



Selective Service Hearing: Should Registration be Expanded to All Americans? – Arguments against expansion

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This transcript was prepared by official military court reporters based on an audio recording of the hearing.

Commission:

- The Honorable Dr. Joseph Heck, Chairman
- The Honorable Mark Gearan, Vice Chair for National and Public Service
- The Honorable Debra Wada, Vice Chair for Military Service
- Mr. Edward Allard, Commissioner
- Mr. Steve Barney, Commissioner
- The Honorable Dr. Janine Davidson, Commissioner
- The Honorable Avril Haines, Commissioner
- Ms. Jeanette James, Commissioner
- Mr. Alan Khazei, Commissioner
- Mr. Tom Kilgannon, Commissioner
- Ms. Shawn Skelly, Commissioner

Panelists:

- Dr. Mark Coppenger, Professor of Christian Philosophy and Ethics, Southern Baptist Theological Seminary
- Ms. Jude Eden, US Marine Corps Iraq veteran and freelance writer
- Mr. Edward Hasbrouck, Editor and publisher, Resisters.info
- Ms. Ashley McGuire, Author of *Sex Scandal: The Drive to Abolish Male and Female*
- Ms. Diane Randall, Executive Secretary, Friends Committee on National Legislation



OPENING STATEMENTS

Dr. Joseph Heck

Good morning and welcome to the third public hearing on selective service by the National Commission on Military, National, and Public Service. The purpose of this hearing is to address an important question: should selective service registration be expanded to include all Americans?

In 2016, the commission was created amid debate over whether the requirement for selective service registration should be extended to women after military combat roles were opened to women in 2015. Congress charged us to answer two very important questions:

First, does our country have the continuing need for a military selective service system, and if so, whether the current system requires modification.

Second, how can we as a nation create an ethos of service and increase participation in military, national, and public service?

The first question is the reason we are here this morning. The four hearings we are holding, two yesterday and two today, provide an opportunity to discuss the policy options the commission is considering with respect to the selective service system and a potential future draft. Yesterday's hearings focused on the strategic security environment and potential requirements for selective service and the nation to meet those needs, along with potential modifications to the structure of the selective service system, as well as other mechanisms that might be used to support a national mobilization beyond the current level of the All-Volunteer Force.

Our two hearings today will provide us the opportunity to discuss who should share the common obligation to defend the nation in a potential future draft. This morning's hearing will



focus on the cases for continuing to restrict registration to men only and the challenges in achieving compliance with the current system.

Now let me welcome our panelists: Dr. Mark Coppenger, Professor of Christian Philosophy and Ethics at the Southern Baptist Theological Seminary; Ms. Jude Eden, U.S. Marine Corps Iraqi veteran and freelance writer; Mr. Edward Hasbrouck, editor and publisher of the Registers.info; Ms. Ashley McGuire, author of *Sex Scandal: The Drive to Abolish Male and Female*; and Ms. Diane Randall, the Executive Secretary, Friends Committee on National Legislation.

Thank you for joining us today. I would now like to turn to our Vice Chair for Military Service, Debra Wada, for an opening statement.

Ms. Debra Wada

Thank you, Mr. Chairman. As the Vice Chair for Military Service, I have the honor of leading the efforts regarding the selective service system and the military service for the commission.

When it comes to selective service, military service, we found there is a commonality; very few understand either. We found that many Americans do not understand the requirement to register or the purpose of the selective service system. The selective service system though very much exists and is active.

Most young men today register for selective service as a secondary process when they apply for a driver's license or federal financial aid. In fact, approximately 75percent of young men register as a byproduct of another state or federal requirement. But registering is the law, and therefore if a man fails to register there are ramifications such as not receiving federal financial aid or even being able to obtain a federal job.



As you may know, the district court case decided in Texas earlier this year stating that all-male draft registration is unconstitutional, and in addition, a federal court in New Jersey handling the second court case involving women and selective service issued an opinion denying the core parts of the government's motion to dismiss. In *Rostker v. Goldberg*, the court ruled that a male-only registration was fully justified, because women were ineligible for combat roles. As we all know that is now changed. These decisions will not speed up the commission's timeline in releasing our final report, however, the court's decision will make the commission's work all the more relevant and important. The commission is considering whether to continue the need for the program in its current form, if any changes should be made, or if it should be disestablished.

