. Of course all this is really speculative, and your opponent can easily gainsay it, and give reasons to expect opposite effects. The real way to buttress this kind of argument is to do the leg work to find quality studies on the subject, and be able to back up the analytical claims with real empirical proof.

Well that concludes our basic survey of the positions possible on the topic. Rounds at nationals have a tendency to seem the same, because a lot of your opponents will be running the same obvious types of arguments. That works to

your advantage if you perfect your strategies for refuting them, not just a list of blocks, but the rhetoric, questions, and examples you will use. My advice to you is to use the information you find here to get yourself thinking about the topic, and then to go look for that simple original kind of argument that could win you the tournament. Good luck to all of you in Alabama.

Topic Analysis by Peter D. Van Elswyk

The NFL wording committee has given us yet another topic phrased in the negative. Thankfully, however, this topic is incredibly simple as there are only two concepts at work: *military conscription* and *justice*. This briefing will work towards understanding how these concepts can interrelate in a debate round. In doing so, I will only talk about the cases and arguments that are most likely to have traction at Nationals. Most rounds at nationals will not be won by extending *a priori* spikes out of 1ACs or through complex theory arguments. Instead, most rounds at nationals will be won with intuitive and simply storytelling. If your arguments seem initially absurd to a typical audience, then you will be fighting an uphill rhetorical battle during the debate. If your arguments seem initially plausible and intuitive, then it is your opponent who will have to exert the extra effort to win the round. With that said, lets jump right into it.

MILITARY CONSCRIPTION

There are three processes by which a State can construct a military. First, a state can hire troops. Mercenaries have been around since the Greek polis and take their contemporary form in private military corporations such as Blackwater, which is now known as Xe¹. Second, a state can incentivize citizens to voluntarily enlist themselves in a military. This is the standard process employed by most current states. In exchange for a fixed number of years in the military the volunteer receives wages, benefits, and sometimes an education. Third, a state can conscript. Conscription is the forced enlistment of citizens. It has the benefit of not having to hire or incentivize citizens to become troops.

US Specificity?

One might be tempted, for a variety of reasons, to focus exclusively on the United States. However, the US is only one of many states that have used

¹ http://www.washingtonpost.com/wp-dyn/content/article/2009/02/13/AR2009021303149_pf.html

conscription. It also is not a current user of conscription as it more often opts for the first two processes mentioned above. States all across Africa, the Middle East, Asia, and even Europe, use conscription as the primary means of troop acquisition. Often, this is because they lack the financial capacity to hire a private military corporation or successfully incentivize citizens. Bolivia, for example, tends to rely on conscription only when its volunteer military is dwindling in numbers.

Universal Conscription?

Conscription rarely applies to all citizens. Age plays a role in almost every state in determining who is and is not conscripted. Gender often plays a role: women often cannot be conscripted with Israel being a notable exception and Taiwan has a policy of exempting transsexuals from conscription. Class arguably plays a role in a number of places too insofar as the wealthy are usually to find ways to exempt themselves from service. A final exception to universal application worth noting is that made for the conscientious objector. The objector in the US, for instance, can be exempt from combat duty, or responsibilities that may tacitly support combat, due to personal religious or ethical conviction.

Optimal definition(s)

Given that the concept 'military conscription' is not US specific and that conscription is not something that occurs universally, the optimal definition will be one that distills the abstract features of conscription. I think the most abstract feature of conscription is coercion. Unlike mercenaries or volunteer troops, conscripts are troops against their will. They did not *choose* to become troops. Unlike other forms of coercion, conscription forces persons to be put in life-threatening circumstances. Therefore, definitions of conscription that approximate this distilled feature are optimal. One will not have to quibble over details irrelevant to the core discussion of the resolution.

JUSTICE

'Justice' and its cognate 'unjust' are evaluate terms. They are used to signify that an action –military conscription – has a certain value assigned to it. The 'un' of 'unjust' clues us in that this value is not positive. In other words, this topic is values debate at its finest. One might be tempted to draw a distinction between 'morality' and 'justice'. Such a distinction is artificial. Both are evaluate notions that are understood by way of theories of value. Call these theories 'ethical', 'moral', or whatever you please, but their function is still the same: explaining how actions should be evaluated. As such, understanding the classical debate between deontology and consequentialism will be key for this topic. So, if you have backfiles from September/October, then dig them up.

Deontology

Theories of value that are said to be 'deontological' ignore the consequences of actions and focus on the duties or intentions of an agent or the rules of a moral system. Immanuel Kant, for example, argued that moral actions receive their status as 'moral' from the agent choosing to will principles of action that they perceive others universally ought to follow. If I do not want others to lie, then I would will the principle 'lying is wrong' thereby giving that expression 'lying is wrong' a moral status. The benefit of deontological cases on this topic, at least for the affirmative, is that they set a relatively low bar. One has to win the occurrence of one deontological violation to win the round as they affirmative because of the negative way in which the topic is phrased. Therefore, it would be wise to know the deontological/consequentialism debate in and out both to write deontological affirmatives and to beat such affirmatives.

A word of caution: due to the negative phrasing of the topic people will be inclined to set the bar for the affirmative *really* low. An example of this low bar would be the 'taint of injustice' argument that occasionally circulates on topics. The argument contends that if there is even a 'taint' of injustice in an action, then that action is unjust. The problems with this are innumerable. For starters, it is

counter-intuitive to what the majority of your judges will believe. This is because most actions in life have a 'taint' of injustice to them. By reading this briefing you are doing something unjust because you *could* have done something else like give to famine relief. Therefore, since the commission of one action entails the omissions of mutually exclusive actions there is a 'taint' of injustice in most actions. It also has brightline problems. When is an injustice a 'taint'? Strategically, therefore, if one is going to deploy deontological advocacy it would be better to keep the story intuitive. For example, arguing that coercion potentially unto the point of death is wrong.

Consequentialism

Theories of values which are said to be 'consequentialist' ignore the intentions of an agent, the duties of an agent, the moral rules, and focus on the outcomes that unfold from taking particular actions. Utilitarianism is the most common theory of this approach. Since consequentialism is something I take it that most understand I will move on to discussing other things.

Complementarity

A number of theories exist which seek to find complementarity between these two approaches. These theories argue that deontological thinking establishes the general moral framework and that consequentialist thinking fills in that framework with content. Eva-Maria Schiwcert² argues:

But the ethics of justice, through the transcendental-pragmatic elucidation of its normative content, can also meet this criticism halfway. **The normative meaning of justice** ethics **is not exhausted by the** assumption of the **autonomy of all potential** discourse **partners**. In addition, **one might consider—as a teleological counterpart**, so to speak—the assumption of **a shared**

² Schwickert, Eva-Maria (Prof. @ Free University, Berlin). "Gender, Morality, and Ethics of Responsibility: Complementing Teleological and Deontological Ethics", *Hypatia* 20.2 (2005) 164-187; <http://muse.jhu.edu/journals/hypatia/v020/20.2schwickert.html>

responsibility for the solution of common problems. "If—according to discourse ethics—**establishing the universalizability of maxims for actions or for moral norms requires determining whether they are acceptable and can be consented to** in discourse, **then it has to be presupposed that all virtual discourse partners are not only equal . . . but also equally responsible, with respect to the discovery, identification, and** aspired **solution of all morally relevant life-world problems** within the argumentative discourse" (Apel 2000, 37). Argumentation is dependent on the mutual understanding among discourse partners. The end (telos) of this mutual understanding is possible consensus regarding the solution to common problems. Assumptions of **autonomy and solidarity are**, so to speak, **two sides of the one a priori principle** of discourse.⁹

This line of argumentation is a decent example of complementarity. Other approaches might be deontological but employ reasoning for deontological norms that are consequentialist. Everyone ought to obey a particular rule because if they do not obey that rule, then terrible things happen. This line of reasoning mixes both deontological and consequentialist lines of thought. Similarly, one might argue that there are two constraints on an action being just. Knowing these various suggestions of complementarity between the two generally conflicting approaches will be beneficial.

Other theories

Moral theories are not exhausted by the deontology/consequentialism dichotomy. This is largely because this dichotomy primarily exists in Anglo-American philosophy. Continental and European philosophy often skirts this dichotomy all together. Therefore, when researching conceptions of justice you should not be constrained to searching for these two conceptions. However, this is not to say that such philosophy does not ultimately fall into one of these two categories. For example, Emmanuel Levinas's ethical system is a deontological approach because it ground moral responsibility not in the consequences of actions but in

the face-to-face encounter that one has with the Other. Thus, do not think that philosophical thinking outside of the classical approaches necessarily escapes the dichotomy.

AFFIRMING

Affirmative cases will approach the topic in roughly three ways. There will be extratopical cases, 'conscription is worse than' cases, and strictly deontological cases. I will break down each of these approaches.

Greater problems cases

Conscription is arguably the symptom of a series of greater problems. Statism and militarism are the likely causes of the symptom. Cases pursuing this understanding of conscription will pronounce it 'unjust' because these causes are unjust. For these cases to succeed the affirmative needs to make clear the link between conscription and the greater problem. General objections to the existence of the military and the state are dubiously topical and suffer from non-uniqueness. If conscription does not contribute uniquely to the ills of militarism or statism, then it will be difficult to generate offense. One might be tempted to show this link by having the following case structure where *x* signifies any greater problem like militarism:

1. Conscription is *x*
2. *x* is unjust
- ∴ Conscription is unjust

This case structure, however, is faulty. To evidence the second premise debaters often read impact cards about how terrible *x* is. This becomes problematic if the second premise does not provide an explicit link saying why *conscription* causes that impact. For example, one might say that conscription is militaristic, argue that militarism causes genocide, and conclude by saying that conscription is

unjust since it causes genocide. The problem is that the second premise. This structure appears to look like the logical rule of transitivity that many of you will recall from math class: if $A=B$ and $B=C$, then $A=C$. However, this would only be true if the 'is' of the premises was functioning as expressing identity. When one says that conscription is militaristic it is saying that conscription has the *property* of being militaristic. It is not saying that being militaristic is identical with conscription which is something we know is false because one can be militaristic without conscripting. Another read of that structure also shows its faultiness. If one reads it causally it goes like this: if conscription causes a militaristic outlook, and militaristic outlooks cause genocide, then conscription causes genocide. The problem here is with making causal claims about mindsets. People have bad mindsets all the time without causing terrible impacts to occur. Thus, if this structure is going to work it needs to have explicit internal links: conscription causes a particular militaristic outlook mindset, this *particular* militaristic outlook is unjust or causes unjust things, and therefore conscription is unjust. At the end of the day, this strategy is all about specific internal links.

'Conscription is worse than' cases

If a state needs to acquire a military, then it will conscript, hire, or incentivize. Some of these means of acquisition are better than others. For example, volunteer armies or those consisting of private military contractors tend to be more proficient soldiers. Their training is better as are their weapons. Conscripts, however, are often poorly trained. They cannot operate the technology that is often needed to succeed in combat operations of this century. Similarly, the theaters of combat in this century are increasingly urban which requires advanced training for the troops to navigate effectively. Since conscripts are not as competent as other troops, one could argue that the consequences of using conscripts are unjust because the conscripts will fail in providing a robust national security.

Strictly deontological cases

The affirmative case subtly suggested throughout this briefing is the strictly deontological case. The reason is due to its simplicity. Conscription is coercive. Moreover, conscription is coercion potentially unto the point of death. When one researches conscription it will not be difficult to find evidence that likens it to slavery. Since these are features of conscription inherently it means that on this approach the affirmative only has to win the value and criterion framework. Unlike the greater problems casing strategy where one has to win two premises, this requires that one only win a single premise. If coercion is unjust, then so is conscription.

NEGATING

Negating, not surprisingly, breaks down along similar lines. I will sketch these positions out below.

General benefits casing

Conscription is a form of national service. It is a way of giving back to the State with one's labor that is not just passive taxation. According, social contract theorists love it. And they especially love it within the context of imminent threats. If there is an invading army or a major natural disaster, then transforming themselves into an army is the least thing a citizenry can do. In other words, conscription is an instance of a general system of sacrifice, duty, and patriotism and is therefore just as a result. These cases are likely to abound. So, although I am not a huge fan of social contract theory, they are worth mentioning here.

'Conscription is better than' cases

If one conscripts to fulfill one's troop needs, then one will not hire or incentivize. On many accounts this is morally preferable. If one does not hire then private military corporations never enter the theater of combat. Private military corporations, which do not fulfill the definition of 'mercenary' set out in the Geneva conventions, are in a legal loophole internationally. Even countries like

the US have very clear limits on the ways in which they can hold them accountable. Schreier and Caparini³ write,

Contractors are no longer restricted to acquisition and logistics but are found nearly everywhere. And their presence in the battlespace is a reality. But **PMC employees are not “noncombatants”**, as unarmed contractors are **under the 4th Geneva Convention because they carry weapons and act on behalf of the government. However, they are also not “lawful combatants” under the 3rd Geneva Convention because they do not wear regular uniforms or answer to a military command hierarchy. These armed contractors do not fit the legal definition of mercenaries because that definition requires that they work for a foreign government in a war zone in which their own country is not part of the fight. Thus legally, they** seem to **fall into the same grey area as the unlawful combatants detained** as suspected terrorists **at Guantanamo** Bay, Cuba. This legal murkiness creates real problems in Iraq. International humanitarian law (IHL) requires soldiers on both sides to distinguish between combatants and noncombatants. Armed contractors wearing quasi-military outfits and body armour blur these distinctions, making it harder for the enemy to play by the rules of war – assuming that insurgents and terrorists wanted to in the first place. And it leaves armed contractors open to treatment by foreign governments as unlawful combatants. Should they stray into neighbouring countries, for example, it is possible that they would be locked up on these grounds.

Therefore, since PMCs are notorious for abusing the populations where they are assigned it is morally preferable to use conscripts instead of contractors.

³ Schreier, Fred and Marina Caparini. “Privatising Security: Law, Practice and Governance of Private Military and security companies.”- Geneva Centre for the Democratic Control of Armed Forces. http://www.dcaf.ch/docs/occasional_6.pdf

Similarly, one might object to the ways in which incentivizing takes place for volunteer armies. It has been well documented that recruiters target low income ethnic minorities for military service. As a result, the military is often composed of particular portions of society. This stratification is not only the result of deontological injustice – targeting poor minorities – but it also results in bad consequences. It means that the poor are fighting the wars for the rich. If the rich are profiting from war, then this is especially heinous. Using conscripts solves for this stratification because, generally, *everybody* is conscripted and assigned a draft number.

CONCLUSION

Hopefully this brief has been helpful. In it I have aimed to give a sketch of the various ways in which one can approach affirming and negating this topic. Although it has not been exhaustive, I foresee most cases that do not fit into the categories provided here being mere hybrids of the categories provided here. Good luck!

Topic Analysis by Amanda Liverzani

I. Introduction

Two thirds of the Jonas Brothers are over 18, registered for the Selective Services, and, if congress chose to reinstate the draft, could be conscripted, enlisted, and sent off to defend our country. Depending on the kinds of feelings images of Joe Jonas with a gun running around Iraq conjure in your stomach you should be able to tell if your naturally inklings are to affirm or negate this resolution.

Whichever way you lean this is an excellent topic for Nationals for several reasons. First, it's short. Debates won't be muddled down by quibbles over resolitional clauses. What we're supposed to be debating is pretty clear in the wording of the resolution. Second, there is tons of literature on both sides of the topic that approaches the topic from a variety of different perspectives. Finally, this is a topic you can get passionate about. You are all presumably within at least 4 years of drafting age. How do you feel about that? Many of you probably have parents who lived through the sixties. Find out what their experiences were with the draft. At minimum get some buddies together and watch the "I Want You" scene from "Across the Universe" and start pondering what military conscription means off paper and in the world.

II. Military Conscription

Military conscription is a "system of compulsory enrollment of men and women into the armed forces." A person conscripted into the military is called a conscript and differs from military volunteers and professionals who offer their services directly to the military for payment. Conscription is as old as the concept of the military itself. In ancient Greece, for example, one of the fundamental duties of citizens (the class of "citizen" excluded women and slaves") was military service.

This system of compulsory military service extended to the Roman Republic where all male citizens of age were required to serve.

Conscription in its modern form arose during the French Revolution. Military service was viewed not only as vital to protecting the nation, but also as a fundamental obligation of citizenship rooted in common values like equality and fraternity. French law in 1798 claimed "Any Frenchman is a soldier and owes himself to the defense of the nation." Through conscription the French were able to raise an army of over 2 million men to wage the Napoleonic Wars. Prussia followed suit and in 1808 instigated a system of universal military service and by the close of the 19th century the majority of European nations had as well.

The 20th century witnessed a dramatic shift in the nature of warfare with the advent of aerial technologies and atomic weaponry. During World War I (1914-1918) the US, drawing upon a tradition of military conscription dating back to the Civil War, relied on conscripts obtained through the Selective Service Act of 1917. Similarly Britain and Canada by the end of the war were also using conscripted soldiers. The United States continued to use conscripted soldiers during World War II and countries like Japan, Germany and the Soviet Union instigated total state conscription. Because World War II was a relatively popular war (it is still referred to as the "Good War") opposition to conscription was minimal. During the considerably less popular Vietnam War conscription became a hot button issue frequently protested, debated, and discussed in light of the large number of men being drafted, considerable death tolls, and lack of progress in the war. Today the Selective Service System requires that all male citizens register for Selective Services within 30 days of their 18th birthday although there is no guarantee they will ever be called for duty. Other countries around the world maintain various forms of military conscription including Germany, Israel, China and Turkey.

Historically there have been two justifications for military conscription:

(1) Military Necessity: Some nations have argued that the existence of imminent threats necessitates military conscription. These threats could include future or current involvement in a war overseas like the justification used for conscription in the United States during World War I. Threats may also involve hostile bordering nations that may threaten a country at any time such as the case of Israel.

(2) Improving the Population: Politicians over the centuries have argued that military service is beneficial to the people who serve and to the population as a whole. Military service fosters bonds of citizenship, improves values, teaches occupational abilities, and provides life skills.

Despite these goals most systems of military conscription have maintained methods of allowing individuals who do not wish to serve from having to take part. Conscientious objectors, frequently citing religious objections to military service, are granted in some countries the choice of serving a weapons free sector of the army or given a free pass all together.

In its modern usage military conscription has different manifestations. Military conscription may be universal meaning that all able-bodied individuals are enlisted for military service. For example, in Israel military service is required for all citizens over 18 years of age (men are required to serve 3 years, women are required to serve 2 years). Selective military conscription differs from universal conscription in that only certain groups or individuals in society are conscripted. The decision of who will be conscripted may occur by a random lottery colloquially referred to as the draft. A second way of delineating between kinds of conscription is whether they occur in times of war or times of peace. Peacetime conscription may be for the purposes of maintaining an army that can deal with an imminent threat. In Israel peacetime conscription has been justified by the threat generated by Israel's geographic proximity to hostile actors. In addition to arguments for military readiness, those in favor of peacetime conscription herald

its benefits to civil society because of its capacity to instill civic virtue and practical skills in youth. On the contrary, wartime conscription is a response to a current military crisis that demands an immediate increase in military strength.

The resolution does not specify whether we are dealing with universal, selective, peacetime or wartime conscription, as a result it's beneficial to look at common traits all forms of military conscription possess. Military conscription always requires a degree of compulsion. If individuals wanted to join the military they would volunteer, the fact that they are conscripted indicates a degree of forced action rather than choice. The compulsion inherent to military conscription has economic, social, and political ramifications that have been the center of heated debates (like the ones you're going to have!). Military conscription also always requires military service. Military service can, however, embody any of the tasks within the military not just combat roles. This means conscripts could potentially be working as translators, cooks, trumpet players in the army band, or a host of other non-combat roles. Conscripts could even be employed domestically responding to environmental disasters, completing public works projects, and searching you for liquids at the airport. Despite this diversity of jobs, they are all centered around and fulfill however indirectly the military's primary goal of promoting the nation's interests by eradicating internal and external threats.

Focusing on problems or benefits inherent to these issues surrounding military conscription should ensure the topicality of your case. However, if you wish to focus on one particular instantiation of military conscription you will need to provide a justification for why such an interpretation is sufficient to affirm or negate the resolution.

III. Framing the Standards Debate

The simple phrasing of this resolution makes the standards debate a bit simpler than on other resolutions. The intuitive value is obviously justice because we are

debating about whether or not military conscription is unjust. Given this it would behoove you to research general theories of justice and familiarize yourself with how writers have conceptualized the demands of justice. Being able to define justice beyond “giving each his or her due” or “justice as fairness” will help you narrow the standards debate and save time when dealing with your opponent’s standard.