Some of the policy options that we are considering include expanding the registration to include women, identify individuals who possess critical skills the nation might need, calls for volunteers in time of emergencies supported by using the existing registration database, and incorporating reasonable change to identify, evaluate, and protect those who will not serve in the military. We look forward to hearing from our panelists today on this important issue. Thank you, Mr. Chairman, I yield.

Dr. Joseph Heck

Thank you, Debra. So before we begin, I'd like to remind everyone to please silence any electronic devices you might have, and I will explain how we will conduct today's hearing.

The commissioners have all received your written testimony, and it will be entered into the official record. We ask that you summarize the highlights of your testimony in the allotted five minutes. Before you, you will see our timing system. When the light turns yellow, you have approximately one-minute remaining, and when it turns red, your time has expired. After all testimony is completed, we will move into questions from the commissioners. Each commissioner will also be given five minutes to ask a question and receive a response, and as the commissioners know, I'm not reluctant to gavel them down if we run over five minutes.



Depending on the time, we will proceed with one and possibly two rounds of questions. Upon completion of commissioner questions, we will provide an opportunity for members of the public who are in attendance to offer comments either on the specific topic addressed today or more generally on the commission's overarching mandate. These comments will be limited to two minutes. The light will turn yellow when you have 30 seconds remaining and red when time has expired.

So, we are now ready to begin with our panelists' testimony. I would like to begin with Dr. Coppenger. Dr. Coppenger, you are recognized for five minutes.

Dr. Mark Coppenger

Thank you, Chairman Heck and Vice Chairs Wada and Gearan. I appreciate the chance to speak today.

Back in December of 1969, a number of us ROTC cadets were gathered in front of the televisions in the dorm. We were already signed up. We had been to Fort Sill for basic and headed to branch schools out at Fort Benning. There was this Vietnam War lottery, and our interest was academic at that point, but curious. So, I found out I was 95, and they took 195 and so that was that. But if someone had said, "Well, I'm number 120. If they'd just take the women in the dorms across campus, I wouldn't have to go." And we would've thought that absurd and really shameful. I don't know that we knew the Band of Brothers speech, but had we done it, we would say something like, "We would hold our manhoods cheap and consider ourselves accursed a bit in America with women on the Mekong Delta." It was unthinkable.

Well, it turns out over four decades later, Southern Baptist passed a resolution entitled, "On Women Registering for the Draft". Southern Baptists are the largest Protestant denomination in America with 47,000 churches and 15 million members. And they appealed, beginning whereas God created male and female with specific and complementary characteristics, there is overlap but there is not identity. There is a complementarian notion of men and women created differently. We also went on to say that we appreciate the service of



women in the military. I worked for and beside women at the Office of Chief of Public Affairs in the Pentagon, and it was an excellent experience. But we talked about differences, gender differences and survivability and lethality. And the point is to maintain a fighting force and promote the common defense and ensure national security and it's not to undertake social engineering.

I use this in class sometimes. Let me just do a little demonstration here. If I wanted the column, this article on the right-hand column, I can just do this [folding newspaper] and take it right along; no problem there. But say I want this along the bottom, [folding newspaper] so I'll just -- I'm not doing this on purpose, it really does that, and it goes to the side. Now I can force it to go this way, I can go like this; slowly creep, creep, creep. You can get the line you want if you're determined enough, but there is a grain to the newspaper. There's a grain to paper.

And there's a grain to the created order. There's a grain to nature, if you will, and at your own peril, you defy that. And I would suggest to you that drafting women, registering for the draft, is forcing things, and it goes contrary, I would say, to the order of nature. That's what we have held as a denomination.