Two approaches to the affirmative standard immediately present themselves to me. Both embrace a simple syllogistic form. First, you may structure your case to argue that if something is just it possesses X, military conscription does not possess X, therefore military conscription is unjust. Here X would be the standard and could be a host of things (equality, decreasing violence, protecting individual rights, respect for free choice) depending on your case position. A second approach is to argue that X is unjust, military conscription possesses X, therefore military conscription is unjust. In this case the standard would be the avoiding or prevention of X (avoiding coercion, preventing the violation of rights, preventing inequality). Similar syllogistic approaches present themselves on the negative as well. You can argue if something is just than it possesses Y, military conscription possesses Y, therefore military conscription is just. Conversely you can also argue if something is unjust it possesses Y, military conscription does not possess Y, therefore military conscription is not unjust. In both cases Y functions as the standard. Obviously there are other options for approaching the standards debate but I think syllogistic approaches lend great clarity to this particular resolution.

IV. Affirmative: Military Conscription is Unjust

Many affirmative arguments can be based in the notion that military conscription violates individual freedom. After constructing a standard that links individual autonomy to justice, affirmative cases can argue that military conscription limits individuals’ capacity to make choices and is subsequently unjust. Inherent to the

idea of military conscription is that people are being forced to join the military when they would otherwise not have volunteered for military service. This means individual liberty interests are suppressed for the sake of the state's military interests. Denial of individual liberty interests through military conscription takes many forms. The freedom to choose one's occupation, where one lives, and who one associates with are hindered by the demands of military service which force a military role, location to a military base of operations, and association with military comrades. In the military simple choices like how to wear one's hair, what clothes to wear each day, when to get up, what food to eat, and how to spend one's time are denied. Military conscription represents a denial of freedoms in virtually every aspect of a conscript's life and unlike a volunteer soldier those freedoms were not voluntarily given up but coercively deprived.

A second kind of affirmative position argues that military conscription is discriminatory towards certain social groups. Military conscription usually does not draw upon all groups in a society. Certain groups are excluded because they are not fit for military service such as children and the elderly. Other groups, however, are excluded from conscription for far more arbitrary reasons that reflect society's prejudices. For example, in virtually all countries with military conscription women are excluded from having to serve. This reflects attitudes about women's natural physical inferiority, proper place in the home, and general inability to match men in military service. Such unequal assumptions within military conscription are inconsistent with any conception of justice that values equality.

A common argument in the literature opposing military conscription is that compulsory military service is like an unequal tax that conscripts must pay. When individuals select their jobs they consider a range of factors included payment, level of satisfaction, location, hours, risk, etc. Some people choose military careers because they meet those factors better than any other options. For other individuals the employment they selected was preferable to military employment

(if it wasn't they presumably would have gone into military work instead). When individuals are conscripted they then lose out on the greater salary, satisfaction and benefits that come with their current employment. Elvis provides a telling example. When he was conscripted in 1958 his monthly salary dropped from \$400,000 to \$78! This differential between what one earns in his or her preferred employment versus after being conscripted is the equivalent of a tax that only conscripted individuals have to pay. The idea of conscription as an unequal tax impacts standards of equality and rights protections.

An affirmative argument appealing for its simplicity is that military conscription violates the social contract between the state and the people. Individuals have a relationship with the government in which they provide certain services to the government and the government in return provides services. This relationship manifests in the form of individuals obeying laws and paying taxes while the government ensures the safety and well being of its citizenry. Military conscription represents a perversion of the logic the social contract rests upon because it requires individuals being willing to sacrifice their lives for a state that exists solely to protect their lives.

There is a substantial body of literature dedicated to critiquing the military as an institution. By virtue of the fact that military conscription seeks to promote the military institution, this literature is accessible for the affirmative. In general arguments are offered for why the military is an inherently oppressive institution. There are some particularly unique arguments about the relationship between the military and the environment. During times of war the environment has generally been viewed as a problem that needed to be dealt with or as something that could be exploited. Chemical warfare to poison air, land and water has been employed for centuries. During WWII testing of nuclear weapons rendered swaths of the American southwest and Pacific islands contaminated with nuclear waste. Both the Allies and the Japanese were responsible for the extinction of indigenous birds and animals on tropical islands in the Pacific. The use of Agent

Orange to eradicate foliage in Vietnam not only harmed humans but devastated the environment. Warfare has thus added a variety of ecocidal practices to its arsenals. Additionally, animals have essentially been “conscripted” for military use and exploited. Bats, horses, dogs, dolphins, cats, pigeons and even glow worms have all been used for military purposes. Their uses range from mine detection as in the case of dolphins trained by the U.S. Navy Marine Mammal Program to the very strange Operation Acoustic Kitty from the 1960s in which a microphone and battery was implanted in a cat with an antennae in its tail by the CIA to spy on the Soviets (the acoustic kitty was hit by a car on its first mission). Obviously the question of whether it is just to conscript animals for such military purposes arises, but these examples also serve to demonstrate the military’s general disregard for environmental concerns.

A final approach to the affirmative focuses on the advantages of a volunteer army over a conscripted army. Cases in this vein would argue that military conscription is unjust because volunteer armies are just as good if not better without having the disadvantage of coercion. Those who argue for volunteer armies point to the fact people who enlist are making a choice and subsequently want to be in the military. As a result morale is likely to be higher and the efficiency of individual soldier’s will be greater. Additionally, in volunteer armies there is a greater amount of time to train individuals to use complex machinery and technology because they are in the military for longer periods of time. Supporters of volunteer armies argue that changes in modern warfare mean large armies are no longer necessary, but small highly technical forces capable of precise military action are better suited for defense.

V. Negative

One possible negative approach is to argue that military conscription gives individuals the opportunity to learn a variety of technical and occupational skills that they may otherwise not be exposed to. In the military people receive training in specialized and diverse tasks including languages, mechanics, wilderness

survival, medicine, etc. These skills can be beneficial once they return to civilian life and some may even open up new occupational opportunities for individuals. Thus military conscription can be important in facilitating the process of self-actualization.

Similar to the previous argument, military conscription can also be argued to promote civic responsibility. Many communitarian authors argue that a period of national service is essential to making people realize their obligations to their fellow citizens. In this sense military conscription can be viewed as fostering community awareness. By serving in the military for a few years individuals must set aside selfish and individualistic ambitions and dedicate themselves to the defense and wellbeing of others. Such training creates a citizenry in which individuals view themselves as part of a community willing to sacrifice for its sake.

There is a good deal of literature that argues that military conscription is necessary for self-defense. A degree of military readiness is always guaranteed regardless of the origin of the threat if a standing military is always present through military conscription. Thus in the event of a natural disaster like a hurricane or earthquake, a hostile invasion from another country or space aliens, or an atrocity in another country that compels a response a military force will always be ready to respond.

Another argument is that military conscription would help to mitigate the disproportional enlistment of the poor and minorities in the armed forces. Currently the poor and minorities are attracted to the military because they don't have many other options. As a result these groups are disproportionately sacrificing their lives for the rest of the citizenry. Military conscription would remedy this by drawing equally upon all groups in society. The result would be a military that better represented society as whole in terms of race, economic status, and abilities.

Finally, a popular argument is sure to be that military conscription decreases the civil-military divide making the military more transparent and accountable. Under a volunteer army the military becomes distanced from the rest of society. Most people don't know what it is like in the military or what the general practices of the military are. Military conscription eliminates the divide between civil society and the military by opening the possibility that anyone can be conscripted into the military. This possibility forces the military to be more accountable to the people by arousing public interest in the military. When people have the possibility of being sent to war their interest in what actions the military is undertaking skyrockets. This increased interest may result in a more political active citizenry in terms of voting and protesting that would decrease the likelihood of entering into unnecessary wars.

VI. Final Words

I hope this has been a helpful overview of some of the issues posed by this resolution. In your own research you will surely see them mulled over as well as some other tantalizing bits on military conscription.

Congratulations on making it to Nationals! Birmingham is sure to be a blast. I would recommend avoiding Waffle House.

If you have any questions about things that were covered in this essay feel free to contact me at aliverzani10@amhest.edu.

Topic Analysis by Shane Stafford

It's up to you not to heed the call-up

You must not act the way you were brought up

Who knows the reasons why you have grown up?

Who knows the plans or why they were drawn up?

---The Clash, *Sandinista!*

Definitions and Scope

A starting point for this topic is to consider the definition of conscription. The fact that the word “military” has been included will make this easier, as civil conscription would be outside of the topic. A common definition would be: “compulsory enrollment of persons especially for military service”.⁴ Another definition is: “Compulsory enrollment, especially for the armed forces; draft.”⁵ It appears that the topic will focus on what we commonly refer to as “the draft” and military service. One slightly different definition implies one could be conscripted to pay money rather than service. This alternate definition is: “A monetary payment exacted by a government in wartime.”⁶ This definition is the second one listed and given this is the NFL National tournament; one would probably be best to stay with the traditional military service definition of conscription. There are many nations of the world that employ a form of military form of conscription. The United States used a military draft system for many years, until the system was abolished in 1973. President Richard Nixon eliminated the draft in 1973 and the United States military became an all-volunteer force. It is likely that researching arguments from this period of history may provide debaters with some arguments on both sides of the topic. Recently, (2003) Representative Charles Rangel (D, N.Y.) has advocated for the reinstatement of the military draft system. Rangel introduced a bill in the United States congress that would

⁴ <http://www.merriam-webster.com/dictionary/conscription>

⁵ <http://www.answers.com/topic/conscription>

⁶ <http://www.answers.com/topic/conscription>

require men and women ages 18 to 26 to serve in the military or an alternate national civilian service. Finally, the debater should look for examples outside of the United States. Many countries utilize a system of military conscription. For example Germany requires nine months, Denmark requires four months, Taiwan requires 16 months; in 2006 over 60 countries require some service in the military.⁷ Many of these countries all alternatives to serving in the military, it is unclear if this is a defense the affirmative can take or if this format would be considered “national service” and can some how be distinguished from “military conscription”.

Rights and Military Conscription

The first issue that comes to mind when one speaks of “compulsory” service involves rights and freedom. Affirmatives will argue the Constitution was designed to protect our liberties and constrain the government from controlling the lives of the people and thus any kind of forced service is a form of involuntary servitude. Supreme Court decisions have constantly upheld military conscription. The Constitution refers to the ability of Congress to “raise and support Armies” which is commonly seen as a support for the constitutional validity of military conscription. The affirmative involuntary servitude argument will come from the 13th amendment. The Supreme Court defended the government’s right to military conscription in *Butler v Perry* (240 US 328 [1916]) and *Arver v. US* (245 US 366 [1918]) under the theory of the need for the protection of the existence of the state. These decisions have not prevented many from taking the affirmative’s position that conscription still violates the 13th amendment. Representative Ron Paul has been a frequent advocate of the argument that conscription violates the 13th amendment.⁸ The argument the affirmative would make here is that the Constitution allows the raising of an army, a voluntary army, not a compulsory one. Affirmatives will not limit their defenses to the Constitution. Notions of

⁷ Compulsory National Service in Foreign Countries, August 25, 2006, <http://www.2facts.com/RecordUrl.asp?article=icof/search/ib110452.asp>

⁸ <http://www.house.gov/paul/press/press2001/pr050301.htm>

human rights will be used to bolster the affirmative position. Negatives will want to research the human rights issues as many of the human rights organizations may not believe military conscription is a violation of human rights, but how the service is handled and the punishments for rejecting to fulfill that service. Consider the recent statement of Human Rights Watch on the situation in Eritrea. “Enforced indefinite national service is an increasingly important element of Eritrea’s human rights crisis. Conscripts undergo military training, in itself not illegal. However, they are subjected to cruel military punishments and torture...”⁹ On the negative side, concepts of social contract theory may be used to justify citizen’s obligation to service to the state.

Another issue that will be debated involves the equity and race issues of military conscription. This is the argument that Representative Rangel makes: “But as a combat veteran of the Korean conflict, I believe that if we are going to send our children to war, the governing principle must be that of shared sacrifice. Throughout much of our history, Americans have been asked to shoulder the burden of war equally.”¹⁰ Typical data indicates that African Americans are over 22% of the armed services, yet they comprise just over 12% of the general population, some figures put this gap at even larger. The current all-volunteer force has been labeled a “poverty draft” as many who joined the armed services are doing so for economic reasons. On the other side, research in the early 1970s when elimination of the draft was being discussed indicated the draft system was racist.¹¹ The question then remains if returning to a military conscription system would increase equity by “sharing the burden” or just provide a return to a previously unjust system. The affirmatives will attempt to argue that a return to the draft would violate individual’s 13th amendment rights and institute a racist system, while the negative could indicate the lack of justice comes from laws that promote inequity.

⁹ <http://www.wri-irg.org/de/node/7518>

¹⁰ <http://www.nytimes.com/2002/12/31/opinion/bring-back-the-draft.html>

¹¹ “Blacks and the Draft: A History of Institutional Racism”

Paul T. Murray, *Journal of Black Studies*, Vol. 2, No. 1 (Sep., 1971), pp. 57-76

Costs of Military Conscription

Costs can come in two forms; monetary issues surrounding the all-voluntary force versus the draft system and also the possible cost of lives lost depending on which system you implement. Prior to the 1973 elimination of the military draft one of the arguments was that an all-voluntary force would cost the government too much money. With a draft in place military can pay fewer wages. Christopher Jehn states that “Every time a draft has been imposed, the result has been lower military pay.”¹² But, Jehn goes on to argue that this has not really saved money, he continues. “But the draft does not really reduce the cost of national defense. It merely shifts part of the cost from the general public to junior military personnel (career personnel are not typically drafted). This tax is especially regressive because it falls on low-paid junior personnel, who are least able to pay.”¹³ Additionally, data has indicated that under the military draft system there would be more wasteful spending. A 1988 United States General Accounting Office (GAO) study looked at “Military Draft: Potential Impacts and Other Issues”. The report concluded that:

“If pay for new enlisted personnel was significantly reduced and the force size remained constant, the draft could result in considerable budgetary savings, but these savings would not be fully realized for many years. Moreover, these savings would be achieved at the price of significantly reduced active-duty force effectiveness and uncertain social consequences. Measures to offset the loss of active-duty force effectiveness could make a draft more costly than the current volunteer force. In addition, studies done by others indicate that the estimated budgetary savings could be offset entirely, or in large part, by added costs to the civilian economy.”¹⁴

¹² <http://www.econlib.org/library/Enc/Conscription.html>

¹³ <http://www.econlib.org/library/Enc/Conscription.html>

¹⁴ <http://archive.gao.gov/d34t11/135266.pdf>

The GAO report is somewhat typical for the General Account Office in that it presents a good deal of data on both sides and doesn't tend to take strong conclusions. In general, it doesn't appear the cost arguments are particularly strong. It is possible the negative can take the Jehn argument above about the costs savings coming from a "regression" method and argue fairness.

There is a second type of cost argument that involves human lives. The affirmative can take an approach that argues that having everyone in a pool that can be potentially drafted will make our society more attuned to any armed conflict we participate in. Charles Moskos, professor of sociology at Northwestern University makes the argument: "Nobody will accept casualties unless the elite are willing to put their own children's lives on the line."¹⁵ Here the affirmative can argue we are less likely to get involved in conflicts if the "stakes" are clear to everyone in the society. There appears to be quite a bit of literature on this idea. Joseph Paul Vasquez III, of University of Notre Dame "contends that democracies with conscript armies experience fewer combat casualties than democracies with volunteer or professional forces because the societal actors most closely affected by conscript casualties are more likely to have the political power and access with which to constrain policy makers."¹⁶ These two authors and several others take the Charlie Rangel argument and move it to an entirely different level. The affirmatives can argue equity, lives saved and fewer conflicts in this manner.

Additional Thoughts

Many of the ideas discussed here apply to the United States and military conscription. There are many countries that have forms of military conscription and some of those may present different ideas. Although, many of the

¹⁵ <http://www.2facts.com/RecordUrl.asp?article=/icof/search/i0800410.asp>

¹⁶ Joseph Paul Vasquez III, "Democracy, Conscription, and Military Casualties" *Journal of Conflict Resolution*, vol. 49, no. 6, December 2005. P.849 – JSTOR)

arguments on the “justice’ of conscription will be universal. Another area to look to is the impact of military conscription on the “effectiveness” of the military force. There may be issues of military readiness and military approaches to hegemony. The GAO report touches on issues of war-fighting and deterrent capability. Examples of European countries and their forces related to compulsory military conscription are discussed. Finally, the return of a draft system could have impacts on internal relations depending on the perceptions of other nations. There is plenty of research out there on a few focused areas. Enjoy the research and good luck at Nationals!!!

Affirmative Evidence

Discrimination:

Conscription is Unequal – Discriminates against women

Barbara A. Brown, Thomas I. Emerson, Gail Falk, and Ann E. Freedmant. '71
The Yale Law Journal.

“The Armed Forces have always been one of the most male-dominated institutions in our society. Only men are subject to involuntary conscription. Various regulations of the Armed Forces restrict the access of women to the military, and indeed place an absolute limit on the number permitted to serve. Women with dependent children may not enlist, while men in the same situation may do so. Certain grounds for discharge apply only to women. Numerous other forms of differential treatment pervade the military services.”

Conscripts don't necessarily lose biases and prejudices while in the military

James C. Miller III, “Nonmilitary Reasons for Military Conscription” ,Why the Draft? The Case for a Volunteer Army, ed. James C. Miller III, Baltimore: Penguin Books, 1968, pp 167.

Life in the military is said to teach men how to cooperate with each other; how to get things done together. And in the process, innate biases and prejudices are erased. Jew and Gentile, Protestant and Catholic, (black) and white; all live and work together. The amalgamation generates understanding and tolerance on the part of soldiers which they retain after leaving service. But it is not at all certain that recruits lose prejudices in the military. In fact, they have no choice of their fellow squad members, there is likely to be more social friction than where men are allowed to choose their own companions. And in any case, whatever the advantages of the military, they are of much less importance now than in the past, for the wider knowledge, mobility, and tolerance of today's youth render such alleged social advantages marginal.

Military conscription fails to foster equal relations in society

Panu Poutvaara and Andreas Wagener, "The Economic Costs and the Political Allure of Conscription" Discussion Paper No. 106, Helsinki Center of Economic Research, May 2006, pp 15-16.

First, as argued above, military draft is far from a burden that is equally shared; it is highly discriminatory with respect to age, sex, and possibly social status. Not very surprisingly, thus, it is typically people well beyond draft age who pontificate about everybody's duty to serve. Second, the burden sharing is exactly the other way round as claimed. It is with a professional army that the defense burden is distributed across all citizens: the fiscal bill is sent to every taxpayer, independently of age and sex. Calls to service are, however, exclusively sent to draftees. Third, the existence of a civic duty does not imply that the burden from that duty be shared equally. Arguably, contributing to the financing of government is also a civic duty – but the idea that everybody pays the same amount of taxes is neither a logical nor probably a socially desirable implication of that duty.

Military conscription would do little to change the racial divisions in the military

Bandow, D. (1991). *The Volunteer Military: Better Than A Draft*. Cato Institute.

A draft would do little to change the racial composition of the armed forces. At most, assuming that all voluntary enlistments were barred (an obviously ludicrous policy) and that an equal proportion of all racial groups was conscripted (which is highly unlikely), at today's force levels a draft would bring something under 300,000 new people a year. Of them, 42,000 would be black, compared with 63,000 blacks among 300,000 volunteers. Conscripts serve two years, so those 21,000 extra whites coming in every year would boost the share of whites in our force of 2.1 million by just 2 percent. Moreover, unless pay were cut sharply, a difficult political task since a draft would be so selective--taking at most fewer than one out of five 18-year-old males--a draft could easily account for fewer than 100,000 new accessions. Then the total impact on the racial composition of the military would be less than two-thirds of 1 percent.

A volunteer army is best for racial minorities

Bandow, D. (1991). *The Volunteer Military: Better Than A Draft*. Cato Institute.

The injustice is in the lack of opportunities for many blacks and other minorities in American society, not in the opportunities the military offers for upward mobility. There is nothing unfair in allowing people to decide, on the basis of a number of factors ranging from economics to patriotism, that military service is their best option. What would be wrong would be to create a military made up of those who did not want to serve, which would close off yet another avenue to well-qualified minorities. In fact, a draft would make everyone worse off: blacks who did not want to serve but who were drafted and blacks who wanted to serve but were not able to join because conscripts filled the first-term slots, as well as similarly situated whites.

Conscription is an Unequal Tax:

Those who are conscripted bear a greater portion of the military burden than those who are not

Mark V. Pauly and Thomas D. Willett, "Who Bears the Burden of National Defense?" ,Why the Draft? The Case for a Volunteer Army, ed. James C. Miller III, Baltimore: Penguin Books, 1968, pp 54.

The fact is, however, that conscription essentially implies that many of those who do serve also bear an additional portion of the military burden. They do so by, in effect, paying what is really a tax-in-kind, an 'implicit' tax. This tax has two aspects. In part, it represents, the economic loss which an individual suffers who is either compelled into service by threat of induction or who is conscripted outright. Clearly, if an individual could earn \$8,000 per year in civilian life but gets, in total, \$2,100 in pay and benefits per year as an inductee, then his income is reduced by \$5,900 per year by virtue of his being drafted, in order that national defense be provided. That is conscription costs him \$5,900 per year in forfeited income. If he were indifferent between military and civilian employment at equal pay, the draft would, in effect, compel him to pay the equivalent of a special tax in the economic or financial sense, since the \$5,900 also represents roughly the net loss to productive capacity to the economy as a whole that results from the citizen's being drafted.

Military conscription places an implicit tax on the conscripted individual by denying him occupational preference

Mark V. Pauly and Thomas D. Willett, "Who Bears the Burden of National Defense?" ,Why the Draft? The Case for a Volunteer Army, ed. James C. Miller III, Baltimore: Penguin Books, 1968, pp 54.

This 'financial cost' to the draftee will usually understate the true implicit tax on him because of another aspect of military service. Ordinarily, an individual who is drafted would not be indifferent between his present job and that of an army private even if both paid the same wages. That is, a person would usually have an occupational preference for either military or civilian life. For instance, it is logical to assume that those with strong preferences for military life have already volunteered into the armed forces. But given such features of military life as long hours, strenuous work, onerous discipline, etc., one would expect that most other individuals would prefer their civilian occupations at equal wages, so that the 'implicit tax' would, in most cases, exceed the financial cost to the individual.

The implicit tax individuals' who are conscripted must bear manifests through their decreased level of satisfaction in the military

Mark V. Pauly and Thomas D. Willett, "Who Bears the Burden of National Defense?" ,Why the Draft? The Case for a Volunteer Army, ed. James C. Miller III, Baltimore: Penguin Books, 1968, pp 54.

The implicit tax is really represented by the difference between what the individual would receive as a military conscript and that wage necessary to induce him to volunteer for the same job. If the individual receives anything less than the amount necessary to induce him to volunteer, then his conscripted service in the armed forces reduces his general level of utility or satisfaction in order that national defense be provided. Hence, in a very real sense, he pays a special tax.

Conscripts disproportionately bear the burden of military service

Mark V. Pauly and Thomas D. Willett, "Who Bears the Burden of National Defense?" ,Why the Draft? The Case for a Volunteer Army, ed. James C. Miller III, Baltimore: Penguin Books, 1968, pp 55.

Were it not for the fact that soldiers can be conscripted, other taxpayers would clearly have to pay higher taxes in order to provide for national defense. Hence, payment of the implicit tax by draftees and reluctant volunteers allows other citizens to enjoy a certain level of defense at a lower cost to themselves. This tax is not paid in money, but in labor services rendered by the draftee or reluctant volunteer over his term of service, for which he is not fully compensated. And this same stratagem could be used also to reduce the cost to most taxpayers of many other government services. For example, if young men were drafted to work for the Post Office, the Post Office deficit could probably be wiped out and mail rates lowered. But all would recognize that those individuals who were forced to carry mail were paying as a 'tax' a large part of the cost of postal services. Similarly, it should be recognized that those whom the draft compels or induces to perform military service are also paying a substantial tax.

Conscripts bear a greater financial burden than the non-conscripted

Mark V. Pauly and Thomas D. Willett, "Who 'Should' Bear the Burden of National Defense?" ,Why the Draft? The Case for a Volunteer Army, ed. James C. Miller III, Baltimore: Penguin Books, 1968, pp 60.

It is also clear that young men are not more able than others to bear the financial burden of this implicit tax. Young people usually have relatively low incomes and forced conscription imposes an even bigger hardship on them. The plight of families trying to live on the pay of a private and to cope with vagaries of army life is well known. There seems to be no justification for compelling young men to make so large a financial sacrifice to provide a service which is enjoyed by young and old, rich and poor alike. In short, when the incomes of all age groups are taken into consideration, the implicit tax of the draft is a severely regressive one and is at variance with any generally accepted criterion of ability to pay.

The draft is like an unequal tax on conscripts

Panu Poutvaara and Andreas Wagener, "The Economic Costs and the Political Allure of Conscription" Discussion Paper No. 106, Helsinki Center of Economic Research, May 2006, pp 8.

Unlike a professional army that is financed out of the general budget, a draft system passes an important part of the costs of the military or the social sector to young draftees, rather than spreading them more evenly across all cohorts of taxpayers. Those in favor of conscription for reasons of budgetary cheapness implicitly are arguing that the costs of military security or social services – which they deem too high to be borne by everyone via normal taxes – should be shifted to conscripted teenagers and people in their early twenties.

Military conscription is a form of underpayment or taxation based on coercion

William H. Meckling Report of the President's Commission 1970, 23-24.

Any government has essentially two ways of accomplishing an objective whether it be building an interstate highway system or raising an army. It can expropriate the required tools and compel construction men and others to work until the job is finished or it can purchase the goods and manpower necessary to complete the job. Under the first alternative, only the persons who own the property seized or who render compulsory services are required to bear the expense of building the highway or housing project. They pay a tax to finance the project, albeit a tax-in-kind. Under the second alternative, the cost of the necessary goods and services is borne by the general public through taxes raised to finance the project. Conscription is like the first alternative—a tax-in-kind. A mixed force of volunteers and conscripts contains first-term servicemen of three types—(1) draftees, (2) draft-induced volunteers, and (3) true volunteers. Draftees and draft-induced volunteers in such a force are coerced into serving at levels of compensation below what would be required to induce them to volunteer. They are, in short, underpaid. This underpayment is a form of taxation.

AVF Good – Quality is better than Quantity:

AVF produces better quality soldiers

Bandow, Doug. 1999. "Fixing What Ain't Broke; The Renewed Call for Conscription". Policy Analysis No. 351. Cato Institute, special assistant to President Reagan.

First, the military's problem is not an inadequate quantity of recruits but an inadequate quantity of quality recruits. The AVF is choosier than a draft military—actually rejecting many bodies. Navy recruiter Petty Officer Benny Granillo explains, "Most of the people who walk into the office have something wrong with them." Of roughly 9 million males between the ages of 17 and 21, Maj. Gen. Evan Gaddis, commanding general of the Army, reports that only 14 percent are the high quality, fully qualified and available prospects all military services want to recruit.

Higher Quality Soldiers are generally better for survivability in combat and the desire to fight

Bandow, Doug. 1999. "Fixing What Ain't Broke; The Renewed Call for Conscription". Policy Analysis No. 351. Cato Institute, special assistant to President Reagan.

Although no doubt exists that higher quality is desirable—brighter recruits with more education perform better and are more likely to finish their tours—the Pentagon's specific goals are arbitrary."... "Despite its current problems, the AVF remains a far higher quality force than the military of the draft era. On the important measures of high school graduation and scores on the Armed Forces Qualifying Test (AFQT) today's military is far superior."

Volunteer armies are of better quality than conscript armies

Milton Friedman, "Why Not a Voluntary Army," *The Draft and Its Enemies: A Documentary History*, ed. John O'Sullivan and Alan M. Meckler, Chicago: Illinois, 1974, pp 254.

A volunteer army would be manned by people who has chosen military career rather than at least partly by reluctant conscripts anxious only to serve out their term. Aside from the effect on fighting spirit, this would produce a lower turnover in the armed services, saving precious man-hours that are now wasted in training or being trained. It would permit also permit intensive training and a higher average level of skill of the men in the service. And it would encourage the use of more and better equipment. A smaller, but ore highly skilled, technically competent, and better armed force would provide the same or greater military strength.

AVF = More Benefits/Less Costs:

Volunteer armies respect individuals freedom of choice

Milton Friedman, "Why Not a Voluntary Army," *The Draft and Its Enemies: A Documentary History*, ed. John O'Sullivan and Alan M. Meckler, Chicago: Illinois, 1974, pp 254-255.

A voluntary army would preserve the freedom of individuals to serve or not to serve. Or, put the other way, it would avoid the arbitrary power that now resides in draft boards to decide how a young man shall spend several of the most important years of his life- let alone whether life shall be risked in warfare. An incidental advantage would be to raise the level and tone of political discussion. A voluntary army would enhance also the freedom of those who now do not serve. Being conscripted has been used as a weapon-or thought by young men to be so used- to discourage freedom of speech, assembly, and protest. The freedom of young men to emigrate or to travel abroad has been limited by the need to get the permission of a draft board if the young man is not to put himself in the position of inadvertently being a lawbreaker.

Volunteer armies reduce discrimination

Milton Friedman, "Why Not a Voluntary Army," *The Draft and Its Enemies: A Documentary History*, ed. John O'Sullivan and Alan M. Meckler, Chicago: Illinois, 1974, pp 255.

A by-product of freedom to serve would be avoidance of the present arbitrary discrimination among different groups. A large fraction of the poor are rejected on physical or mental grounds. The relatively well-to-do are in an especially good position to take advantage of the possibilities of deferment offered by continuing their schooling. Hence the draft bears disproportionately on the upper lower classes and the lower middle classes. The fraction of high high-school graduates who serve is vastly higher than of either of those who have gone to college or those who dropped out before finishing high school.

Volunteer armies are better for the university education system

Milton Friedman, "Why Not a Voluntary Army," *The Draft and Its Enemies: A Documentary History*, ed. John O'Sullivan and Alan M. Meckler, Chicago: Illinois, 1974, pp 256.

Substitution of a voluntary army (or of a lottery) for the present draft would permit colleges and universities to pursue their proper educational function freed alike from the incubus of young men- probably numbering in the hundreds of thousands- who would prefer to be at work rather than in school but who now continue their schooling in the hope of avoiding the draft and from controversy about issues strictly irrelevant to their educational function. We certainly need controversy in the universities- but about intellectual and educational issues, not whether to rank or not to rank. Similarly, the community at large would benefit from the reduction of unwise earlier marriages contracted at least partly under the whip of the draft and from the probable associated reduction in the birth rate. Industry and government would benefit from being able to hire young men on their merits, not their deferments.

AVF – Solves Better:

AVF is the best protector of the peace

Ayn Rand - Wreckage of the Consensus.” Ayn Rand, <http://www.aynrand.org>

If a country's government undertakes to fight a war for some reason other than self-defense, for a purpose which the citizens neither share nor understand, it will not find many volunteers. Thus, a volunteer army is one of the best protectors of peace, not only against foreign aggression, but also against any warlike ideologies or projects on the part of a country's own government. ... Not many men would volunteer for such wars as Korea or Vietnam. Without the power to draft, the makers of our foreign policy would not be able to embark on adventures of that kind.

AVF has better survivability rates

Bandow, Doug. 1999. “Fixing What Ain’t Broke; The Renewed Call for Conscription”. Policy Analysis No. 351. Cato Institute, special assistant to President Reagan.

However, conscription would actually exacerbate that problem. A draft brings in untrained first termers, not experienced pilots. And conscripts, who don’t want to be in uniform, (who) reenlist in far lower numbers than do volunteers. Only 10 percent of first termers stayed in the military when service was mandatory compared with about 50 percent today under the AVF.

An all volunteer military is superior to a conscripted military

Richard Posner – “Richard Posner replies to Evan Gerstmann” – New Republic 5 (February 16, 2004) – “Community and Conscription,” Rethinking Commodification: Readings in Law and Culture

A notable omission in the communitarian criticism of the volunteer army is the failure to consider that a professional army (a term synonymous with volunteer army) is likely to be much more effective militarily than conscript army under current conditions of warfare. How much military effectiveness should we give up to promote the communitarian vision? The communitarians have not told us. There is a subtler significance of the shift from a conscript to a professional army that they also ignore. As David King and Zachary Karbell pointed out in *The Generation of Trust*, one reason for the enhanced esteem in which our volunteer military is held compared to its conscript predecessor is the when labor pool that is working for him is attractive. When it could no longer rely on the draft to fill its ranks, the military conducted large – scale advertising and marketing campaigns to attract recruits and had great success with it slogan “Be All That You Can Be”. Most of the people who saw the ads were not potential recruits, but they too were impressed, and so the ads helped to change the negative image that the public had of the military as a result of the Vietnam fiasco

The AVF in the U.S., instituted after the disaster of the Vietnam draft, has produced the most formidable military in history

William A Galston - Professor at School of Public Affairs University of Maryland and Director of Institute for Philosophy and Public Policy, 2004 [., Thinking about the draft, The Public Interest, Issue 154]

“In the aftermath of the military failure in Vietnam, the United States made a historic decision to end the draft and institute the All-Volunteer Force (AVF). On one level, it's hard to argue with success. The formula of high-quality volunteers and intensive training plus investment in state-of-the-art equipment has produced by far the most formidable military in history. Evidence suggests that the military's performance, especially since 1990, has bolstered public trust and confidence. For example, a recent Gallup survey of public-opinion trends since the end of the Vietnam War in 1975 indicates that [the] whereas the percentage of Americans expressing confidence in religious leaders fell from 68 to 45, and from 40 to 29 for members of Congress[’s], those expressing confidence in the military rose from under 30 to 78 percent. Among 18-to-29 year-olds, the confidence level rose from 20 percent to 64 percent. These figures reflect public sentiment in late 2002, before the U.S. military victory in Iraq.”

The volunteer system has succeeded in filling the military ranks

Bandow, D. (1991). *The Volunteer Military: Better Than A Draft*. Cato Institute.

There is no doubt that the volunteer system has succeeded in peacetime. The military has had no trouble filling its ranks with top-quality people--young men and woman who are, in fact, better educated and brighter than their civilian counterparts. During the first half of Fiscal Year 1990, for instance, 91 percent of new recruits had graduated from high school, compared with 75 percent of all 18- to 24-year-olds; 96 percent of enlistees scored in the top three (of five) categories of the Armed Forces Qualification Test (AFQT), compared with just 69 percent of civilian youth. The military achieved comparable results throughout the 1980s, despite predictions that continued economic growth would make recruiting difficult.

Soldiers are consistently better educated than civilians contrary to stereotypes about volunteer armies attracting the poor and uneducated

Bandow, D. (1991). *The Volunteer Military: Better Than A Draft*. Cato Institute.

Throughout the 1980s military recruits were smarter and better educated than their civilian counterparts. Ten percent of young people scored in the bottom AFQT category (V); the military took none of them. Twenty-one percent scored in Category IV, but the military drew just 4 percent of recruits from that group in the first half of 1990. ¹⁷ An Ohio State University study found that recruits have greater educational aspirations than their civilian counterparts. In short, contrary to the conventional wisdom, the services are not the last refuge of society's dregs. If the officer corps is excluded, the military is not quite equal in social status to the civilian world, but the differences are small. According to a 1989 Pentagon survey, the family backgrounds of recruits were slightly more blue collar than those of youth generally. Parents of recruits had roughly the same rates of college attendance as did parents of civilian youth. Enlistees' fathers are relatively more likely to be skilled production workers than professionals or executives. ¹⁸ Similarly, a 1989 Congressional Budget Office study found that young men from families with incomes 20 percent below average were only marginally more likely to join the military than were those from families with incomes 20 percent above average.

AVF = All that is Necessary:

An All-Volunteer Army is Sufficient

Wiener, Gary. 2007. A Volunteer Army Is Sufficient to Meet America's Military Needs.

The U.S. military, however, prefers a volunteer army to conscription in order to attract a higher caliber soldier and to ensure that only those who want to serve do so. Critics of this policy claim that children of the upper classes are under-represented in the all-volunteer army and that all Americans should join in the war effort. Sacrifice, they believe, should be shared. Opponents claim that if the draft were reinstated, only children of the wealthy would find a loophole, and that the military would find itself burdened by unwilling recruits. Antiwar activists, youths, and the military all agree that an all-volunteer army is the best policy for the United States.

Modern warfare has negated the need for military conscription resulting in its abolishment across the globe

Ute Frevert and Andrew Boreham, *A Nation in Barracks*, Oxford: Berg Publishers, 2004, pp 1.

Aux armes, citoyens! The echo of that famous call to arms in revolutionary France has long since faded, though wars continue to be fought, even in Europe, as the history of the 1990s shows only too well. But such conflicts no longer demand vast conscripted citizens' armies clashing on the battlefields, as in the nineteenth and first half of the twentieth century. Instead, modern warfare focuses on deploying small, highly specialized and professional military combat units- a change opening a debate on universal conscription, whereby, in principle, every male citizen is summoned to arms. Now, after two hundred years, France, home of the modern conscript army, has abolished the draft, shortly after other continental countries like Belgium and the Netherlands, instituting a purely professional army instead. It is a path Germany, too, will most likely follow in the foreseeable future.

A/T: Citizen Obligation to State:

Citizen duties in a society are owed to other members, not to the state

Bandow, Doug. 1999. "Fixing What Ain't Broke; The Renewed Call for Conscription". Policy Analysis No. 351. Cato Institute, special assistant to President Reagan.

However, those duties are owed to others in society—not to the state. And they are owed by everyone, not just the 18-year-old males who would most likely be drafted. It is all too convenient for leaders well beyond draft age to sit in the comfort of their offices (in Congress, think tanks, or newspapers) and pontificate about the duty of young people to serve everyone else...At the same time, as a free people we withhold from government the extraordinary (and dangerous) power to order its citizens to fight and die. That is the proper way for a republic dedicated to the protection of individual liberty to defend itself. Is military service nevertheless needed to teach citizenship values?

Conscription = Slavery:

Forced enlistment is tantamount to turning citizens into slaves

Michael J Hurd – psychotherapist & author of *Effective Therapy* (New York: Dunhill, 1997) – www.capmag.com/article.asp?ID=2352 - January 12, 2003

“Turning citizens into slaves is no way to instill loyalty or to build a competent army. You don't preserve freedom by sacrificing freedom. If a war is truly in a nation's defense, people will be willing to fight to defend themselves. If they aren't, then they deserve what they get. If the war is not worth fighting, then the government has no business fighting it, much less drafting people to fight in it.”

Conscription is a form of slavery and the ultimate commodification – depriving people of the ownership of their labor

Richard Posner – “Richard Posner replies to Evan Gerstmann” – *New Republic* 5 (February 16, 2004) – “Community and Conscription,” *Rethinking Commodification: Readings in Law and Culture*

The suggestion is perverse. Conscription could be described as a form of slavery, in the sense that a conscript is a person deprived of the ownership of his own labor; and slavery is the ultimate commodification, because it treats a human being as a salable good. Michael Lind likewise had it backward when he opposed the volunteer army (which he had called a “mercenary” force) on the ground that in a republic as opposed to the old-fashioned despotic monarchies, the citizens participate, they are the owners of the state, the state does not own them.

The draft is a form of slavery

Anthony Gregory – research analyst at the Independent Institute – “The most important argument against the draft” -
<http://www.lewrockwell.com/gregory/gregory84.html>

The draft is a form of slavery. There is no way around it. Compelling a person to work for the state is involuntary servitude. Forcing a person to fight, kill, and possibly die in a war – and threatening resisters with imprisonment and deserting conscripts with death – is a particularly immoral brand of enslavement, and it is murder for all conscripts who do not survive the war. For all of one’s liberty to be stolen, to have to serve the state even at the cost of one’s own life, is a far greater injustice to face than a tax increase or a new burdensome regulation – as horrible as the latter policies are to one’s liberty and property. If someone cannot own himself, all other property rights become moot. When his liberty is seized for the purpose of killing, wretched insult and injury are only added to the grave injustice of compelled labor.

Conscription is Slavery

Tom Reeves, National Director of the National Council to Repeal the Draft, author, March 19/20, 2005, Counterpunch, “A Draft By Any Other Name...Is Still Wrong,” <http://www.counterpunch.com/reeves03192005.html>

But force, compulsion, conscription, involuntary servitude--for any role--whether as linguist or border guard or officer or foot soldier-- undermines a basic human right for people of all races and classes: free choice, especially over one's work and one's life. Like the death penalty, conscription gives any state a power that is liable to be misused, and that is dangerous in the hands of those who see themselves as the embodiment of some ill-defined national interest. At the Stockholm Conference on Vietnam in 1969, I joined other anti-draft activists to propose a resolution to the assembled delegations from around the world. We proposed that ALL nations abolish conscription. Peace groups from the USSR and the Eastern Bloc staunchly opposed this. They were, of course, controlled by their governments. The anti-draft resolution was defeated (Rumania and Cuba abstained on the final vote). The Soviet argument was that just governments could require service from their young citizens--and that all should serve equally. Chomsky is like the Soviets in believing that a 'just government' could develop a fair system to fight its wars by having the power to force all its young people to serve. The flaw in this thinking is that any government can be trusted to be just, if it is granted total powers like conscription or the death penalty. Karl Marx himself seems to have agreed with this principle. (See Howard Zinn, "Je ne suis pas Marxiste," ZINN ON HISTORY, Seven Stories Press, 1999, pp. 86-87.) It is time to revive the old saw, "Power corrupts and absolute power corrupts absolutely."