Now please don't think this is a narrowly Southern Baptist operation or conviction. As you go around the world, you find the majority of Catholic countries: Ireland, Italy; Orthodox countries: Greece, Romania; Hindu: Nepal, India; Buddhist: Cambodia, Thailand; Muslim: Saudi Arabia, Indonesia, Turkey; down the line, they don't draft women. So, this isn't a merely parochial thing. They're picking up on something that we've picked up on. And, by the way, historically seriously atheistical France in the sense, it changed the calendar from Anno Domini to 1792 Year One after the French Revolution; it's the France of Diderot and Condorcet and Voltaire and Rousseau and Sartre and de Beauvoir and Derrida and Irigaray, Foucault and Truffaut and Malraux -- it goes on and on and on; these are serious atheist folks who set the tone in France in many ways. They don't draft women either. So please understand there are exceptions; Mozambique and North Korea. Norway has recently. There is a handful, but that's not the norm. And I am suggesting that people are picking on something different there.



A couple of weeks ago, we were at Camp Lejeune and my son, my eldest son, retired as a Marine officer, served two tours in Iraq -- and he had the chance to say something, and he spoke some words of commendation to his mother. And he said, "I thank my mother for teaching me discipline." I thought I had something to do with it, but apparently, she was the one. And actually, he could have gone on to pick up on all of the Marine standards, the J.J. DID TIE BUCKLE in terms of justice and initiative and tact and the whole list of leadership qualities. So, my wife did not serve in the military, but she served the military. And mothers do that.

When I was working at OCAR, Chief of Army Reserve, I learned that way back around World War I, they started giving small arms ammunition to the Boy Scouts. And I don't know how long that continued, whether it still continues, but the point was guys were showing up for basic training without knowing what to do with a rifle. So at least you'd teach guys that we need at boot camp how to hold one of these things. Mothers, similarly, teach the basics to prepare, so they are definitely serving the military. We are not talking about consigning women to hearth and home. We are talking about those who would consign them away from hearth and home. Very quickly let me just say, my daughter is here. Thank you for inviting me to Washington. She lives very close, and she brought her four daughters.

And so on the back row, you guys, stand up real quick. This is totally out of line, I know, but Tessa, Agnes, Ruth, and Dorothy and Lois; let me say this, she was an intern at Labor. She worked as an assistant in Justice. She was offered a job with the Institute on Museums and Library Services. She was offered a job in Public Affairs at the White House, and she had a full ride in the doctorate program at Georgetown in political philosophy. And she said, "I want to be a mother. I want to raise these kids." I just want them to have the freedom not to be conscripted away from that, should they choose as my daughter did. I'm sorry for running over.



Dr. Joseph Heck

That's okay. Thank you, Dr. Coppenger.

Ms. Eden.

Ms. Jude Eden

Chairman Heck and vice chairs and commissioners, thank you very much for the opportunity to speak on this important issue today.

We are here today because Congress did not do a commission on opening combat units to women. That policy decision was made by the Obama administration, contrary to the precedent of Congress having oversight over military policy. There was no on-the-record debate on the many negative consequences both potential and realized of that policy including that it would expose America's daughters to being drafted for combat, nor was there a vote for which our representatives could be held accountable.

Drafting women includes the same damaging impacts as putting them in combat units. And while we always need men to fight for the nation, there is no military need to draft women. Moreover, such a policy would harm our ability to fight and win in a crisis and would reap more harm than necessary on those fighting for us. Having equal rights as American citizens does not mean that everyone is required to do the same thing in military defense of the nation. That women who volunteer for military service can now be assigned to combat units doesn't make drafting them good policy.

In 1971, the Supreme Court held that drafting men only was appropriate and constitutional because, quote, "Congress was entitled in the exercise of its constitutional powers to focus on the question of military need rather than equity." The purpose of the draft today is the same as it was expressed by the Senate in 1980, to induct combat replacements during a large-scale national emergency. It is not to fill desk jobs or support units. It is to replace the



men that are dying by the thousands in the very front of the fight. At the front of the fight there is no pushbutton war. Our combat units are still fighting house to house, rooftop to rooftop, and cave to cave. They are still fighting with their bare hands when the gun jams or the ammo runs out, and they're fighting cold sober against bloodthirsty savages, who are often hopped up on methamphetamines, making them even more difficult to kill.

Even if we change the scope of the draft to include all military occupations, men would still be assigned the majority of high-risk jobs. If we are approaching this from the standpoint of equity that is unfair, as would be including anything less than 50percent women and 50percent men. But the draft, like the military's mission, isn't about equal rights. It is solely about the needs of the military to win at war when everything is on the line.

One aspect in particular makes drafting women a losing proposition with negative returns; the wide disparity in women's injury rates. Active Duty military women average 2 to 10 times the injuries compared to military men. These rates have been constant over decades despite our advancements in training methods and medicine and nutrition. Here are three stats for you. A survey of one of the Army's Stryker Brigade Combat Teams that deployed to Afghanistan in 2012 found that 58.8percent of women versus 21.4percent of men were injured. The American Journal of Sports Medicine reported that, quote, "Risk of ACL injury associated with military training is almost 10 times higher for women than for men." A sex blind study by the British military found that women were injured seven times more often than men while training to the same standards. These are the stats on military women who maintain high fitness standards and physical training demands. How is it fair to draft women for combat replacements when these are the facts, and more importantly, how would this enhance our lethality against our enemies? If very fit women on military standards are injured at such higher rates, drafting civilian women would mean even higher turnover, diminished combat effectiveness, more casualties, and fewer of both men and women coming home alive. It would hinder our ability to fight effectively and win in the kind of large-scale war for which the draft is designed to provide.



Physically qualifying equal numbers of women to military combat standards would also create a massive and expensive bureaucratic nightmare just when we need to mobilize quickly for, at best, about a 25percent yield compared to about 75percent for men. Imagine sifting through millions of young women to find the tiny few who will qualify by minimal standards, yet still have up to 10 times the potential injury rate. There is also a wide gap in physical performance between men and women, and this is true in every physically demanding sport and just as consistently true in the military.

There are some exceptionally athletic women and we absolutely want them to volunteer for our military, but they are not the norm. The military must operate based on averages not anomalies, because it must dependably produce a steady stream of combat ready personnel. Inequality of risk is another critical factor in this debate. Women face greater hazards in combat zones that men do even when they are not in combat roles, and there is no mitigating these risks. In addition to health concerns that men don't face, women are higher-value targets for capture, torture, rape, and propaganda. We all know about Jessica Lynch and Shoshana Johnson who were captured, held hostage, and tortured early in Iraq War.

In the fall of 2005, I was on daily convoys to the outskirts of Falluja to stand checkpoint duty with the Marine Corps Infantry, and our job was to frisk people for explosives. Our command warned us that the enemy was known to target women, and this was a lesson that they had learned in blood a few months before. On June 23 ----

Dr. Joseph Heck

Ms. Eden, I'm going to have to ask you to please sum up.

Ms. Jude Eden

Well, a convoy was attacked on June 23 that was specifically targeting women. American women have always volunteered to serve during wartime, and this commission would be well justified in deciding that the little to no return on investment and much higher risk and



damage would not be worth the administrative burden nor the great expense in time, effort, personnel and taxpayer dollars. Drafting women would be expensive, inefficient, and will not improve our military readiness and lethality in a national crisis. Thank you very much.

Dr. Joseph Heck

Thank you.

Mr. Hasbrouck, you're recognized for five minutes.

Mr. Edward Hasbrouck

This commission was formed because of two problems with selective service: first that noncompliance has made draft registration unenforceable, and second that the opening of combat assignments to women has made it unconstitutional. That leaves you with four options:

One, do nothing and allow the courts to end draft registration. While I and other opponents of the draft would welcome this outcome, it would lead to prolonged litigation and uncertainty as to which administrative penalties still apply to those who didn't register.

Two, shut down the selective service system and repeal the sanctions for non-registration. This is the simplest and cheapest solution, and the one I recommend.

Three, rescind the order opening combat assignments to women. Some others may support this option, but I am doubtful that now that a court has found that male-only registration is unconstitutional it will be so easy to get that finding reversed, especially of a draft that will be used to fill assignments still open to women.

Four, double down on the failure of draft registration for men by trying to expand it to women as well. To understand why trying to expand registration to women would fail, let me walk you through what would happen if a draft were attempted based on the current database.