A/T – Civil Military Relations

The civil must always be supreme over the military

Harrop Freeman – “Coercion: A Study in the Use of Force” – Pacifist Research Bureau - 1943

“Previous decisions have been reversed by the court. There is a strong and growing recognition by the Court that the civil rights of individuals must be carefully protected against government encroachment—even though the government is thereby incommoded. In our government the civil must always be supreme over the military. No emergency, not even war, suspends the Constitution. The federal government has only those powers granted it by the Constitution; it was no “inherent” power and must keep within the powers given. A variety of rules of construction must be harmonized so as to discover the true spirit of the Constitution, leaving every part fully operative within its own proper sphere.”

Autonomy is Key:

Autonomy and Human Agency are fundamental rights as they underlie all other rights

Christman, John. *Constructing the Inner Citadel: Recent Work on the Concept of Autonomy*. *Ethics*, Vol. 99, No. 1, (Oct., 1988), pp. 109-124. The University of Chicago Press

This can be contrasted with the view that autonomy is a valuable character trait of individuals which, from the point of view of the moral theorist, should be afforded respect and/or protection. Although they come to very different conclusions about rights, I take Richards (1981) and Nozick (1974, chap. 3) to exemplify this method. Autonomy, on Richards's view, when it is distinguished properly from the related but misleading ideas associated with it, provides the basis for the right to be treated as a free and equal moral person, a fundamental human right. (Scanlon 1972 uses a similar method in deriving the right to freedom of expression from the basic value of autonomy.) Nozick's well-discussed defense 120 *Ethics* October 1988 of libertarian rights (absolute side constraints on the actions of others) also rests on the basic value of what he calls "the separateness of persons." This amounts to something very close to autonomy, since, Nozick argues, the characteristics of persons that warrant the root idea that they are owed basic respect (no one can be used as a resource for another) are their capacity for rational agency and the ability to formulate a plan of life (1974, pp. 48-51). For both Richards and Nozick, autonomy is seen as the characteristic of person's whose value (from the point of view of a theorist) is only protected properly when a certain set of human or natural rights is attributed to the agent and respected by others.

Conscription violates autonomy/liberty:

Conscription is incompatible with the governments duty to protect liberty

Bandow, Doug. (Senior fellow at the Cato Institute. Ex-special assistant to President Reagan). *Fixing What Ain't Broke: The Renewed Call for Conscription*. Published in Policy Analysis No. 351, 31 August 1999.

"The purpose of America's armed forces is to defend a free society built on respect for and protection of individual liberty. Ultimately, the preservation of liberty is the most important reason to reject conscription. A draft would be costly, especially to the military. More basic, however, conscription would be incompatible with the government's duty to protect the individual liberty of the American people. A renewed draft would destroy the very values that it purports to save."

Autonomy is incompatible with coercion

Michael Blake. "Distributive Justice, State Coercion, and Autonomy." *Philosophy and Public Affairs*, Vol.30, No. 3 (Summer, 2001), pp. 268.

And, finally, autonomy is incompatible with the existence of coercion. Coercion and manipulation, as Raz notes, reduces the will of one person to the will of another; they are marked as violations of autonomy not simply in virtue of that fact, but because of the symbolic gesture this fact represents. In subjecting the will of one otherwise autonomous agent to the will of another, coercion demonstrates an attitude of disrespect, of infantilization of a sort of inconsistent with respect for human agents as autonomous, self creating creatures.

Coercive acts undermine autonomy

Michael Blake. "Distributive Justice, State Coercion, and Autonomy." *Philosophy and Public Affairs*, Vol.30, No. 3 (Summer, 2001), pp. 268.

The idea of autonomy reflects an image of individual human agents as creating value by their creative engagement with the world; their allegiances, choices, and relationships constitute sources of value. This creation of value can be destroyed or respected by institutions in the world. The principle of autonomy, that is, relies upon a normative conception of human agents as entities who can take part not simply in practical reasoning about what actions to undertake, but in reflective deliberation about what values and ideals to endorse and pursue. The principle, therefore, demands more than the simple exercise of practical reasoning. It demands that the set of options provide adequate materials within which to construct a plan of life that can be understood as chosen rather than as forced upon us from without.

Compulsory military service is a threat to freedom

Milton Friedman, "Why Not a Voluntary Army," *The Draft and Its Enemies: A Documentary History*, ed. John O'Sullivan and Alan M. Meckler, Chicago: Illinois, 1974, pp 256.

So long as compulsion is retained, inequity, waste, and interference with freedom is inevitable. A lottery would only make the arbitrary element in the present system overt. Universal national service would only compound the evil—regimenting all young men, and perhaps women, to camouflage the regimentation of some.

Conscriptions Harms Productivity:

Conscription harms society by removing people from their productive functions in society

Poutvaara, Panu (University of Helsinki and HECER (Helsinki Center of Economic Research) and Andreas Wagener (University of Vienna). The Economic Costs and the Political Allure of Conscription. University of Helsinki and HECER (Helsinki Center of Economic Research) Discussion Paper No. 106 May '06

“Different people are good at different tasks, implying that not everyone is equally good as a soldier. Forcing everybody to serve in the military is not a more sensible way of recruiting public sector workers than forcing all citizens to work as nurses, heart surgeons, or teachers. By ignoring the principle of comparative advantage, military draft leads to an inefficient match between people and jobs and, thus, to output losses that could otherwise be avoided. Moreover, already in Adam Smith’s times – but even more so today – warfare requires a degree of experience, training, and mastery in handling complex weapons that drafted short-term soldiers may never reach. A society that relies on military conscription would forego the productivity gains that specialized professional soldiers bring to the production of military output.

Conscription & Government Abuse of Power:

Conscription can lead to government manipulation and abuse

Choi, Seung-Whan and Patrick James. *No Professional Soldiers, No Militarized Interstate Disputes? A New Question for Neo-Kantianism*. *The Journal of Conflict Resolution*, Vol. 47, No. 6, (Dec., 2003), pp. 796-816

The obligation to serve is consistent with democracy to the extent that it goes against notions of privilege or immune groups (Beukema 1982).⁸ During and after World War II, Presidents Franklin D. Roosevelt and Harry S. Truman sought peacetime conscription as a means of backing up extended international commitments (Caplow and Hicks 2002, 137-38; Chambers 1987, 261-76; Marlowe 1983; Walzer 1982). Yet, when compared with a voluntary system, peacetime conscription easily can be transformed into an aggressive measure by national leaders who advocate foreign adventures. Interventionist leaders do not need to mobilize public support or make a public call for conscription. Well-prepared soldiers under peacetime conscription are available for immediate deployment, whereas voluntary soldiers may be either too expensive or too small in number for military assaults. In this case, peacetime conscription appears capable of degenerating into pure militarism (Ross 1994; Beukema 1982, 486).

The acceptance of the principle that a man's life belongs to the state is precursor to manipulation

Ayn Rand - Wreckage of the Consensus." Ayn Rand, <http://www.aynrand.org>

Of all the statist violations of individual rights in a mixed economy, the military draft is the worst. It is an abrogation of rights. It negates man's fundamental right—the right to life—and establishes the fundamental principle of statism: that a man's life belongs to the state, and the state may claim it by compelling him to sacrifice it in battle. Once that principle is accepted, the rest is only a matter of time. If the state may force a man to risk death or hideous maiming and crippling, in a war declared at the state's discretion, for a cause he may neither approve of nor even understand, if his consent is not required to send him into unspeakable martyrdom—then, in principle, all rights are negated in that state, and its government is not man's protector any longer. What else is there left to protect?"

Conscription makes government the tool of tyranny

Jonathan Rick – “The Immorality of Conscription” – A Journal for Western Man – Issue XXIV – July 20, 2004 – columnist the Spectator

“Even so, some argue, conscription is necessary to ensure America's survival in the face of, say, a two-front war. A government that acts unconstitutionally in emergencies is better than a government that makes the Constitution into a suicide pact. True, governmental stability provides the security necessary to exercise one's freedom; but a government that sacrifices its citizens' freedom to prop itself up is no longer a guardian of freedom but a tool for tyranny. No matter how grave and imminent the threat, the maxim of Roman statesmen should take primacy: "Fiat justitia, ruat caelum" (Let justice be done, though the heavens fall).[7] , as Patrick Henry declared in 1775, "Give me liberty, or give me death."

Conscription violates the basic concept of social contract – protection of your rights cannot force you give up your most basic one

Jonathan Rick – “The Immorality of Conscription” – A Journal for Western Man – Issue XXIV – July 20, 2004 – columnist the Spectator

“If government's purpose is to protect your individual rights, it cannot then claim title to your most basic right--your very life--in exchange. Such an idea establishes the cardinal axiom of tyranny that hinges every citizen's existence to the state's disposal. Nazi Germany, Soviet Russia and Communist China well understood this monopoly. And they demonstrated that if the state has the power to conscript you into the armed forces, then the state has the power to conscript you into whatever folly or wickedness it deems most utilitarian. (This logic is not lost on the Bush administration, which given the dearth of C.I.A. personnel who speak Arabic, has floated plans to draft such specialists.) Moreover, as the philosopher Ayn Rand argued, if the state can force you to shoot or kill another human being and "to risk [your own] death or hideous maiming and crippling . . . if [your] consent is not required to send [you] into unspeakable martyrdom-then, in principle," you cease to have any rights, and the state ceases to be your protector. "What else is there left to protect?"[2]

Conscription = More Wars:

Countries that conscript are more likely to engage in wars – empirically proven

Seung-Whan Choi and Patrick James - No Professional Soldiers, No Militarized Interstate Disputes: Seung-Whan Choi; Norman Paterson School of International Affairs, Carleton University, Ottawa and James Patrick; Department of Political Science, University of Missouri, Columbia

“From data on a sample of 143 countries for 1984, White (1989, 780) finds that countries that use conscription may be more likely to become involved in wars because they maintain larger armed forces and the cost to the government of getting additional soldiers is reduced by conscription. In other words, it appears that conscription reduces the relative costs entailed by pursuit of a military option-the most basic means already are available. Other studies concur. For example, based on data for 78 states for the year 1983, Ross (1994) finds that international disputes may be more likely to occur in the presence of conscripted forces because of their quicker and higher military readiness than all-voluntary forces.”

Draft leads to Militarism/Militarism Bad:

Citizen involvement in the state is used to co-opt activism and breed support for militarism

Brian Martin, 90 (Brian, Associate professor in science, technology, and society at the University of Wollongong, *Uprooting War*,
<http://www.uow.edu.au/adarts/sts/bmar2:in/p~b~/90~/~/OO.html>]

In many cases agencies of the state can act without consulting or involving members of the public. But when community disenchantment or outright opposition begins to play a major role, then the state may sponsor limited participation which helps to mobilize consent for its policies and actions. For example, city planners for many years simply proceeded without consulting the public. But in the late 1960s and 1970s community resistance developed: local pressure groups were established to oppose freeways, new airports, demolition programs, uncontrolled commercialisation of neighborhoods, and other aspects of urban 'development.' One official response to this grassroots resistance was to sponsor limited forms of participation in urban planning, for example by setting up neighborhood councils to advise planners. Participation as used and promoted by state bureaucrats served to mobilize support and legitimacy for the state. Low-level participation can serve as a form of social control. It ensures that 'participation' takes the form of consultation or placation rather than community control. It also serves to co-opt and absorb many social activists, and to isolate radicals from their constituency. A crucial way in which the state mobilizes support is through elections. Voting seems to offer some citizen control over the state; its less obvious effect is to foster acceptance of the state's system of bureaucratic administration. Benjamin Ginsberg, in his insightful book *The Consequences of Consent*, argues that elections aid the state's authority and help persuade citizens to obey. Elections channel political activity into electing representatives who become part of the state, and away from potentially dangerous mass action. Contrary to common belief, governments have often introduced voting and expanded suffrage on their own initiative, in order to prevent 'disorder.' State sponsored participation serves to mobilize consent both to support particular policies and to support the prevailing system of top-down administration. This is similar to the use of limited forms of worker participation in corporations.

The military is an institution of organized violence

John Whiteclay Chambers II, *To Raise an Army: The Draft Comes to Modern America*, New York: The Free Press, 1987, pp 261.

Like shadows of soldiers on a parade field, military institutions are shaped by the society that creates them. The military format is particularly influenced by the prevailing attitudes about the relationship of the citizen to the national community, to the state. Because the army is an institution of organized violence, designed to wage or deter war, it is also affected by the realities and predominant perceptions of power in the world. More than the soldiers themselves, larger domestic and international forces determine the nature of military institutions.

Pervasive Militarism erodes the civil functioning of society, causes more wars, entrenches masculine stereotypes

Colleen Burke (Women's International League for Peace and Freedom). *Women and Militarism*. First published December 1994.
<http://www.wilpf.int.ch/publications/womenmilitarism.htm>

"Militarism as a process has both material and ideological manifestations. These vary in different cultures and at different times, but there are some common elements. The material forms of militarism which are evident around the world include wars and direct military interventions, destabilization of other countries through proxy armies, foreign-sponsored coups, foreign and colonial occupation, military rule and abuse of human rights. Its institutional manifestations include the armed forces and government budgets which devote a disproportionate amount of money to the military. Militarization is the "gradual encroachment of the military institution into the civilian arena," including, for example, industrial plants becoming dependent on military contracts or the state relying on the military to solve its unemployment problems. The ideological manifestations of militarism are more difficult to identify because often they are internalized by the society. They include a dissemination of military values, symbols and language among the civilian population which promotes acceptance of hierarchies, nationalism which defines the "other" as enemy, violence as a legitimate means of resolving conflicts, and strict division of proper masculine and feminine roles.

"Power-over-the-other" is the basic value of militarism and the military is an exaggerated microcosm of this dominance which protects those in power. It is hierarchical and unaccountable to the people. In a militarized society, the population begins to accept the idea that "might is right" and that society should be founded on a dominant-submissive mode of relationship and has ramifications for interpersonal relationships. This hierarchy is seen as a prerequisite for social stability and not as a form of repression. Militaristic nationalism encourages polarization in which a group identity is defined as being in opposition to the "other." Group membership is most obviously at work within the military itself, where uniforms, communal living and group activities all serve as identifiers of belonging to a particular group. Nationalism affects civilians who begin to identify with "us" and not "them," as the virtues of one culture, race or ethnic group and the defects of the "other" are both exaggerated. When nationalism is linked to militarism, the "other" becomes the "enemy." This is cyclical: military ideology creates an "enemy" out of difference and then uses the existence of this enemy to justify continued militarism. Thus, "power-over-the-other" is extended beyond the boundaries of the society. The military system of belief also contends that one of the main ways of controlling society and ensuring social stability is through use of organized violence and force. Militarism provides a context for much violence in society. As the government sees force as a legitimate means to an end, or, in fact, an end in itself, society is anesthetized to it and eventually comes

to accept it. This is reinforced in civilian life by the media which glorifies war, and portrays violence as necessary, combat as exhilarating and aggression as natural. As violence becomes accepted, it is minimized through language which distorts and sanitizes its impact. Carol Cohn argues that military "doublespeak" masks the lethality of nuclear weapons. Missiles are called "peacekeepers," civilian deaths become "collateral damage," and "penetrating weapons" hit "virgin targets."

Militaristic terms have pervaded the English language, and are especially evident in sports, with teams "decimating" and "annihilating" each other. While militaristic language and war movies may seem harmless, they are symptoms of a society which minimizes the ramifications of military activities and institutionalized violence. This acceptance of coercion and physical force as primary methods for solving problems can extend to violence in the home and in relationships.

The militarization of a society cannot proceed without the compliance of the population. In many countries, this submission is achieved by overt military means, through "low intensity conflict" and terror intended to silence dissent and protect the power of elites. In some societies, however, the acceptance of military values is based on consent, rather than on coercion. As Noam Chomsky has documented, propaganda plays an important role, particularly in democracies, where popular, uncritical support is vital to the endorsement and pursuit of the state's activities and interests. The process of militarization can be legitimized and perpetuated through government propaganda, or more subtly, through popular culture and media which glorify military exploits or in school curricula which prepare the next generation to participate in the military structure. Even when there is dissent in a democratic society, it exists within a narrowly defined framework. People can be mobilized to protest a particular war or military activity, but are much less likely to question the fundamental existence of the military institution.

Militarism risks extinction and the undermining of human integrity

Marek, Thee, International Peace Relations Institute Fellow, 1980. Problems of contemporary militarism, p.4

“The nature of contemporary militarism differs from the previous manifestations of militarism, mainly in its current global reach and a dynamic rooted in a new world hierarchy, the controlling position of the superpowers, the dominance - dependence relationship between the great powers and developing nations, the socio-economic predicament of most of the Third World countries, and the impact of the technological revolution. Militarism today has a changed attribute and role. Without losing the aggressive traits of the past, it has become channeled into a fierce struggle of the giant nuclear powers for world predominance. Expanding beyond open imperial adventures, it has established a military-economic neo-colonial presence around the world. Militarism today has unleashed a world-wide arms race unparalleled in history, it has supplied arms for the dozens of local wars, it has distorted development priorities in the Third World, and with every-new weapons of mass destruction at hand has been playing with the very survival of mankind. The shadow of militarism today looms longer and more widespread than ever. It lurks behind most of the world conflicts and violations of human rights. It is undermining human integrity and the moral standing of an ever greater number of governments in the world community.”

Militarism leads to the destruction of the environment

Chris J. Cuomo - Professor Philosophy, University of Cincinnati, Fall, 1996
HYPATIA, vol.11, no.4

“All told, including peacetime activities as well as the immense destruction caused by combat, military institutions probably present the most dramatic threat to ecological well-being on the planet. The military is the largest generator of hazardous waste in the United States, creating nearly a ton of toxic pollution every minute, and military analyst Jillian Skeel claims that, “Global military activity may be the largest worldwide polluter and consumer of precious resources” (quoted in Thomas 1995, 5). A conventionally powered aircraft carrier consumes 150, 000 gallons of fuel a day. In less than an hour’s flight, a single jet launched from its flight deck consumes as much fuel as a North American motorist burns in two years. One F-16 jet engine requires nearly four and a half tons of scarce titanium, nickel, chromium, cobalt, and energy intensive aluminum, and nine percent of all the iron and steel used by humans is consumed by the global military. The United States Department of Defense generates 500, 000 tons of toxins annually, more than the world’s top five chemical companies combined. The military is the biggest single source of environmental pollution in the United States. Of 338 citations issued by the United States Environmental Protection Agency in 1989, three-quarters went to military installations.”

Militarism leads to authoritarianism

Brian Martin, 1990 (Associate professor in science, technology, and society at the University of Wollongong, *Uprooting War*,
<http://www.uow.edu.au/art~/sts/bmartin~p~b~/9Ou~/u~OO.html~>

Military forces use violence as the ultimate defense of state interests, and not surprisingly the ultimate sanction against internal resistance in armed forces is also violent: imprisonment or even execution. Military forces even more than other bureaucracies are similar to authoritarian states in their denial of the right or opportunity to dissent in their demand for obedience and in their use of reprisals against recalcitrant subjects. The composition of armed forces embodies particular social values. In many countries, the officer corps has been drawn disproportionately from privileged classes. Within the military the officer corps is a politically aware stratum. Both by origin and by hierarchical position, the officer corps tends to be a strong supporter of state political systems based on authoritarian principles. similar in nature to the military itself. By contrast, the military rank and file are more often working class in origin, and are structurally removed from political activity. Military elites also strongly oppose participation of women and gays, especially in key roles such as officers or combat soldiers. This opposition stems from the links between masculinity and violence and, more deeply, between patriarchy and the military.

Militarism is at the root of violence against women

Madline Adelman (*assistant professor in the School of Justice Studies at Arizona State University, 2003. "The Military, Militarism and the Militarization of Domestic Violence." Violence Against Women: An Interdisciplinary and International Journal, Special Issue: Violence Against Women Associated with the Military, pg 1 1 18-1 152*).

Feminists across the globe have posited a relationship between militarism and violence against women, equating militarism and its gender hierarchies and inequalities with men's violence against women. Lucille Mair, the United Nations secretary general for the Women's Conference held in Copenhagen in 1980, noted that economic distress and political instability in the third world exist. In a climate of mounting violence and militarism...Violence follows an ideological continuum, starting from the domestic sphere where it is tolerated, if not positively accepted. It then moves to the public political arena where it is glamorized and even celebrated....Women and children are the prime victims of this cult of aggression. (Moghadam 2001, p. 60, cited in Bunch & Carillo, 1992) Violence begins in the home and then is replicated in wider and wider social circles, adopted and adapted as the means by which power is achieved. Analyzing the relationship from the perspective of a later time period and a different cultural space, Rabrenovic and Roskos (200 1) argued that the "culture of violence that developed during the period of open armed conflict can continue to make women likely targets of rape and domestic violence" (p. 50). As such, wartime ethnic-nationalist dominance achieved by soldiers is domesticated and translated into ethnic gender dominance achieved by husbands. Proponents and critics of the link between political conflict and domestic violence begin at opposite starting points, although critics agree that militarism is linked to fundamental hierarchies of gender, sexuality, and nation, based in part on men's entitlement to control women. [EOI]

Militarism is the greatest threat to planetary survival

Boggs 2005 (Carl, Professor of Social Science at National University, *Imperial Militarism*)

<As the cycle of militarism and terrorism intensifies, the world moves ever closer to barbarism - the very premise of warfare as a method for advancing national goals must be regarded as bankrupt and irrational, for reasons having less to do with democracy or the worldwide diffusion of liberal values than with the brutal, in many ways unpredictable nature of contemporary warfare itself. The proliferation of WMD--and with it the growing prospect that such horrific weapons will be used--only underscores the insanity of militarism in a world where deep social polarization is the norm and universal disarmament seems a distant fantasy. Put differently, American designs for implementing "full-spectrum dominance" across a global system where strong anti-U.S. feelings prevail can only jeopardize planetary survival. We stand at a juncture where large-scale military action serves to aggravate national, religious, and other conflicts, a point doubly applicable to the lone superpower as it takes measures to secure global domination. The classic strategic view that war unfolds as an extension of politics thus makes no sense for twenty-first-century realities. As the Iraq disaster shows, (and its aftermath) is more than anything a mechanism of senseless death and destruction, destroying civilian infrastructures, violating established rules of engagement, and destabilizing countries and entire regions. Civilian populations are deeply and irrevocably drawn into the horrors of modern warfare. As Istvan Meszaros argues, if the efforts of the only superpower to maintain total armed supremacy persist long into the future, the result is destined to be a "recipe for military suicide." As the militarization of American society proceeds, the confluence of the domestic, war economy and global Empire generates popular attitudes inconsistent with a vibrant, democratic public sphere: fear, hatred, jingoism racism, and aggression. We have arrived at a bizarre mixture of arrogance and collective paranoia, violent impulses and a retreat from the norms of civic engagement and obligation that patriotic energies furnish only falsely and ephemerally. Further: the celebration of guns and violence in American society, cavalier attitudes toward war and military escapades abroad, and widespread indifference to established moral and legal codes gives elites wider autonomy to pursue their global schemes. As war-becomes more acceptable to elites, often the preferred instrument to fight ubiquitous enemies, we can expect further erosion of the domestic infrastructure and culture. For many in the upper echelons of power this could well be tolerable, but the long-term consequences for U.S. imperial hegemony--both domestically and globally--are certain to be disastrous. Corruption of the public sphere, hastened along by militarism and imperial overreach, is easily enough detected across the political landscape, perhaps nowhere more than in the remarkable deceptions and criminal conduct by the Bush presidency itself. Bush's long parade of lies and schemes used to justify an illegal and immoral war against Iraq have brought political discourse to

a new low, evidence of a corrosive leadership with few parallels in U.S. history. Lies have become a recurrent feature of Bush officialdom, put forward with sheer contempt for public opinion and democratic politics. Such behavior in high places counters all the platitudes about American democracy, devaluing citizenship and public life while further delegitimizing U.S. International power.>

Conscription = Expensive/Social Costs:

Military Conscription Increases the Cost of Raising a Military

Bandow, Doug. 1999. Fixing What Ain't Broke: The Renewed Call for Conscription. Doug Bandow is a senior fellow at the Cato Institute, and was a special assistant to President Reagan.

Returning to the draft would also increase the costs of raising a military force. Conscription is an expensive process—for individuals, government, and society. For the armed forces, a draft would yield higher turnover, thus increasing training costs. Also, because few conscripts choose to make the military a career, the Pentagon would have to hike reenlistment benefits.

Military Conscription Would Increase Costs Across the Board

Bandow, Doug. 1999. Fixing What Ain't Broke: The Renewed Call for Conscription. Doug Bandow is a senior fellow at the Cato Institute, and was a special assistant to President Reagan.

Moreover, any savings would be offset by increased costs elsewhere. For example, conscripts tend to serve shorter terms (volunteers can be asked to serve four or more years compared with the typical draft term of two years) and, as noted earlier, reenlist at far lower rates than do volunteers. Increased turnover would hike total costs: the Pentagon would have to train larger numbers of conscripts and offer more generous reenlistment pay and bonuses to build and retain a career force.

Those who claim the draft would save money are wrong – empirically proven

Bandow, Doug. 1999. Fixing What Ain't Broke: The Renewed Call for Conscription. Doug Bandow is a senior fellow at the Cato Institute, and was a special assistant to President Reagan.

In 1982 the Reagan's administration's Military Manpower Task Force concluded that a return to the draft would actually hike budget costs by about \$1 billion annually: 'The anticipated cost savings,' stated the commission, 'would probably be illusory.' Similar estimates of increased costs from other studies during the mid-1980s ran from \$1 billion to \$1.5 billion.

Conscription produces an inefficient military

Bandow, Doug. 1999. Fixing What Ain't Broke: The Renewed Call for Conscription. Doug Bandow is a senior fellow at the Cato Institute, and was a special assistant to President Reagan.

Conscription would also make the military less efficient because the services would make less effort to use productively their most valuable resource: manpower. Before becoming navy secretary, Richard Danzig observed that, 'when it receives people at no cost, the military, like most institutions when this happens, tends to treat them as if they were of virtually no worth.'

Conscription creates economic dislocations

Bandow, Doug. 1999. Fixing What Ain't Broke: The Renewed Call for Conscription. Doug Bandow is a senior fellow at the Cato Institute, and was a special assistant to President Reagan.

A draft would generate significant unfair social costs. The Vietnam era demonstrated that the price of avoidance activities and economic dislocations is substantial. Conscription created an entire opposition industry, replete with emigration, early marriages, unnecessary schooling, inefficient employment, and political violence. In short, a draft increases total costs for society and then shifts the burden—said to be too high for everyone to bear—to a few 18-year-old conscripts.

Military Conscription Incurs a Larger Opportunity Cost than a Benefit

Poutvaara, Panu (University of Helsinki and HECER) and Wagener, Andreas (University of Vienna). May 2006. The Economic Costs and the Political Allure of Conscription.

The societal cost of drafting someone to be a soldier or a nurse is not what the government chooses to pay him or her. Rather, it is the value of his or her lost production elsewhere, as well as the potential disutility arising from any inconveniences related to the service. Conceptually, the cost of drafting someone is the amount with which her or she would be willing to join the army voluntarily.

Injuries would increase from an Inexperienced Conscripted Army and would be extremely costly

Poutvaara, Panu (University of Helsinki and HECER) and Wagener, Andreas (University of Vienna). May 2006. The Economic Costs and the Political Allure of Conscription.

Moreover, an army of inexperienced and poorly trained draftees is bound to suffer more casualties and inflict more human suffering than a professional army in hostile environments. The larger number of injuries or deaths could even become financially more costly than a professional army would have been in the first place.

Conscription causes economic distortions that arise from avoidance of the draft

Poutvaara, Panu (University of Helsinki and HECER) and Wagener, Andreas (University of Vienna). May 2006. The Economic Costs and the Political Allure of Conscription.

As exemplified in the vitae of the current and the former US presidents and of many other Americans during the Vietnam era (when the US still used the draft) compulsory conscription goes along with various ways of 'dodging,' inefficient unemployment, preemptive emigration, pretended schooling, hasty marriages, and other 'substitution effects' which render conscription a socially costly (and arguably unfair) tax. Russia's statutory two-year draft is avoided by more than 90% of the eligible men, using means such as fake medical certificates, university studies, bribery, or simply avoiding going to drafting stations.

Military Conscription places the greatest cost on young draftees

Poutvaara, Panu (University of Helsinki and HECER) and Wagener, Andreas (University of Vienna). May 2006. The Economic Costs and the Political Allure of Conscription.

Unlike a professional army that is financed out of the general budget, a draft system passes an important part of the costs of the military or the social sector to young draftees, rather than spreading them more evenly across all cohorts of taxpayers. Those in favor of conscription for reasons of budgetary cheapness implicitly are arguing that the costs of military security or social services—which they deem too high to be borne by everyone via normal taxes—should be shifted to conscripted teenager and people in their early-twenties.

Conscription would degrade effectiveness by overloading the services—diminishing marginal utility

Bandow, Doug. 1999. Fixing What Ain't Broke: The Renewed Call for Conscription. Doug Bandow is a senior fellow at the Cato Institute, and was a special assistant to President Reagan.

Civilian conscription could also degrade military effectiveness either by creating competition for quality recruits or by overloading the services with unnecessary personnel. For instance, there is evidence that universal service has harmed Israel's military, resulting 'in a bloated officer corps as well as an under-trained and unready army in which many conscripts have no real jobs.

Conscripted armies are inefficient – more men = more deaths = more costs

Alfred Wagener (University of Vienna). "The Economic Costs and Political Allure of Conscription." 2006.

As teaching sophisticated weapon systems or medical techniques to short-term draftees might just take too much time to be feasible or efficient, an organization staffed with draftees is likely to use less advanced technology. Moreover, an army of inexperienced and poorly trained draftees is bound to suffer more casualties and inflict more human suffering than a professional army in hostile environments. The larger number of injuries or deaths could even become financially more costly than a professional army would have been in the first place.

Conscription causes Social Division:

A Draft Would Divide Society

Wagner, Vigi. 2008. "A Draft Would Divide U.S. Society" – Greenhaven Press

Look back in U.S. history, David Greenberg argues in the following viewpoint, and see that the military draft has *always* been divisive and not, as draft supporters claim, a unifying experience. The concept of conscripted citizen-soldiers bonding in shared sacrifice, as well as appeals to patriotism and democracy, has been part of political rhetoric for hundreds of years, but it is an illusion, Greenberg maintains: Americans value equality but they value personal liberty more, and they abhor state coercion. The Minute Men of the Revolutionary War were volunteers, draftees in the American Revolution and Civil War paid mostly poor people to take their place, and the unpopularity of World War I and the Vietnam War led to bitter protest over the draft in their eras, he points out, and there is no reason to think a new draft would be any more palatable or equitable.

Many potential draftees oppose military conscription – protests would ensue

Borgatta, Edgar F. and Montgomery, Rhonda J.V. 2001. Student Movements.

Immediate student self-interest also can be seen in respect to student participation in larger social movements. This has been evident in respect to direct student concerns about conscription and being forced into combat situations. The 1860s Harvard University economic and social elite student anticonscription protests during the Civil War helped precipitate congressional modification of who was subject to the draft. Those with several hundred dollars were allowed to commute their draft status to the next young man called up who could not afford to commute being drafted. This was a central factor in the poor nonstudent Irish Catholic, conscription riots of 1863 in New York City that left several hundred dead.

Conscription would harm soldier benefits:

Conscription would decrease soldiers' wages

Christopher Jehn, former assistant director for national security at the Congressional Budget Office, "Conscription". *The Concise Encyclopedia of Economics*. Indianapolis: Liberty Fund, Inc., ed. David R. Henderson, 2002. [Online] available from <http://www.econlib.org/LIBRARY/Enc/Conscription.html>

Before the draft was abolished in the seventies some of its supporters argued that an all-volunteer force would be too expensive because the military would have to pay much higher wages to attract enlistees. But the draft does not really reduce the cost of national defense. Instead, the draft shifts part of the cost from the general public to junior military personnel (career personnel are not typically drafted). This tax is especially regressive: it falls on low-paid junior personnel who are least able to pay. Moreover, the tax is paid not just by draftees, but also by those who still volunteer despite the lower pay. In other words, it is a tax on military service, the very act of patriotism that a draft is sometimes said to encourage. The President's Commission on an All-Volunteer Force estimated that the draft tax during the Vietnam War was over \$6 billion per year in 1991 dollars.

Conscription undermines educational opportunities and wages

Alfred Wagener (University of Vienna). "The Economic Costs and Political Allure of Conscription." 2006.

For conscripts, the draft comes as a double burden: First it means losing discretion over one's use of time – which for people in their late teens or early twenties to a substantial extent means having to work in the army or social sector rather than spending time on education, studies, or gathering experiences on their normal job. Second, draftees are generally paid less than the market value of their productivity (which makes them cheap from an accounting perspective).

Conscription Undermines Democracy:

Military conscription undermines the basic principles of democracy

Rush D. Holt in Robert E. Summers and Harrison E. Summers, *Universal Military Service*, New York: The Wilson Company, 1941, pp 144.

Forced military service in peacetime would be an alarming departure from the basic principles of our democracy. It is the first step toward break-down of those free institutions which we seek to protect. Citizens who become subject to conscription lose a substantial part of civil rights and liberties which distinguish a free democracy from a totalitarian state. Such conscription would further establish in the minds of the young people of the nation the idea that voluntary loyalty to the nation is no longer a necessary virtue. It would introduce them to the principle of compulsion, a principle native to the Fascist state and alien to our own.

Military conscription infringes upon the freedom of individuals and violates democratic principles

Rush D. Holt in Robert E. Summers and Harrison E. Summers, *Universal Military Service*, New York: The Wilson Company, 1941, pp 144.

Compulsory military service in time of peace is the very antithesis of freedom. It involves an infringement on the very principles of democracy which it is invoked to defend. It imposes upon the individual a mandate to give service which he may not be in position to render without serious sacrifices on the part of himself or his family, or both, and this at a time when there are thousands of other individuals who would be glad to avail themselves of the opportunity to serve if such opportunity were not denied by the restrictive rules observed by the recruiting service. The youth of our country who are inducted into the military and naval services under the principle of conscription and who are made to serve will quite naturally acquire the viewpoint that forceful means should be adopted in all the affairs of life as an avenue to achieve desired ends.

Teaching conscripts obedience and discipline doesn't prepare them for democratic life

James C. Miller III, "Nonmilitary Reasons for Military Conscription", *Why the Draft? The Case for a Volunteer Army*, ed. James C. Miller III, Baltimore: Penguin Books, 1968, pp 169.

Another 'character' argument is that military is said to teach the recruit obedience and discipline. Obedience to one's superior's is a fundamental law of military service, but what relevance is such training to civilian life after service is somewhat in doubt. Obedience to whom? To whom is the recruit obedient in civilian life? It is said, of course, that many enter the services without respect for law and order, and that military training remedies such deficiencies. But the very ones who 'need' such remedies most are never accepted for service- even if they volunteer. The military does not want juvenile delinquents in its ranks; besides, such training can be given by other institutions. Discipline is forced upon the recruit where possible, but there is evidence that the long-run effects are just the opposite. The recruit learns that he should never volunteer for anything, and that the less he can get away with doing the better off he is. This 'evasion mentality' is the source of the term 'gold brick' and doubtless has serious effects on the recruit's attitudes toward civil employment after he leaves the military.

Military conscription is attractive to totalitarian states

Eliot A. Cohen, *Citizens and Soldiers*, Ithaca: Cornell University Press, 1985, pp 33.

For totalitarian states conscription has had peculiar attractions. If one definition of a totalitarian system is a warfare or siege state, universal military service offers a peculiarly potent tool for cultivating a sense of impending struggle. It offers such states one more tool to organize and regiment the lives of their subjects, and it may help create the sense of constant and potent foreign threat against which one must always be on guard. Even rudimentary forms of military service offer a chance to make a population commit itself, willy-nilly, to the goals of the regime.

The military is a total institution that differs greatly from liberal democracy

Eliot A. Cohen, *Citizens and Soldiers*, Ithaca: Cornell University Press, 1985, pp 34.

Military service means participation in a total institution, an institution that can control every minute of a man's waking hours and every facet of his behavior. This total institution differs greatly from normal liberal-democratic society. Whereas such a society tolerate diversity of dress and behavior, the armed forces must insist on uniformity of both. Whereas society frowns upon or prohibits violence or killing, a military organization must prepare men for them. Whereas free societies tell their members that one citizen is equal to any other, the military must insist on rank, order and deference.

Military ideals violate many democratic values

Eliot A. Cohen, *Citizens and Soldiers*, Ithaca: Cornell University Press, 1985, pp 35.

Thus, the virtues and habits of thought and behaviors that the armed services must inculcate at once contradict liberal and democratic values and appeal to many who live in societies shaped by those values. At no point does this fact have greater import than when the question of conscription is raised. Professional soldiers and professional armies can adhere to peculiar coders of behavior and thought and flourish, even in the midst of an indifferent or hostile society. But when society participates directly in national defense by sending its young men into the armed forces for a few months or a few years, the tension between, and the overlap of, military and civilian values cannot be ignored. The military ideal incorporates some of a liberal-democratic society's most precious values and some values utterly repugnant to it.

Negative Evidence

Citizens have an Obligation to Serve the State:

Citizenship rests on a balance of rights and obligations

Morris Janowitz, Observations on the Sociology of Citizenship: Obligations and Rights Social Forces, Vol. 59, No. 1, (Sep., 1980), pp. 1-24 Publisher: University of North Carolina Press Stable

Only to be permanently ruled is to deny the person's citizenship, and to rule permanently is likewise destructive of citizenship. This means that citizenship is not reduced to residence or confined to rights or private law but involves constitutional rights and obligations under the system of public law. To rule is a form of obligation, which a citizen must exercise. By this definition, citizenship rests on a balance or rather, on an interaction of obligation and rights. Citizenship is a pattern and a rough balance between rights and obligations in order to make possible the shared process of ruling and of being ruled.

Every citizens has an obligations to the whole of society – no one has a moral right to avoid the state’s coercive monopoly because of the state of nature

Christopher Wellman – “Toward a Liberal Theory of Political Obligation” – Ethics 111 – July 2001 – University of Chicago Press

In other words, we acknowledge that a person’s usual rights can be circumscribed by the dire needs of others. The common understanding of samaritanism is that one has a duty to help a stranger when the latter is sufficiently imperiled and one can rescue her at no unreasonable cost to oneself. As the case with Alice, Beth, and Carolyn demonstrates, however, samaritanism need not always be spelled out exclusively in terms of duties; in this instance, it explains Alice’s liberty-right and Carolyn’s lack of claim-right.

Although there is considerable debate about when a stranger’s peril is sufficient and when the cost to the Samaritan is unreasonable, few deny the general claim that people have Samaritan responsibilities toward one another. My account of political legitimacy capitalizes upon the intuitive appeal of samaritanism and uses it to connect a state’s benefits to its justification. To see this, notice how the moral dynamics of state coercion are analogous to those of Alice, Beth, and Carolyn. In the latter case, Alice is at liberty to act in a fashion that would ordinarily violate a right of Carolyn’s only because this course of action is necessary to rescue Beth from peril. In the case of political coercion, the state is at liberty to coerce individuals in a way that could ordinarily violate their rights only because this coercion is necessary to rescue all those within the state’s borderers from peril. In Beth’s case, her peril stems from medical condition, and the only vehicle to medical attentions is Carolyn’s car. In the political instance, each individual’s peril stems from the dangers inherent in the state of nature, and the only vehicle to peace in security is a territorially defined, common power. Although each citizen generally enjoys a privileged position of moral sovereignty over her own affairs, samaritanism entails that none has a moral claim-right that the state not coerce her. The perils of the state of nature and the necessity of constructing a state to rescue anyone from these circumstances combine to justify the state’s coercive presence.

Obligatory military service is a citizen’s political obligation

John Simmons – “Justification and Legitimacy, essays on rights and obligations” – The university of Chicago Press – 1999 – Ethics 109

“Obligatory military service is a component of each citizen’s political obligations; the moral justification of the draft of course seems much more promising. What

was condemned as coercive interference can be viewed instead as the enforcement of a moral obligation owed to the state.”

As the government fulfills its obligation of preserving the rights of its citizens, the citizens in turn must play their part in contributing to the security of the community.

Deigh, John. “On Rights and Responsibilities.” *Law and Philosophy*, Vol. 7, No. 2, (Aug., 1988), pp. 147-178. Springer.

Nevertheless, we can regard the responsibilities as the basis for imposing the duties in view of the way a responsibility that possession of a right implies figures, as a consideration, in determining whether placing the relevant limit on the right-holder's freedom is justified. To see this, let us suppose that in such cases the proposed limit always raises the question whether so limiting a right-holder's freedom constitutes infringing the right whose possession implies the responsibility. This is an important question inasmuch as infringing the right is a powerful consideration against regarding the limit as justified. If possession of the right did not imply the responsibility, if the right-holder in fact lacked it, then enacting a law or issuing a rule that placed this limit on his freedom would infringe the right, and hence the right-holder would have a claim to redress or compensation. His having the responsibility blocks this inference. That is, his having it can be invoked to defeat his claim to redress or compensation and afortiori to defeat the assertion that enacting the law or issuing the rule infringes his rights. Conscription would simply amount to impressed labor in violation of the conscripts' rights if citizens did not have a responsibility to aid in the defense of their country. A responsibility that possession of a right implies therefore represents a potentially legitimate constraint on the freedom the right secures for its possessor.