The selective service system considers anyone who has ever registered at any address to be in compliance. There are inducements to register, but none of these do anything to get men to notify the selective service system of address changes and few do. Most induction notices will either be returned as undeliverable or delivered to registrants' parents. Many parents, of course, would either refuse to sign for an induction notice or would destroy it to protect their child against being drafted. Because there is a specific intent element in the Military Selective Service Act, it would be necessary to give actual notice to each draftee before they could be prosecuted, which would require sending FBI agents to track down each suspect and give them a last chance to comply.

Since abandoning its brief experiment in show trials of some of the most vocal non-registrants like me 30 years ago, the Department of Justice, a conspicuous absence from these hearings, has had neither any estimate of the numbers of violators nor any plan or budget to investigate, prosecute or incarcerate them. Meanwhile, those who do receive induction notices will undoubtedly object that the process is unfair, because those who have not complied are not being prosecuted.

Resistance to any new draft will also take new forms. How long will it take before the database is hacked, especially if registrants with cyber skills are targeted for a special skills draft? Rich parents will pay hundreds of thousands of dollars to bribe their children into more prestigious colleges. How much more will they pay to keep their children out of the military?

What will the price be on the dark web to have a hacker remove your child from the list of potential draftees? How much are you prepared to spend and how much of a police state are you prepared to set up to round up millions of draft law violators? Any proposal that includes a compulsory element is a naïve fantasy unless it includes a credible enforcement plan and budget. If the criminal penalties remain unenforced and the only incentives for compliance remain financial, then the system will remain a defacto poverty draft.



As for women, is there any reason to think that they will be more willing to provide the government with the information needed to conscript them? No, just the reverse. Women will be more likely than men to resist, and more people will support them in their resistance.

There is a long tradition of antiwar feminism that identifies militarism and war with patriarchy. It is self-contradictory to believe that women are strong enough to wage war, but so weak and submissive that they won't resist if they don't want to fight. You may be tempted to discount the potential for resistance because there is little visible or organized opposition to the draft today, but that would be a mistake. Only those who spoke out about our refusal to register were considered for prosecution. Having successfully gotten across the message that there is safety in silence for non-registrants, it will be the height of self-delusion to misinterpret the resulting silence as a sign of support for the system or willingness to be drafted.

I could easily have dodged the draft and stayed out of prison by quietly staying home. That remains the easiest and safest course of action for people who don't want to be drafted. I resisted draft registration not to opt out of personal participation in war but to prevent a draft and, by doing so, to limit the ability of the U.S. to wage war. It's time to admit that, like it or not, draft registration has failed and should be ended entirely and, perhaps more importantly, to begin to deal with the implications of that fact for military policy. Thank you.

Dr. Joseph Heck

Thank you, Mr. Hasbrouck.

Ms. McGuire, you are recognized for five minutes.

Ms. Ashley McGuire

Thank you, Chairman Heck.



My century-old co-op building abuts a World War II victory garden. Every morning as I pass it, I am reminded that performing one's patriotic duty comes in a myriad of forms. I would like to begin my remarks by commending the work and purpose of this commission and your efforts to cultivate a renewed sense of patriotic duty among Americans, especially young Americans. I'm honored to be a part of that conversation about how best to do so. And so I will get right to the point. I do not believe that women should be required to register for the selective service.

Ultimately, the selective service points to combat should a draft be needed in a national emergency. I am both unconvinced by the assurances of some that no such draft will ever be needed again, nor do I support sending women into combat or even conflict zones against their will. Proponents of sending women into combat may tout sexual equality, but as the 2015 study conducted by the Marines clearly found though women today may have an equal opportunity to fight on the front lines, they have an unequal chance of surviving. I am deeply committed to the principle of sexual equality, but equality between men and women is not established by treating them as identical. If anything, that mindset undermines women and devalues their contributions to their families, to society, and to their country. That men and women are fundamentally different is an unpopular point to make, but it is the plain truth. Even the military acknowledges sex difference in the different physical standards men and women are held to. Those standards are not a marker of inferiority, merely a nod to reality. The military is able to include more women in its ranks, because it affirms their difference.

The prospect of expanding selective service registration to include women worries me that my six-year-old daughter could one day be sent into combat against her will. But it also worries me that the military, like so many other institutions, is drifting in a genderless direction. Genderless spaces are not safe spaces for women. I give you today's college campuses currently embroiled in a rape epidemic as an example of what happens when sex is treated as irrelevant. Moreover, the push to expand the selective service strikes me as yet another manifestation of the belief that women are only equal with men if we do exactly as men do. This leads to the dangerous mentality that if women are not at the ready to defend their country through military



service in a time of need that somehow their contribution is less valid or their patriotism less fervent. That too is not a mindset I want my daughter to grow up with. It was largely women who led the victory garden movement, a movement that fed one-third of this country for years. Was their work and service less valuable because they weren't in uniform?

In no way do I mean to devalue the courageous service of women in our Armed Forces or suggest that women are inherently unqualified for military service. I only mean to speak the truth that most of us believe but are unwilling to say; men and women are different in foundational ways. The male-only requirement of the selective service is a reflection of the reality of the demands of military service, in particular when we are at war. It is one men are overwhelmingly better suited for biologically, and to deny that reality would not only endanger women, but imperil our military readiness. I have contemplated whether women should be required to register for the selective service with the provision that they cannot be sent into harm's way, but I take little stock in the assurances of government and I know how easily such a provision could be repealed. Further, I have contemplated a separate registration for women, one that would allow for choice between military service or civil service projects that would allow women to prioritize their families. But ultimately, I believe the best arrangement is one that respects the freedom of women to respond to a national emergency in a way that conforms to their natures.

From the Daughters of Liberty of the Revolutionary era to the Women's Land Army of the First and Second World Wars to the hundreds of thousands of women who stood up during the Vietnam War, America's women have proven time and time again that we will voluntarily rise to the occasion when the fate of our country is at stake.

Thank you.



Dr. Joseph Heck

Thank you, Ms. McGuire.

Ms. Randall, you are recognized.

Ms. Diane Randall

Thank you, and good morning.

My name is Diane Randall. I am the executive secretary of the Friends Committee on National Legislation. I appreciate the invitation to be with you this morning in this important conversation on military conscription. The Friends Committee on National Legislation was founded in 1943 by members of the Religious Society of Friends, also known as Quakers. From those early days amidst the Second World War, we have opposed universal conscription based on the principle of individual conscience.

Many friends and like-minded Americans throughout history have exercised the call of their inward religious and moral conviction to oppose war and avoid coerced participation in violence that would be required by military service. This call to refuse killing and fighting is based on Quakers' understanding of living in the kingdom of God here and now; that we can have a direct relationship with Christ and that experience of divine love calls us to live in peace and with integrity.

Today, the Friends Committee lobbies Congress and the administration to advance peace, racial and economic justice, and environmental stewardship. We are a nonpartisan organization and governed by a body of 180 Quakers from around the United States. We seek to live the Quaker values of integrity, simplicity, and peace as we build relationships across political divides to advance public policy for a more just and peaceful world.



We seek a world free of war and the threat of war. We oppose the militarization of our foreign and domestic policy, including the training of foreign military personnel. We oppose the use of military personnel in domestic policing, as is happening along our southern border, and we oppose treating war as another tool or instrument of foreign policy, especially when development, diplomacy, and many other nonmilitary tools have shown to be more beneficial in both the short and long term. These are not beliefs born of convenience or cowardice. They are the deeply held foundational moorings of our faith, a faith protected by the First Amendment.

FCNL opposes all compulsory military conscription or a draft. We disagree that there is a continuing need for a mechanism to draft large numbers of replacement combat troops into the Armed Forces. As historian Will Durant wrote in 1967, the possession of power tempts to its use. The definition of national interest widens to cover any aim. The demand for security suggests and excuses the acquisition and arming of ever more distant frontiers. Endless armies and endless money for the Pentagon perpetrate endless war. The cost of war in terms of human lives is too expensive to ponder.