Universal military service is the truest expression of equality as the state obligation to protect its citizens requires the aid of those citizens

The German Supreme court -

The justification for universal military service is to be found in the fact that the state is able to fulfill its constitutionally-based obligation to protect its citizens only through the aid of those citizens, including their protecting the very existence of the [state] Federal Republic of Germany. The claim to protection of the individual corresponds to his obligation to stand up for the interests of the community as well as to do his part [*seinen Beitrag . . . zu leisten*] in protecting that community,

the protection of which the constitution itself is aimed. Universal military service is the expression of the general principle of equality.

Conscription is Consistent with Democracy:

Military conscription is at the heart of a democratic state.

Ute Frevert and Andrew Boreham, *A Nation in Barracks*, Oxford: Berg Publishers, 2004, pp 1.

Even today, supporters of conscription emphasize the institution's symbolic value and the benefit it brings in the political sphere, repeatedly claiming that the draft prevents social decay, acting as a reminder of civic virtues and the solidarity lying at the very heart of a democratic state. Advocates of conscription draw on a long tradition, going right back to the start of conscript armies in France and Prussia, appealing to the notion of the *soldat citoyen*, or citizen-soldier, as a figure bridging the structural gap between the armed forces and civil society and transforming the military into a societal institution.

Military conscription is democratic because it treats people equally.

Robert E. Summers and Harrison E. Summers, *Universal Military Service*, New York: The Wilson Company, 141, pp 129.

The selective service system is democratic in the sense that all are treated alike. The rich man and the powerful man have no more rights than the poor man or the indigent one. A great lottery determines who shall or shall not go. That same lottery determines who shall go first and who shall go last. Personalities have no part in the selection or the induction. Under the volunteer system, those without funds or without jobs, without place or position are naturally the ones to volunteer. In other words, the poor volunteers come to the support of the rich and poor alike. That is wrong. The force of economic circumstances ordinarily forces the poor to enlist.

The Founding Fathers believed that the willingness of citizens to accept the burden of military service was crucial to maintaining a democratic state.

Bacevich, Andrew J. "Who will serve?." *The Wilson Quarterly* 22.n3 (Summer 1998): 80(12)

Still, at war's end, the myth of the minuteman had prevailed, so that even Washington himself paid it obeisance. "It must be laid down as a primary position and the basis of our system," he wrote in 1783, "that every Citizen who enjoys the protection of a free Government, owes not only a portion of his property, but even of his personal services to the defense of it." Acknowledging that "a large standing Army in time of peace hath ever been considered dangerous to the liberties of a Country," he would venture only that "a few Troops, under certain circumstances, are not only safe, but indispensably necessary." But the general had no illusion that a handful of regulars would suffice to defend the republic. That burden belonged to the people. The other Founders concurred: the imperatives of responsible citizenship and a lively concern for the preservation of liberty demanded reliance on a citizens' army. The willingness of citizens to accept the burdens of military service, said Secretary of War Henry Knox in 1786, was a measure of the moral health of the republic. "When public spirit is despised, and avarice, indolence, and effeminacy of manner predominate," he maintained, the temptation to entrust the security of the nation to hirelings and mercenaries grows. In a republic of virtue, citizens rely upon themselves for collective defense.

Conscription Increases Civil Engagement/Govt Accountability:

Military conscription expands and intensifies national citizenship.

John Whiteclay Chambers II, *To Raise an Army: The Draft Comes to Modern America*, New York: The Free Press, 1987, pp 264.

National conscription in the 20th century can also be viewed as part of an expansion and intensification of national citizenship. Beginning in the progressive era, reform administrations and later the judiciary increased the rights and privileges of Americans. This enhanced the importance and benefits of national, as opposed to state, citizenship and forged a more significant linkage between population and the central government. Increased federal benefits and defense spending were, naturally, usually accompanied by increased taxation. In a similar vein, although usually at different times, the government also broadened the national military obligation of American citizens and alien residents.

Military conscription fosters moral strength and order.

Eliot A. Cohen, *Citizens and Soldiers*, Ithaca: Cornell University Press, 1985, pp 33.

Military service touches the very essence of a polity in several respects, all of which may be divorced from considerations of foreign policy. Forced military service presents the most extreme demand the community can impose on its members, the requirement that they prepare to die on its behalf. In addition, military service, beginning as it must in young manhood, cannot help but be seen as a form of moral education. The German phrase *die Schule der Nation* suggest an appeal of military service which still holds true in the developing parts of the world, where military service seems to offer a shortcut to vocational training and a unified national spirit. Military organizations must inculcate such virtues as loyalty, self-sacrifice, and obedience to duly constituted authority. Small wonder, then, that statesmen and educators have seen in military service a means not merely of protecting the community, but of fostering its moral strength.

If everyone is involved in the military, then all citizens have an invested interest in political and international affairs.

Rosenman, Mark. "A Call for National Service." [Chronicle of Philanthropy](#) 20.1 (Oct 18, 2007)

Part of the reason so few people take action on these issues is their disconnection from government. Americans feel so disengaged that only slightly more than half of those eligible even bother to vote in presidential elections, and only about a third vote in "off year" Congressional elections. Mandatory service would involve people directly with their government; some perhaps even as frontline helpers in its agencies. They would see the real-world implications of legislation, public policy, regulation, and administrative rules -- of the decisions made by our elected leaders and other officials, as well as to see how government departments work. People who fulfilled their service obligation by working with nonprofit organizations would learn much about constituencies poorly served by governments. Those direct experiences are very likely to increase and animate people's involvement with government and their concern about its shortcomings.

Mandatory national service would lead to more citizen involvement in government increasing government accountability

Mark Rosenman - A Call for National Service. Author(s):Mark Rosenman.
Source:[Chronicle of Philanthropy](#) 20.1 (Oct 18, 2007)(1300 words)

Mandatory national service would change the relationship of people to their government and vice versa. Instead of acting as passive, consumers who grumble about what they do or don't get for their tax dollars, [citizens] would more likely demand accountability from their elected leaders. After all, politicians probably would be deciding what military or community-service priorities were most urgent and therefore how most Americans would spend a year or two of their lives. And the act of service would get people more directly and personally involved in working on the problems facing the country and the world, so they would feel vested in what their government does or doesn't do, and take it all the more seriously.

A draft prevents militarism and imperialism and allows for civilian oversight of the military

Chomsky, 2004 [Prof @ MIT, Interview with Amy Goodman, "Who Runs America? 40 minutes with Noam Chomsky",
http://72.14.209.104/search?q=cache:FVEx2NNuz5AJ:www.bostonphoenix.com/archive/features/99/04/01/NOAM_CHOMSKY.html

CHOMSKY: I think it's extremely unlikely. I should tell you this as a word of personal background. I was very much involved in the resistance movement in the 1960's. In fact, I was just barely -- the only reason I missed a long jail sentence is because the Tet Offensive came along and the trials were called off. So I was very much involved in the resistance, but I was never against the draft. I disagreed with a lot of my friends and associates on that, for a very good reason, I think at least as nobody seems to agree. In my view, if there's going to be an army, I think it ought to be a citizen's army. Now, here I do agree with some people, the top brass, they don't want a citizen's army. They want a mercenary army, what we call a volunteer army. A mercenary army of the disadvantaged. And in fact, in the Vietnam war, the U.S. military realized, they had made a very bad mistake. I mean, for the first time I think ever in the history of European imperialism, including us, they had used a citizen's army to fight a vicious, brutal, colonial war, and civilians just cannot do that kind of a thing. For that, you need the French foreign legion, the Gurkhas or something like that. Every predecessor has used mercenaries, often drawn from the country that they're attacking like England ran India with Indian mercenaries. You take them from one place and send them to kill people in the other place. That's the standard way to run imperial wars. They're just too brutal and violent and murderous. Civilians are not going to be able to do it for very long. What happened was, the army started falling apart. One of the reasons that the army was withdrawn was because the top military wanted it out of there. They were afraid they were not going to have an army anymore. Soldiers were fragging officer. The whole thing was falling apart. They were on drugs. And that's why I think that they're not going to have a draft. That's why I'm in favor of it. If there's going to be an army that will fight brutal, colonial wars, and that's the only likely kind of war, I'm not talking about the militarization of space and that kind of thing, I mean ground wars, it ought to be a citizen's army so that the attitudes of the society are reflected in the military.

Mobilization of the popular class into national politics transforms citizenship

Meyer Kestnbaum - Citizen-Soldiers, National Service, and the Mas Army: The Birth of Conscription in Revolutionary Europe and North America. 2002

"The previously excluded popular classes were mobilized into national politics while the state was drawn into a war in which its future, and the independence of its people, were both at risk. The significance of this historical moment becomes clear when we recognize its remarkable generative effect. It sparked the invention of the national citizen; it spurred reforming elites to institute policies of conscription based on national citizenship; and it opened the way to raise 'the people' by means of citizen conscription to serve the state in war...In the French Revolution, we see perhaps most spectacularly how the mobilization of the previously excluded popular classes into national politics transformed citizenship."

Conscription is key to the growth of the community:

Military conscription is frequently justified by its capacity to construct community.

Anna Leander, "Disenchanted Conscription: A Military Recruitment System in Need of Justification" Copenhagen Peace Research Institute, June 2003.

The legitimization of conscription outside the strictly military sphere is far from uniquely Norwegian. Rather, in most contexts conscription is legitimated with reference to its virtues in constructing community, and not on strictly military grounds. Just as war and conflict more generally has often been argued to be constitutive of community, so by analogy has conscription.⁸ It is argued to be important for integrating society, for forming polities, for ensuring civilian states and for controlling the use of violence in society. These arguments do not reflect the role conscription "really" played historically, nor have they weighed equally in all contexts.

Social groups are brought together through military conscription.

Anna Leander, "Disenchanted Conscription: A Military Recruitment System in Need of Justification" Copenhagen Peace Research Institute, June 2003.

Through conscription social groups are brought into contact with each other. They are forced to interact directly in ways they might not otherwise have. Particularly historically, when personal movement and information flows were far more limited than at present, conscription is argued to have provided a direct way for conscripts to learn about each others habits, language, world views, and understanding. They got to know the national community. They got a wider view than that of their own village on who was part of that community and what the other participants actually looked like. They got a sense of the realities, hierarchies, and problems that might have existed elsewhere. But conscripts also got an understanding of the social life outside their own community. They would take part in traditions and social events where they were stationed. They might even marry, cementing the social links more permanently. More than simply a meeting place, conscription has often been portrayed as promoting social mobility. Conscription gave an opportunity for young people of modest means to get into a career, perhaps even to make it to the top of society, by advancing in the military or by using specialized skills they learn there outside the military. 4

Conscription fosters the political community – binding all citizens together.

Meyer Kestnbaum - Citizen-Soldiers, National Service, and the Mas Army: The Birth of Conscription in Revolutionary Europe and North America. 2002

Thus, just as conscription created the nation in arms, so too it fostered the political community of citizens understanding themselves to be one nation. Conscription's powerful duality, at once military and political, forms its third legacy. As popular politics were brought squarely into military affairs, military considerations loomed large in the public life of regular people. Suddenly, in Clausewitz's memorable phrase, "war became the business of the people"- their support essential, its impact inescapable. As conscription fused the political and the military in the lives of national citizens, so too did it intertwine the lives of those same citizens more tightly with their state, forming the institution's fourth legacy. In unprecedented terms, the conscription of national citizens brought the state into the daily lives of its people, and drew the people at-large directly into the operation of the state.

Society benefits from conscription – it increase civic engagement and civic community

Williams, Armstrong. 2006. "Mandatory Military Service Would Benefit the U.S." [<http://archive.newsmax.com/archives/articles/2006/6/18/162837.shtml>]
Syndicated Columnist

The United States benefits from conscription because national spirit increases, national unity improves, neighborhoods become safer, and society grows healthier. With conscription, troubled teens who normally head to street corners enter the military and receive the training, discipline and experience that propel them to a stable and secure life. They unite with people of all sexes, races and religions to work toward a common good. This allows neighborhoods to become safer and society to become stronger. The workforce gets better workers, families get better mothers and fathers, and the country gets a more unified citizenship.

Volunteer Army is failing – the Military is Stretched Thin

There are practical limits to common recruitment techniques.

Carter, Philip; Gastris, Paul. 2005. "The Case for the Draft".

[<http://www.washingtonmonthly.com/features/2005/0503.carter.html#byline>]

Phillip Carter: an attorney and former Army captain who writes on national security issues for *The Washington Monthly*. Paul Gastris is the editor in chief of *The Washington Monthly*. *Washington Monthly*.

In theory, one can always lure the next recruit, or retain the next soldier, by offering a marginally higher monetary incentive--but in reality, there are practical limits to such measures. The pool of people who might be convinced to join the Army is mainly comprised of healthy young people with high school degrees but no college plans. That pool is inherently limited, especially when the economy is heating up and there's a shooting war on. Last year, despite signing bonuses in the tens of thousands and other perks, military recruiters had to lower entry standards to meet their enlistment goals. The active force met its recruiting targets for 2004, but the reserves have found themselves increasingly struggling to bring enough soldiers in the door.

The standards of the all-volunteer force are decreasing and stress of volunteers increasing.

Gastris, Paul. 2003. "First Draft". *The Washington Monthly*.

[<http://www.washingtonmonthly.com/features/2003/0303.gastris.html>] Gastris is Editor-in-Chief of *The Washington Monthly*

In the meantime, however, fundamental flaws in the all-volunteer force began to show. In the late 1990s, the military, especially the Army, started having serious trouble meeting recruitment targets without lowering standards. The percentage of enlistees deemed high quality dropped from 74.4 percent in 1992 to 59.1 percent in 1999. Retention rates also fell. More importantly, the increasing scope and pace of overseas deployments started eroding readiness and wearing out the troops. (See "[G.I. Woe](#).") Since 9/11, many troops in the highest-demand specialties such as light infantry, military police, and civilian affairs have been spending the majority of every year away from their families, whether in training exercises in California or in tents in the Middle East desert.

Reservists are increasingly being stretched thin, leaving holes in the workplace.

Glastris, Paul. 2003. "First Draft". *The Washington Monthly*.
[<http://www.washingtonmonthly.com/features/2003/0303.glastris.html>] Glastris is Editor-in-Chief of *The Washington Monthly*

Because the active-duty military simply doesn't have enough of these troops, the burden falls increasingly on reservists, who signed up for part-time duty but have become, in effect, part-time civilians. When not called to duty, these reservists typically work as police officers, firefighters, emergency medical technicians, hospital nurses--precisely the jobs most needed should a terrorist attack strike this country. But for reasons of law and fairness, municipalities are not allowed to fill slots left by deployed reservists. Nor would it be easy to hire capable replacements without bidding up salaries higher than many municipalities can afford. So the more the military is overstretched, the more homeland security erodes. If America invades and occupies Iraq, this overstretch will increase dramatically.

The quality of current troops is at risk.

Cottle, Michelle. 2008. "A Draft Would Improve Declining Troop Quality." *Opposing Viewpoints: Military Draft*. Ed. Vigi Wagner. Detroit: Greenhaven Press, 2008. *Opposing Viewpoints Resource Center*. Gale.
[<http://find.galegroup.com/ovrc/infomark.do?&contentSet=GSRC&type=retrieve&abID=T010&prodId=OVRC&docId=EJ3010506216&source=gale&srcprod=OVRC&userGroupName=loym48904&version=1.0>]

First and most importantly, the quality of our troops is in jeopardy. The news of late has been filled with accounts of how stressed-out Army recruiters have been breaking all the rules in order to meet their monthly quotas. Reported violations have included Colorado recruiters coaching a prospective enlistee on how to fake a high school diploma and cheat on his drug test; a Houston recruiter threatening to have a prospect arrested if he didn't show up at the recruiting station; and an Ohio recruiter signing up a young man with a documented history of mental illness. According to the *New York Times*, the Army's own stats show that substantiated cases of recruiting improprieties rose more than 60 percent between 1999 and 2004. Confronted with this new round of abuse charges, the service actually suspended recruitment for a day in order to reinstruct its personnel on the ethical dos and don'ts of enlistment.

The Army is consistently lowering its standards for enlistment.

Cottle, Michelle. 2008. "A Draft Would Improve Declining Troop Quality." *Opposing Viewpoints: Military Draft*. Ed. Viji Wagner. Detroit: Greenhaven Press, 2008. *Opposing Viewpoints Resource Center*. Gale.
[<http://find.galegroup.com/ovrc/infomark.do?&contentSet=GSRC&type=retrieve&abID=T010&prodId=OVRC&docId=EJ3010506216&source=gale&srcprod=OVRC&userGroupName=loym48904&version=1.0>]

Just as troubling as the anecdotal evidence of misconduct by recruiters is the general lowering of standards. [In 2005] the number of Army enlistees without a high school diploma rose from 8 to 10 percent, the maximum level allowed. Similarly, the number of enlistees scoring in the lowest acceptable category on the military's vocational aptitude test also has risen to meet the Army's upper limit of 2 percent of recruits.

But the Army has been compelled to do more than just stretch its quality standards to the limit. Now, rather than a 2-year minimum enlistment, recruits are being offered a shortened stint of only 15 months. This abbreviated enlistment, experts warn, means an abbreviated training period and less-prepared troops being shipped off to combat. Of course, these days the Army is increasingly employing its "stop loss" program, which involuntarily keeps soldiers on active duty beyond their agreed-upon enlistment period. So it's entirely possible that these less well-trained soldiers will wind up spending a full two years in the service anyway, regardless of what their recruiters promised them.

High Quality Enlistees Have Dropped Significantly

Cottle, Michelle. 2008. "A Draft Would Improve Declining Troop Quality." *Opposing Viewpoints: Military Draft*. Ed. Viji Wagner. Detroit: Greenhaven Press, 2008. *Opposing Viewpoints Resource Center*. Gale.
[<http://find.galegroup.com/ovrc/infomark.do?&contentSet=GSRC&type=retrieve&abID=T010&prodId=OVRC&docId=EJ3010506216&source=gale&srcprod=OVRC&userGroupName=loym48904&version=1.0>]

Unfortunately, since the late 1990s, the military—particularly the Army—had been having trouble meeting its recruiting goals, leading to a decline in the quality of recruits. As noted by the *Washington Monthly* (for which resurrecting the draft has long been a pet cause) between 1992 and 1999 the percentage of enlistees deemed “high quality” dropped from 74 percent to 59 percent. Thanks to the nightmare in Iraq, that situation has grown dramatically worse in recent months [as of June 2005]. As revealed both by independent media reports and the military’s own recruiting data, the Army in particular is being forced to use some pretty desperate tactics to come anywhere close to meeting its (already scaled back) recruiting targets. In the process, the service is undercutting many of the arguments against a draft and highlighting some of the most troubling features of our all-volunteer force.

Shorter Recruitment Periods Means Shorter Training Periods and a Less-Prepared Army

Cottle, Michelle. 2008. "A Draft Would Improve Declining Troop Quality." *Opposing Viewpoints: Military Draft*. Ed. Viji Wagner. Detroit: Greenhaven Press, 2008. *Opposing Viewpoints Resource Center*. Gale.
[<http://find.galegroup.com/ovrc/infomark.do?&contentSet=GSRC&type=retrieve&abID=T010&prodId=OVRC&docId=EJ3010506216&source=gale&srcprod=OVRC&userGroupName=loym48904&version=1.0>]

But the Army has been compelled to do more than just stretch its quality standards to the limit. Now, rather than a 2-year minimum enlistment, recruits are being offered a shortened stint of only 15 months. This abbreviated enlistment, experts warn, means an abbreviated training period and less-prepared troops being shipped off to combat. Of course, these days the Army is increasingly employing its “stop loss” program, which involuntarily keeps soldiers on active duty beyond their agreed-upon enlistment period. So it’s entirely possible that these less well-trained soldiers will wind up spending a full two years in the service anyway, regardless of what their recruiter promised them.

Conscription is Beneficial to Military Readiness/Strength

Military conscription is beneficial to society and the armed forces.

John Whiteclay Chambers II, *To Raise an Army: The Draft Comes to Modern America*, New York: The Free Press, 1987, pp 274.

Some kind of broad obligatory service would probably benefit society as well as the armed forces. Militarily, a selective civic service program could provide the army with adequate numbers and quality of soldiers. The service of draftees could be legally limited to use in clearly defined areas of direct vital interest such as Western Europe. Political and socially, it could also help to instill an ethic of community service in the pursuit of America's ideals in place of current driving emphasis on individual self-interest. As William James recognized long ago, a system of civil service could emphasize the aspects of life that unify Americans rather than drive them apart. Internationally, it could bolster the credibility of conventional forces as a deterrent to aggression and intimidation in Europe, thereby reducing the threat of nuclear war.

The draft is needed to maintain military superiority

Carter and Glastris - *The Draft Is Needed to Maintain Military Superiority*. At Issue: *Military Recruiters*. Ed. Lauri Harding. Detroit: Greenhaven Press, 2008. Phillip Carter and Paul Glastris are both professionally associated with *The Washington Monthly*. Carter is an attorney and former Army captain who writes about national security issues. Glastris is the publication's editor-in-chief.

Under pressure from the Iraq mission, the military has taken some steps in this direction—for instance, by [been] retraining and re-equipping some army artillery and air defense units into military police units. But such moves have been incremental in nature thus far; the true scope of the problem is orders of magnitude larger than the Pentagon's current solution. And some day, a war will come which requires all kinds of combat power—from large land-based formations to ships capable of sailing through the Taiwan strait to legions of peacekeepers. The military cannot build additional capability simply by playing a shell game with its personnel; at some point, it must genuinely add more soldiers too, and in large numbers.

The draft is key to increasing the number of soldiers who are prone to master foreign languages and for effective peacekeeping

Carter and Glastris - *The Draft Is Needed to Maintain Military Superiority*. At Issue: Military Recruiters. Ed. Lauri Harding. Detroit: Greenhaven Press, 2008. Phillip Carter and Paul Glastris are both professionally associated with *The Washington Monthly*. Carter is an attorney and former Army captain who writes about national security issues. Glastris is the publication's editor-in-chief.

Even if only 10 percent of the one-million young people who annually start at four-year colleges and universities were [drafted] to choose the military option, the armed forces would receive 100,000 fresh recruits every year. These would be motivated recruits, having chosen the military over other, less demanding forms of service. And because they would all be college-grade and college-bound, they would have—to a greater extent than your average volunteer recruit—the savvy and inclination to pick up foreign languages and other skills that are often the key to effective peacekeeping work.

The armed forces benefit from conscription.

Williams, Armstrong. 2006. "Mandatory Military Service Would Benefit the U.S." [<http://archive.newsmax.com/archives/articles/2006/6/18/162837.shtml>]
Syndicated Columnist

Mandatory military service benefits the military, the country and the conscript. The military benefits because its forces increase dramatically. For a small increase in expense, it receives an influx of able young men and women – including many of the best and brightest, who often avoid joining a professional army. Resources that go into recruiting programs can be used toward training, and because of higher head counts, outsourcing and subcontracting jobs can more easily be handled in-house.

Conscription Key to Strong Civil-Military Relations:

In the absence of military conscription a divide develops between the military and civilians.

Bacevich, Andrew J. "Who will serve?." *The Wilson Quarterly* 22.n3 (Summer 1998): 80(12)

Americans are inclined to shrug off indications of a growing, and potentially dangerous, cultural divide between soldiers and civilians; to dismiss evidence that the officer corps may be abandoning its tradition of remaining studiously apolitical; and naively to assume that advanced technology and the so-called Revolution in Military Affairs will provide the United States with an effective - and conveniently casualty-free - response to future security threats. Perhaps worst of all, the generation of Americans now reaching maturity is being deprived of any awareness that citizenship ought to imply some larger shared responsibility for the common good. In his remarkably prescient Farewell Address of January 1961, President Dwight D. Eisenhower reflected on the dilemma of any democracy obliged to maintain a large and powerful military establishment. "Only an alert and knowledgeable citizenry," he warned, can provide the prudent and responsible direction of military affairs, "so that security and liberty may prosper together." Twenty-five years into its thus-far successful experiment with a standing military of professionals, the world's sole remaining superpower would be ill advised to undertake - and the American people would be unlikely to tolerate - a return to the citizen-soldier tradition of an earlier era. But American citizens would be foolhardy in the extreme if, in their newfound comfort with a "standing army," they took either their security or their liberty for granted.

The example of Norway demonstrates how military conscription can ground the military in the people.

Karsten Friis, "The State, the People, and the Armed Forces," 694 Paper, Norwegian Institute of International Affairs, 2005.

In the early 21st century, the legitimizing power for the application of the armed forces still formally rests with the people. There are limits to what the state could use the armed forces to without meeting severe popular resistance. The principle of conscription remains as a back-bone of the Norwegian defense concept, even if those conscripts who actually serves in the operations that defines the armed forces of today, are contracted. But despite conscription and compulsory international service for the officers, without public support, international military operations are impossible. Brute force can not be applied to discipline the armed forces, so popular legitimacy both from within the ranks as well as from the people remains crucial. Furthermore, the people are highly engaged in a security discourse which plays a crucial role in defining what represent a security risk, and the media provide them with news about (mostly negative) developments in the theatre. The power of the people is potentially immense, but the people are not what they used to be. It is split in different trans-national identities, individualistically and humanistic oriented, accepting no casualties and no use of excessive force.

Abolishing conscription in the United States resulted in a civilian-military gap regarding constitutional values.

Diane H. Mazur, "WHY PROGRESSIVES LOST THE WAR WHEN THEY LOST THE DRAFT," *Hofstra Law Review* , 32(553), (Winter, 2003).

The civil-military gap has consequences for civilian control of the military in the operational sense of whether the military will follow the direction of its civilian leaders in using military force. Most political science research in civil-military relations has focused on relative decisionmaking authority between civilian and military leaders in specific contexts. However, this is not the only consequence of the civil-military gap. Thirty years after the advent of the all-volunteer force, a confluence of trends threatens civil-military relations more comprehensively. The gap of knowledge and experience between military and civilian societies is increasing as the military draws its members from an increasingly narrow and self-selected slice of America. The gap of constitutional values between military and civilian societies is increasing as the Court continues to reinforce the notion that constitutional values are inconsistent with military effectiveness. No one is questioning the Court's conclusions about constitutional values and military effectiveness because civilian society has lost its base of experience with which to do so. As a result, the military is increasingly selling itself, consciously or unconsciously, as a haven of constitutional immunity, drawing disproportionate numbers of recruits who enlist for ideological reasons.

The military is supposed to be the institution that protects democratic values, but within its own ranks such values aren't respected.

Diane H. Mazur, "WHY PROGRESSIVES LOST THE WAR WHEN THEY LOST THE DRAFT," *Hofstra Law Review* , 32(553), (Winter, 2003).

We live in a time in which the military is portrayed as an institution that not only protects the values of this country, but is often asked to define them. It was no coincidence, for example, that *Grutter v. Bollinger* grounded its recent approval of affirmative action in higher education in large part on the existence of similar admission policies at West Point, Annapolis, and the Air Force Academy. Military judgment was applied, without objection by the dissenters, to corroborate a judicial finding of compelling purpose under the Equal Protection Clause, an absolutely extraordinary use of military policy in deciding a constitutional question. Justice O'Connor's unspoken assumption [*564] seemed to be that if the military believed it was appropriate and beneficial to admit students to its academies on a race-conscious basis, then by definition the practice could not be constitutionally invidious. Perhaps the step taken in *Grutter* was not surprising. Military perspectives on law, morality, order, and discipline are now frequently viewed, by all three branches of government, as models to which the rest of us should aspire, and the development raises no particular notice or concern. Research suggests, however, that the most constitutionally corrosive aspect of the civil-military gap may be the temptation it creates for government to use the military not for its professional expertise in the skills of war, but for politically partisan purposes within the domestic sphere. The most effective weapon against misuse of a large standing military for politically partisan purposes always has been, perhaps counter-intuitively, a requirement for universal military service, or at least universal eligibility for military service.

Without military conscription civilian society has lost touch with military culture.

Diane H. Mazur, "WHY PROGRESSIVES LOST THE WAR WHEN THEY LOST THE DRAFT," *Hofstra Law Review* , 32(553), (Winter, 2003).

In a post-draft civilian society that has lost much of its common base of experience with military service, this increasing distance in the civil-military gap went largely unnoticed outside the small community of political and social scientists who study the military. With rare exception, principally in the very recent work of Jonathan Turleyⁿ⁴³ and Charles Dunlap,ⁿ⁴⁴ law reviews have neglected the study of constitutional civil-military relations during the all-volunteer era. The indifference of constitutional experts, however, also reflects a broader indifference about the place of the military in America. Over the last generation, civilian society has gradually developed an unusual - almost virtual or hypothetical - relationship with the military. As a rule, we don't know very much about the military and have relatively little personal exposure to it, whether through our own military service or the service of family [*569] members and friends, yet we have more confidence and trust in the military than we do in other public institutions.ⁿ⁴⁵ We romanticize and idealize the military with little knowledge of its reality, the same military that, even after September 11, 2001, there is still no great rush to join.ⁿ⁴⁶ We reserve a special pedestal for those who serve in uniform, but from a distance we seem to assume that the demands of military service are beyond the capability of the typical American who might, in another day, have served as the unexceptional "citizen-soldier."ⁿ⁴⁷ Simply, we are in uncritical awe, as are too many members of the Court when asked to evaluate the military under the same rule of law that applies domestically to us all.

The civil-military gap in post-draft American resulted from the end of compelled national service.

Diane H. Mazur, "WHY PROGRESSIVES LOST THE WAR WHEN THEY LOST THE DRAFT," Hofstra Law Review , 32(553), (Winter, 2003).

On the other hand, if a military with low moral integration has little direct contact with or impact on civilian society, then it is considered alienated. It would be easy to dismiss any possibility of an alienated military, given how much attention is paid today to a military that is now deployed on several fronts around the world. I would not, however, describe the military today as having high material salience in a traditional way. The distance between civilian and military societies that has developed as a result of the end of compelled national service has made our relationship with the military very theoretical or virtual. It is not a matter of lack of civilian support for the military. If anything, it is the degree of unthinking, uncritical, unknowledgeable, and slavish support for the military that creates a problem for civil-military relations. Many people who should know better mistake admiration for the military with healthy civil-military relations. They ask, in essence, "how can civil-military relations be bad, or how can the all-volunteer force be a problem, if civilians think so highly of the military and its members?"ⁿ¹¹⁶ They miss, however, the point of civilian control under [*588] the Constitution. Some legal writers with military experience have recognized that civil-military relations can be at their weakest when our ignorant adoration of the military is at its highest. It is under those circumstances that civilians are most tempted to use the military to solve all problems of any nature, both foreign and domestic.

The gap in civil-military relations has resulted in the failure of the military to keep up with the moral principles of society.

Diane H. Mazur, "WHY PROGRESSIVES LOST THE WAR WHEN THEY LOST THE DRAFT," *Hofstra Law Review* , 32(553), (Winter, 2003).

The symptoms of constitutional weakness in civil-military relations abound for those with the experience to recognize the drift of the all-volunteer force. The ongoing disciplinary disaster at the United States Air Force Academy has never received the attention it deserves as a marker of the decline of civil-military relations. n129 The top four officers at the Academy were relieved of duty after reports surfaced that dozens of female cadets had been sexually assaulted by classmates, but the Academy had failed to investigate their complaints or punish the perpetrators. Some women stated that they had been discouraged from reporting assaults by the Academy's threats to punish them for their own violations of Academy rules, such as those prohibiting alcohol [*595] consumption or fraternization, at the time they were assaulted. n130 The obliviousness of senior Air Force leadership was remarkable. Twenty-seven years after the first women joined the cadet wing, Academy officials responded to this monumental failure of military discipline with no better solution than a proposal that their female cadets - women who would soon lead both men and women in fighting and winning wars - be segregated physically from their male colleagues in Academy quarters. n131 Not one admitted that the ultimate failure of military leadership occurs when servicemembers prey upon and harm their own people.

The civil-military gap in a volunteer force can harm military readiness.

Diane H. Mazur, "WHY PROGRESSIVES LOST THE WAR WHEN THEY LOST THE DRAFT," *Hofstra Law Review* , 32(553), (Winter, 2003).

The ideological evolution of the all-volunteer force affects more than just the nature of the people the military will be most likely to recruit successfully. The all-volunteer military has changed the institution at senior levels of policymaking as well. One example of how a civil-military gap built on social conservatism and political partisanship can harm military readiness can be found in the controversy that erupted from the military's policy that female servicemembers clothe themselves in traditional Islamic religious clothing when traveling off-base in Saudi Arabia, even if on official military business. n135 Military women were required to wear a full-length gown - an abaya - and a covering head scarf. In addition, they were forbidden to drive vehicles off-base and, if there were more than two people riding in a vehicle, forbidden even to sit in the front seat as a passenger. All military women, regardless of rank, had to be escorted by at least one male at all [*598] times when traveling off-base. Irrationally, these rules applied only to American military women, not American civilian women, and they were applied at the request of the American military, not the Saudi government. Female employees of the United States State Department did not have to wear an abaya, and neither did the civilian wives of military personnel. This special form of institutional disrespect was reserved solely for women serving their country in uniform and, ironically, it operated by taking from them the honor and respect associated with wearing that uniform, substituting instead a symbol of female subservience to men.

Conscription allows for more civilian oversight of the military – increasing CMR

Morris Janowitz, *The All-Volunteer Military as a "Sociopolitical" Problem* *Social Problems*, Vol. 22, No. 3, (Feb., 1975), pp. 432-449: University of California Press

Conscription operated as a positive element in civil control because it resulted in the massive inflow and outflow of civilians through the armed services. Citizen-soldiers as enlisted personnel helped maintain linkages between civilian sectors and the military and were part of the long-term efforts to "civilianize" the military.

Conscription would bring the army closer to the people – making it more representative of society

Meyer Kestnbaum Citizen-Soldiers, National Service, and the Mas Army: The Birth of Conscription in Revolutionary Europe and North America. 20

Second, national conscription would break down the insulation of the line army from society and instead bring the army closer to the people. Building an army of citizens, the line army would increasingly appear to soldiers and civilians alike as an integral part of the nation, not as an institution outside of or alien to the nation. There would be less reason to fear that it might be used as a repressive tool against the people. At the same time, the previously excluded popular classes would acquire a very real presence within the state. Whichever came first – whether army or people were to be made by the other – the army would be the people's army

A lack of CMR would lead to more wars and conflict

Peter Feaver (Armed Servants: Agency, Oversight, and Civil-Military Relations pg 5)

Because the military must face enemies, it must have coercive power, the ability to force its will on others. But coercive power often gives the holder the capability to enforce its will on the community that created it. A direct seizure of political power by the military is the traditional worry of civil-military relations theory and has been a consistent pattern in human history. A parasitic military could destroy society by draining it of resources in a quest for ever greater strength. A rogue military could involve the polity in wars and conflicts contrary to society's interests or expressed will.

Without civilian oversight, the entire structure of civil-military relations falls.

Meyer Kestnbaum - Citizen-Soldiers, National Service, and the Mas Army: The Birth of Conscription in Revolutionary Europe and North America. 2002

What conscription based on national citizenship offered reformers was political stability – a way to attach the people and their representatives to the regime in power, and then to foster and channel the mobilization of the popular classes. What it offered the masses was a newly authorized place in the regime as citizens: political recognition if not democracy, a way to participate in at least one of the state's chief endeavors, and a way – perhaps only symbolically – to appropriate the state as their own. By encouraging people to identify with the state, citizen service would make it easier for the state to mobilize and retain the support of the people. Moreover, this identification with the state would help undercut insurrectionary threats from the rank and file of the armed forces. Soldiers would identify their new-found place in politics with the mass-mobilizing regime that had made it possible. Precisely because their stake in the new regime as citizens was the results of the actions of the regime in power, they would share in interest as soldiers in sustaining that regime. ... It helped forge in each soldier as well as each potential soldier a definite stake as a citizens in the regime demanding his participation, as well as in the struggle in which he was a participant. The administrative and military reality of service amounted to a moment of political conversion, in which the individual.

AT: Technological/Economic Concerns Limit the Effectiveness of Conscription

Economic and technical concerns do not exclude the option of conscription.

Anna Leander, "Disenchanted Conscription: A Military Recruitment System in Need of Justification" Copenhagen Peace Research Institute, June 2003.

There are no technical or economic imperatives which a priori exclude continued reliance on conscription. Technology has to be controlled and used by people and in war situations greater numbers of foot-soldiers than planned tend to be needed. Moreover, there is no necessary link between conscription and everyone serving. Classically understood conscription refers to "the common writing down of eligible names for the purpose of a ballot, with only the unlucky numbers having to serve".⁵ Third, there is no contradiction between conscription and military competence. Most armies – including those based on conscription – have professional cadres. One of the key arguments made for keeping (in Russia) or for introducing (in the US) conscription is that it facilitates recruiting qualified professionals. Finally, it is impossible to make any general judgment about the relative costs of conscription to its alternatives. These depend on what kind of conscription is practiced, how many are called to serve, and on what terms as compared to an equally wide range of alternatives. In clear, conscription can be shaped to suit the needs of the armed forces and hence cannot simply be written off on technical or economic grounds. 1-2

Conscription key to Build Individual Character:

Military service teaches individuals valuable character lessons.

Anna Leander, "Disenchanted Conscription: A Military Recruitment System in Need of Justification" Copenhagen Peace Research Institute, June 2003.

The classical way of linking military service and the formation of polities is to point to the relationship between martial and civic virtues as a close one. Military service makes for virtuous, self-sacrificing and less corrupted individuals who can be contrasted with ordinary citizens used to the comfort of peaceful life. Moreover, military service is held forth as an institution which demands that members of a polity be loyal to the community and to its values, rather than to the traditional ones of family, or clan. Hence, conscription is argued to have been fundamental in tilting the balance towards the more abstract values of the polity. It tied the individual to the state by placing the responsibility of military service on him. More generally it worked to sediment loyalties to the polity by demanding of conscripts that they be willing to die for this abstract loyalty and by demanding of families and relatives that they be willing to accept this. The "Athenian" city state model has often been invoked (somewhat mistakenly) as a precursor illustrating the beneficial effects of conscription. 10

Military conscription produces virtues in men that are cohesive to family life.

King, Florence. 1999. "The Misanthrope's Corner: social benefits of military draft". National Review.
[http://findarticles.com/p/articles/mi_m1282/is_12_51/ai_54864486]
Columnist

The draft produced the kind of men that today's girls have never known, and relations between the sexes were better for it. What sticks in my mind about them is their self-sufficiency and competence in fixing things that broke and figuring out solutions to emergencies. Thanks to the draft I belong to the last generation of [allowed] American women who could [to] scream "Do something!" and get results. Most of my men were intellectuals but they had been taught in basic training to change a tire in 90 seconds, rig up electrical wiring, tie knots that stayed tied, and take a rifle apart and reassemble it while blindfolded. This last was never necessary in civilian life but it made for a self-assured deftness that was awesome.

Conscription prevents military corruption/abuse/violence:

Military conscription democratizes military affairs.

Anna Leander, "Disenchanted Conscription: A Military Recruitment System in Need of Justification" Copenhagen Peace Research Institute, June 2003.

Conscription can be construed as central for the nationalisation of the control over the use of violence, that is for the public claim to control the use of violence. One of the main reasons for rulers to rely on conscription was that it made them less dependent on the "whores of war". Creating standing armies, that is nationalizing and taking authority away from private actors, was the obvious way of wresting control away from unreliable private actors. However, private armed forces were cheaper to hire for states (they only had to be paid when used) and filling their ranks was not an issue for states. However, with the nationalisation of military means, issues of cost and the need to fill the ranks became important considerations. Conscription was then held up as an answer of sorts, and citizens armies gained credence and legitimacy as alternatives to privately controlled forces. 16

Conscription grounds the military in the people reducing the potential of violence.

Anna Leander, "Disenchanted Conscription: A Military Recruitment System in Need of Justification" Copenhagen Peace Research Institute, June 2003.

Conscription provides an anchor tying the armed forces to society and reducing the risk that it turns into an uncontrollable source of violence. Indeed, the constant presence of conscripts makes it more difficult for the armed forces to develop values which differ radically from those prevailing in society. The conscripts' broad social base will make sure that the army does not become a hermetically closed institution. When parts of the armed forces are tempted to interfere in politics, conscripts may prevent them, as did the French conscripts and junior officers when their superiors tried to stage a coup in April 1961 (in reaction to de Gaulle's policy in Algeria). But of course there is no guarantee that this works as illustrated by the large number of coups carried out by conscript armies. The idea can even be turned on its head. Conscripts can be seen as importing social and political conflicts into the armed forces, which are politicized and may be pushed to interfere with politics.

Conscription increases rights claims:

Military conscription has historically enabled people to gain rights from the state.

Levy, Y. (1996). *Military Doctrine and Political Participation: Toward a Sociology of Strategy*. Center for Studies of Social Change.

Historically, the scope of citizenship in Europe increased from the end of the eighteenth century onward in return for the imposition of direct statist rule with the constitution of mass armies based on conscription of the domestic population rather than mercenaries (Thomson, 1994). Social groups then capitalized on their participation in war and in preparation for war, which encompassed taxation, production, and particularly conscription (hereafter: "military participation"), to claim and attain political and material resources and/or rights from the state. As for the state, it was willing to accede as a means to mobilize for war. Consequently, wars accelerated the allocation of civil, political, and social rights to those who had borne the burden of war. After all, as "the voice of the people is heard loudest when governments require either their gold or their bodies in defense of the state" (Porter, 1994, 10).