Current U.S. global military footprint is far too large. The U.S. is currently conducting military operations in 80 countries around the globe. In Africa alone, the United States has in recent years conducted at least 36 military operations in 19 countries. According to the Congressional Research Service, the law that authorized the use of force in Afghanistan in 2001 has been used to justify 41 operations in 19 countries. These wars have cost more than \$5.9 trillion and resulted in the deaths of approximately a half-a-million people, including approximately 250,000 civilians and 15,000 U.S. military personnel and contractors. These military operations have not made the U.S. more secure. To the contrary, the number of terrorist groups and incidents keeps growing.

The discrimination within the current system of registration based on gender, age, and socioeconomic status requires only young men to register, and only those without significant financial means suffer the consequences of refusing to do so. The answer is not to require



women to register, but to end the requirement for selective service registration and to eliminate any penalties if the system perpetuates for failing to register.

At a minimum, we support securing legal accommodation for conscientious objection to military service and military taxation. Individuals who decline to register with the selective service as an act of conscious should not be penalized from any benefits and opportunities provided by our federal government. It is important that there is a definition of conscientious objection that continues to be included in the selective service code if the system perpetuates, so that individuals who feel this moral calling to abstain from war are neither penalized nor stigmatized.

Some have argued that compulsory initial service with an option for nonmilitary service for conscientious objectors would be more democratic than the current voluntary system and would make the United States less likely to use forces abroad. We disagree. While we know that public service can benefit and does benefit our communities and that our faith tradition of called service to and for others has a value of the utmost importance, we believe individuals have the freedom to discern whether and how they will serve.

The U.S. was founded as a haven for people of free will seeking at long last to toss off the yoke of oppression and find a safe harbor for those of conscience. Some 200 years later our country is still standing, and those who choose to stand for peace above all are welcome still. Now is not to change that by expanding selective service registration or creating a new system of compulsory national service. Thank you.

Dr. Joseph Heck

Thank you all very much for your compelling testimony this morning. We will now go into commissioner questioning. I'll put myself on the clock for five minutes.



So my first question I think I probably know the answer will be but I want to go quickly; a simple yes or no going down and it builds off of what Ms. McGuire mentioned in her testimony.

Yesterday, we heard from a panel of experts talking about future threat requirements and skill sets that might be needed understanding that the general impression of a selective service system now is to provide combat replacements. Even though that's not specified in the law, it was based on congressional intent. If the system was redefined not to be solely for combat replacements, but to meet whatever the skills need was for the Department of Defense at the time of a national emergency, would that change your opinion as to whether or not women should be required to register?

Dr. Coppenger?

Dr. Mark Coppenger

It would not. I think the issue is not so much, from my personal observation, what you are putting people into, but what you are taking them away from. And it would not only include the military, but other forms of national service; the drafting of women.

Dr. Joseph Heck

Ms. Eden?

Ms. Jude Eden

No, it wouldn't, because I think that you can just ask for volunteers. Our presidents have not done that in our recent wars.



Dr. Joseph Heck

Thank you.

Mr. Hasbrouck?

Mr. Edward Hasbrouck

No.

Dr. Joseph Heck

Thank you.

Ms. McGuire?

Ms. Ashley McGuire

No. No, I share the same concerns about being forced; women being forced to leave family obligations behind.

Dr. Joseph Heck

Okay, and Ms. Randall?

Ms. Diane Randall

No, due to coercion.

Dr. Joseph Heck

Okay, thank you.



So my follow-up question to both Ms. Randall and Mr. Hasbrouck; so the requirement for active registration imposes the sanctions on individuals who either forget or refuse to register as you both have spoken to. If there was a system that would provide for kind of a passive, automatic registration from various existing state and federal databases that did not include peacetime civil or criminal penalties be preferable to the current system? So in the event of a national mobilization need, data would be collected from already available federal databases to send induction notices. There would be no active registration with penalties for failure to register

Mr. Hasbrouck?

Mr. Edward Hasbrouck

Anything that eliminated the penalties being imposed on those who don't support the current, endless wars would be positive. However, I think it is likely that such a system would cause military planners to have even more false complacency about the idea that a draft would be available. You know, we do not live in a country other than for people who are under court supervision because they've been convicted of a crime or men between 18 and 26, you don't have to report to the police when you move in this country. There is no "certain database", certainly none with the accuracy that if you sent out a notice to that address you could be confident enough to base a criminal prosecution on somebody not responding to that notice. So that kind of registration would be no more capable of actually supporting a draft in the present system, but military planners would still think they've got a draft in their back pocket. Much better to start now reorienting and reigning in military planning to fight only those wars that the people are willing to fight.