AT: AVF Alternative:

All volunteer armies place the burden of war disproportionately on minorities.

Ben Schiffrin, "Universal National Service Act" Harvard Journal on Legislation 41(337), (Winter, 2004).

Supporters of conscription argue that the all-volunteer force (AVF) places the burden of war disproportionately on minorities. They claim that minorities bearing a burden of defense greater than their proportion in the population signifies unfairness. In the event of war, blacks will proportionally suffer the greatest casualties because they will comprise such a large percentage of front-line soldiers. Critics of the AVF suggest [*343] that black Americans should not die in wars that white America chooses to fight. Furthermore, black and minority casualty rates of 30% to 40% might generate opposition to the war movement by precipitating a backlash in the black community. Supporters of Representative Rangel's bill revive the argument that overrepresentation of blacks in the armed services is a latent problem that war will graphically bring to the forefront of the mind of the American public.

Non-conscript armies run the risk of acting on their own interests rather than the peoples.

Anna Leander, "Disenchanted Conscription: A Military Recruitment System in Need of Justification" Copenhagen Peace Research Institute, June 2003.

The de-militarisation of society has altered the weight and significance of arguments about the importance of conscription to impose democratic control on military power. At least judging from the discussions in France and in Sweden this is the case. In both countries rhetorical references are made to the risks that non-conscript armies could either act on their own or be used to act against the political establishment. Thus, in France Lanxade worries that if the army becomes too isolated, it might lead to the development of "doctrines dangereuses."⁷⁰ Similarly, in Sweden references to Ådalen (where the Swedish army was used against striking workers in 1931) regularly surface to confirm the continuing importance of anchoring the armed forces. Moreover, there is some speculation about the implication of a strongly specialised and relatively closed organisation of the armed forces for the way it categorizes and collects data and for the political advice it gives. 21-22

The military has changed drastically from the constitutional ideal since the abolishment of the draft. The All Volunteer Army is at fault.

Diane H. Mazur, "WHY PROGRESSIVES LOST THE WAR WHEN THEY LOST THE DRAFT," *Hofstra Law Review* , 32(553), (Winter, 2003).

Most civilians today do not understand how radically different the military has become in the all-volunteer era and how far it has departed from its constitutional ideal. The military takes a great deal of credit for creating and maintaining diversity on the basis of sex and race, n67 but over the last twenty years it has lost much of the most important kind of diversity for purposes of civil-military relations: the ideological and political diversity that acts to protect civilian control. n68 Samuel Huntington, the author of *The Soldier and the State*, one of the two classic post-World War II works on civilian-military relations, n69 observed more than fifty years ago that a politically neutral military was a necessary predicate to an objective model of civilian control. n70 Huntington's observation was not new, as political neutrality had been an uncontroversial, unremarkable component of the professional military ethic from the beginning of the 1800s. n71 The military's political neutrality, moreover, was not only an ethical obligation, but a constitutional obligation as well. In 1976, shortly after the dawn of the all-volunteer force, the United States Supreme Court held that the military had a constitutional responsibility to avoid "both the reality and the appearance of acting as a handmaiden for partisan political causes," a responsibility that was "wholly consistent with the American constitutional tradition of a politically neutral military establishment under civilian control."

The AVF is more harmful to peace than a conscripted army

Seung-Whan Choi and Patrick James - No Professional Soldiers, No Militarized Interstate Disputes? A New Question for Neo- Kantianism; *The Journal of Conflict Resolution*, Vol. 47, No. 6, (Dec., 2003), pp. 796-816 Published by: Sage Publications, Inc.

Studies of "linkage politics" between different kinds of military manpower systems and the propensity to use military force at the international level have been thin. A few military manpower studies argue that a state's manpower system may affect the likelihood of its involvement in international conflict. Kant had declared that standing armies, referring to professional, voluntary, or mercenary soldiers, should be abolished because they are "a cause of offensive war." Kant inferred that conscripted soldiers should be more peaceful actors than voluntary ones because "the periodic and [regular] military exercises of citizens who thereby secure themselves and their country against foreign aggression are entirely different" (p. 5). The Gates report (President's Commission on an All-Volunteer Armed Force 1970) also pointed out some objections to [that] an all-voluntary force that, it is claimed, would stimulate foreign military adventures, foster an irresponsible foreign policy, and lessen civilian concern about the use of military forces (see also Califano 1982,538, one-time special assistant to Secretary of Defense McNamara, on a similar point). At the very least, President Bill Clinton's military strikes on sites associated with Osama bin Laden in Afghanistan and Sudan, as well as later in Iran in 1998, seem to fit into this line of rea-soning (see Hendrickson 2002). In short, according to at least some analysts of the United States in particular, a military manpower system with volunteers might seem to pose a greater menace to international peace.

America's volunteer military cannot sufficiently fight a war and defend the homeland.

Carter, Philip; Gastris, Paul. 2005. "The Case for the Draft".
[<http://www.washingtonmonthly.com/features/2005/0503.carter.html#byline>]
Phillip Carter: an attorney and former Army captain who writes on national security issues for The Washington Monthly. Paul Gastris is the editor in chief of The Washington Monthly. Washington Monthly.

But there's a deeper problem, one that any president who chose to invade a country the size of Iraq would have faced. In short, America's all-volunteer military simply cannot deploy and sustain enough troops to succeed in places like Iraq while still deterring threats elsewhere in the world. Simply adding more soldiers to the active duty force, as some in Washington are now suggesting, may sound like a good solution. But it's not, for sound operational and pragmatic reasons. America doesn't need a bigger standing army; it needs a deep bench of trained soldiers held in reserve who can be mobilized to handle the unpredictable but inevitable wars and humanitarian interventions of the future. And while there are several ways the all-volunteer force can create some extra surge capacity, all of them are limited.

AT: The Draft Discriminates (The AVF is worse!)

Without military conscription the armed forces result to inequality in social ranks.

Morris Janowitz, The All-Volunteer Military as a "Sociopolitical" Problem Social Problems, Vol. 22, No. 3, (Feb., 1975), pp. 432-449: University of California Press

With the advent of the volunteer force, there has been an immediate shift in the pattern of social recruitment. The enlisted ranks have been filled more and more from the less educated and from the lower social strata, and especially by blacks. Any extensive impact of casualties under the all-volunteer force would present a strongly unrepresentative pattern.

The political and ideological gaps between military and civilian societies are particularly pertinent in the cases of African-Americans and women serving.

Diane H. Mazur, "WHY PROGRESSIVES LOST THE WAR WHEN THEY LOST THE DRAFT," Hofstra Law Review , 32(553), (Winter, 2003).

Researchers have commented with surprise on the size of the political and ideological gap between military and civilian societies, given the substantial increase in the representation of African-Americans and women in the all-volunteer military. n120 What the increase in race and gender diversity actually reveals is the enormity of the ideological shift that has taken place as a result of the all-volunteer force, because the magnitude of the divide, dramatic as it is, would have been even greater if not tempered by that diversity. Ironically, the statistics the military has relied on most heavily in defending the composition of all-volunteer force may reveal one of the mechanisms by which the civil-military gap is weakening military effectiveness. As discussed in the introduction to this Article, the DOD responded to Representative Rangel's national service bill by raising and then rebutting the false argument that African-American servicemembers were bearing a disproportionate share of combat risk. The DOD offered statistics demonstrating that African-Americans were actually underrepresented in direct-combat specialties, in comparison to their overall military numbers, and overrepresented in combat-support and administrative specialties. n121 The majority of servicemembers overall serve in positions that do not involve direct combat, and these are also the positions that are open to women without restriction.

The shift to a volunteer army has ultimately been worse for women's equality.

Diane H. Mazur, "WHY PROGRESSIVES LOST THE WAR WHEN THEY LOST THE DRAFT," *Hofstra Law Review* , 32(553), (Winter, 2003).

Perhaps the greatest misunderstanding that civilians have with respect to women in military service is the false assumption that gender controversy is inherent in the nature of the military institution. The reality is that the transition to an all-volunteer force, not military culture in and of itself, has had the greater effect on the constitutional equality of women serving in the military. At the same time that the Court has strengthened its commitment to equality for civilian women, it has developed a doctrine of deference to military judgment that can only erode those constitutional protections for military women. n127 Similarly, at the same time civilian society has increasingly accepted values of constitutional equality as unremarkable, the all-volunteer military has increasingly drawn self-selected constituencies on the basis of resistance to values of constitutional equality. The military has become a venue where tradition - real and imaginary - trumps the Constitution and where the clock can be turned back with the approval of the government and many of its citizens. It is difficult to overestimate the detrimental effect that ideological self-selection grounded in both social conservatism and Republican political partisanship has had on the constitutional relationship of women to military service. To be blunt, the [*594] military increasingly sells itself as the home for the disaffected white male and, unfortunately, as a home for women who are comfortable with the disaffected white male. We are enlisting a greater number of young men, and young women as well, who are accustomed to relationships of disparate power and respect between men and women, and we are seeing the results of that dysfunctional evolution in repeated scandals of sexual harassment and assault. n128 The military has become a quiet battleground for notions of equality and citizenship, obscured by our uncritical support for and our lack of meaningful interaction with the institution.

The “Don’t Ask, Don’t Tell” policy demonstrates the constitutional decay in civil-military relations since the start of the all-volunteer force.

Diane H. Mazur, “WHY PROGRESSIVES LOST THE WAR WHEN THEY LOST THE DRAFT,” *Hofstra Law Review* , 32(553), (Winter, 2003).

The "Don't Ask, Don't Tell" policy that excludes gay people from military service n140 is no doubt the best known instance in which Congress has relied on the military's status as a constitutionally separate entity to enact a policy symbolic of the military's new ideological and partisan identity. It is unnecessary here to review the irrationality of a policy that has become "virtually unworkable in the military - legally, administratively, and socially" and has impaired military readiness in the ten years since its legislative codification. n141 The tale has been told many times. What is important for purposes of this Article, however, is how "Don't Ask, Don't Tell" became the most disturbing illustration of the constitutional decay of civil-military relations since the advent of the all-volunteer force. The controversy demonstrated that the civil-military gap has real consequences for civilian control of the military, and not only in the more indirect sense that civilian control is more difficult when civilian and military societies have become ideologically alienated from one another. The politically partisan and socially conservative nature of the all-volunteer military has real consequences for civilian control of the military because it has changed the definition of military professionalism and made it more likely that military agents will defy civilian direction.

The End of Conscription Resulted in Increase Military Conservatism:

The end of military conscription resulted in a conservative shift in the armed forces.

Diane H. Mazur, "WORD GAMES, WAR GAMES," Michigan Law Review 98, 1590, (May, 2000).

With the end of military conscription now one generation past, we have lost the draft-era officers and enlisted men that made the military a much more representative force. In its place we have a military in which young officers are increasingly "hard-right Republican, largely comfortable with the views of Rush Limbaugh,"ⁿ⁵² an ideological shift that is more extreme in degree than the increasing conservatism of American society as a whole. The increasingly partisan conservatism of today's military is remarkable in that it has developed despite the greater representation of women, and alarming in that political neutrality was once a professional ethic of military officers. "On the face of it, a large military that is becoming more politically active at the same time that it is increasingly concentrated on one end of the partisan and ideological spectrum is a cause for concern."ⁿ⁵³ Given this convergence of social conservatism and military culture, the military's fundamental(ist) resistance to national service by gay citizens is unsurprising. The disappointment is that we may have been politically closer to an acceptance of the contribution of gay servicemembers twenty years ago than we are today.

Conscription Stops Internal Turmoil:

Military conscription prevents youth from joining insurgent groups.

Marie Smyth, "Violently Divided Societies" Law and Ethics 83, (Fall 2003)

The role that young people play in conflict depends on whether they can legitimately join an official, state-endorsed military organization. In some societies, conscription or enlistment is often characterized as a step that will "build character." In some cases, conscription or enlistment is also advocated as a solution to the common adolescent problems of rebellion, misbehavior, or indolence. On the other hand, in societies where there is widespread resentment of official, state-endorsed military forces⁰ such as the Nationalist community in Northern Ireland, the Palestinian communities in the Middle East, and townships in Apartheid South Africa- there appear to be two main ways for young people, predominantly males, to participate in broad insurgent movements.

Conscription leads to more citizen involvement preventing socially dangerous groups that would attempt a coup

Aaron Belkin - Toward a Structural Understanding of Coup Risk. Department of Political Science, UC Santa Barbara, and Evan Schofer, Department of Sociology, University of Minnesota. The Journal of Conflict Resolution. Vol 7, No 5, (Oct 2003), pp. 594 – 620. <http://www.jstor.org/stable/3176221>

One commonly accepted distinction in the literature on civil-military relations involves the difference between motives and opportunities (Hibbs 1973; Huntington 1968;Finer1988;Luttwak 1968). For example, Finer (1988, 64-76) distinguishes between opportunities and motives and argues that opportunities for launching a coup result from three factors, including civilian dependence on the armed forces during wartime, domestic crises such as civil wars or power vacuums, and military popularity. In a similar vein, Luttwak (1968, 28-56) identifies three pre- conditions that make coups possible: only a small fraction of the population can participate in the political life of the target state, the target state must be independent of the influence of foreign powers that could thwart attempted conspiracies, and the institu- tions of state must be concentrated in a political center. Zimmermann (1983,246) distinguishes between "push" factors that motivate military officers to launch coups from "pull" factors that refer to conditions that make coups possible. Despite slight differences in terminology, Finer, Luttwak, and Zimmermann all accept the conventional distinction in the literature between motives and opportunities

Conscription would Decrease/End War:

Military conscription would eliminate unjust wars.

McNeill, Brian. "Commentary: Reinstate the draft for equity, peace ." Collegiate Times. 23 January 2003. 14 Jul 2008
<http://collegiatetimes.com/news/2/ARTICLE/222/2003-01-21.html>

Before you get your hackles up and send me the ashes of your burnt draft registration card, hear me out. Reinstating the draft would eliminate unjust wars with one fell swoop, or at the very least, cause the U.S. government to be much more forthcoming with their true intentions for going to war. The proposal would eliminate exemptions for higher education students, effectively negating the possibility that upper and middle class people could wait out a war in college, as many did during the Vietnam War. Consequently, people from all classes and walks of life — not just minorities and working class people — would be fighting the nation's wars. As it stands now, most of the American public sees the military as a tool the government can use. Most middle- and upper-class families are not emotionally invested in it because their sons aren't the ones pulling the triggers and dropping the bombs. If Rep. Rangel's bill were to pass, it [an all-class draft] would cause members of the wealthier — and more politically influential — classes to greater scrutinize any military action the nation proposes. It would, in effect, put an end to any wars that are not 100 percent necessary and just. For example, the Bush Administration claims the war in Iraq is about weapons of mass destruction, but there is also the issue of oil. But in North Korea where oil is not an issue, the US is willing to seek a diplomatic solution. Nations without military conscription fight wars for unjust reasons, so a draft would stop that by making governments go only into wars that are just and necessary.

Conscription creates a much more secure world because soldier's lives aren't risked unnecessarily.

McNeill, Brian. "Commentary: Reinstate the draft for equity, peace ." Collegiate Times. 23 January 2003. 14 Jul 2008
<http://collegiatetimes.com/news/2/ARTICLE/222/2003-01-21.html>

Take Iraq for instance. The Bush Administration is marching toward war, saying it is necessary to prevent Americans from being killed by Saddam Hussein's weapons of mass destruction. However, the administration has failed to call attention to the 800-pound gorilla sitting in the room. That is, of course, oil. Taking a look at the situations in Iraq and North Korea, one finds that the United States is willing to seek a diplomatic solution to one and war with the other. What's the difference? That 800-pound gorilla. In this case, Rangel's idea to reinstate the draft would do one of two things. One, the upper classes would demand a true and full disclosure of why the country is about to put its young people in harm's way. Or two, war would be simply avoided altogether and a peaceful solution would be reached through diplomacy. Now, I'm not a peacenik by any sense of the word. I would be the first to argue that sometimes war is the only way to deal with a crisis to make the rest of the world safer. That said, military action should be the absolute last resort, and the American public needs to be fully informed as to what things are being done in its name. Reinstating the draft would ensure that any, ahem, trigger-happy presidents would have more than a few hoops through which they would need to leap before taking the country to war.

Conscription is a deterrent to war, because more people are involved in the process

Hofstra Law Review Hofstra Law Review Winter, 2003 32 Hofstra L. Rev. 553

On the other hand, if a military with low moral integration has little direct contact with or impact on civilian society, then it is considered alienated. It would be easy to dismiss any possibility of an alienated military, given how much attention is paid today to a military that is now deployed on several fronts around the world. I would not, however, describe the military today as having high material salience in a traditional way. The distance between civilian and military societies that has developed as a result of the end of compelled national service has made our relationship with the military very theoretical or virtual. It is not a matter of lack of civilian support for the military. If anything, it is the degree of unthinking, uncritical, unknowledgeable, and slavish support for the military that creates a problem for civil-military relations. Many people who should know better mistake admiration for the military with healthy civil-military relations. They ask, in essence, "how can civil-military relations be bad, or how can the all-volunteer force be a problem, if civilians think so highly of the military and its members?"ⁿ¹¹⁶ They miss, however, the point of civilian control under [*588] the Constitution. Some legal writers with military experience have recognized that civil-military relations can be at their weakest when our ignorant adoration of the military is at its highest. It is under those circumstances that civilians are most tempted to use the military to solve all problems of any nature, both foreign and domestic.

Conscripts lack the desire to pursue aggression and war as much as volunteers do.

Oswald Spengler - Adorno, Theodor W. and Weber, Samuel. Prisms. MIT Press: 1981. Pg. 58.

“From now on a professional army of voluntary and enthusiastic soldiers will gradually take the place of the standing army, hundreds of thousands will once again serve where there are now millions, but with this change this second century will truly be one of embattled states. The mere existence of these armies is no substitute for war; they are there for war and they want war. In two generations their will will be stronger than that of all those who want peace. In these wars fought for the heritage of the whole world, the stakes will be continents, India, China, South Africa, Russia, Islam will be called into action, new techniques and tactic will be pitted against each other. The great metropolitan centres of power will dispose at will of the smaller states, their territories and their economies; they will be mere provinces, objects of manipulation, means to ends, their fate without significance for the larger course of things. In a few years we have learned [will learn] virtually to ignore things which before the war would have petrified the world.”

Conscript armies are better defense forces and have been the key to ending major wars – empirically proven

Dan Yock Hau - Conscription And Force Transformation, LTC, Manifesto for the Universal Abolition of Conscription, 19261

Critics have commented that conscription provided an ineffective force. However during both World Wars, conscripts' services have been indispensable. They were the major contributor to the outcome of the wars. Israel's conscript-based army has also fought three major wars against its numerically superior Arab neighbours with stunning success. The strong will of survival of the Israelis and their well-tuned strategy of integrating conscripts, regulars and reservists to “fight as a system” have enhanced their effectiveness as a military force. In countries such as Germany and Sweden, the military capabilities have not been significantly degraded as a result of their conscript composition. In fact, there is widespread consensus among European counterparts that their military are as effective as any professional forces. While a conscript force holds certain limitations in terms of training and experiences, its overall effectiveness as a defense force would not be affected if certain conditions are met, such as effective training, strong professionalism, good officers as well as NCO leadership, high motivation and possessing a strong will to fight.

Benefits for Conscripts Too!:

Conscripts benefit from conscription.

Williams, Armstrong. 2006. "Mandatory Military Service Would Benefit the U.S."
[<http://archive.newsmax.com/archives/articles/2006/6/18/162837.shtml>]
Syndicated Columnist

Conscripts benefit from the military service because they learn practical life skills such as first aid, wilderness survival, computer proficiency and self-defense. They become physically fit, mentally strong and knowledgeable in multiple areas. Conscripts learn how to work hard, discipline themselves, follow orders, think on their feet and lead their peers. Most importantly they come away from the military with the skills that benefit society, the workplace and the family. With a college degree, the men and women who served their two years with honors will be sought after by the public and private sectors.

Benefits of military service exist into retirement.

Neilburg, Michael S. 2001. Encyclopedia of European Social History. Ed. Peter N. Stearns. Vol. 2:Processes of Change/Population/Cities/Rural Life/State & Society. Detroit: Charles Scribner's Sons, 2001. p545-553.

Military service could continue to pay dividends even after retirement. Many states introduced pensions and even rudimentary health-care systems for military veterans. The beautiful, gold-domed Parisian military hospital Les Invalides is one of the most famous and most ornate examples of post-service care for veterans, but it is far from the only one.