Dr. Joseph Heck

Okay, and Ms. Randall?



Ms. Diane Randall

I think, if I'm understanding your question, the question is to the fact of is there another system that could be used to create a draft?

Dr. Joseph Heck

Correct. So there would be no pre-mobilization or ongoing active registration. At the time of a national emergency, an existing database would be utilized to identify potential individuals, and so there would be no penalties for not registering.

Ms. Diane Randall

Well, I think it is very important to eliminate the penalties for failure to register or for failure to comply. That is incredibly important. It's just an age that when people are in that they are not necessarily thinking about this on a regular basis when their lives change, so I think that's incredibly important. With regard to some other database, I really don't have information about what that would be or how it would work. I do think that there has to be other ways that we encourage volunteerism in the broadest possible way, which I know this commission has looked at.

Dr. Joseph Heck

Okay, thank you very much. I will yield back.

Ms. Wada?

Ms. Debra Wada

Thank you very much. Dr. Coppenger, to what extent would the draft exemption deferrals that protect single parents and men with dependents from being drafted ease concerns



over expanding registration to women, and are there additional exemptions and deferrals that the law should provide to women if it was included in a registration?

Dr. Mark Coppenger

Yes, I think, for one thing, we would be incentivizing, perhaps we're already doing this, we would be incentivizing, for example, single motherhood. I mean, we have a crisis of that in America. I think the average is 40percent, in some communities twice that. You know, if someone could have a child, it doesn't have to be a child within marriage. You could just have a child, and you're exempt. Or if you exempt people who are married, in the Vietnam-era, my era, tens of thousands, I've seen estimates of 50,000 people who fled to Canada to avoid the draft. If it is a very serious military draft, then I think you'll have a lot of people fleeing to the nursery and fleeing to the altar with precipitous marriage and the rate of illegitimacy, which is a crisis, I mean just a terrible thing in America right now, would be incentivized. It would be encouraged. I think you can keep tweaking and tweaking, but if it's a bad idea, just don't do it.

Ms. Debra Wada

So, less exemptions rather than more if there was a registration?

Dr. Mark Coppenger

Yeah, I suppose so. I just think the exemptions incentivize bad behavior.

Ms. Debra Wada

Mr. Hasbrouck, yesterday the director of selective service testified that they also collect now phone numbers and email addresses. So, the question or the concern that you had about getting the right mailing address, is that sort of alleviated in some way or does that not have any impact at all?



Mr. Edward Hasbrouck

No, really no meaningful impact at all. It would not have any meaning or impact at all. The only use of the registration database is to deliver an induction notice. The criteria of success is when you send out a certified letter to that address, either does the person report for induction or do you get back a signature on the return receipt matching a registration record that provides sufficient evidence to prosecute the person if they don't show up for induction. I would not think that you would find a U.S. attorney who would be prepared to go into court and try and convince a jury beyond reasonable doubt that somebody was guilty of willful refusal to report for induction on the basis of, "Well, we sent him a text message," or, "We made a phone call," or, "We sent him an email."

In the event of an actual draft, you would have millions of hoax and fraud and scam and identity theft; fake induction notices going out by email and text messages and all of those other means and people presumably being told the only ones that are meaningful are the certified letters. And on the other side, the first message people would get would be, "If you don't want to be drafted, don't sign for any certified letters from the selective service. Wait until they send the FBI door to door to round you up." Which is why you would end up having to use FBI agents as press gangs, which is exactly what proved so costly back in the 1980s that the Department of Justice in 1988 decided that this was a waste of effort, too resource intensive, and that they weren't going to even try to investigate or prosecute any of these cases anymore. So phone numbers and email addresses really don't advance the actual purpose of this database. It's just window dressing.

Ms. Debra Wada

Thank you very much. I yield back.



Dr. Joseph Heck

Mr. Gearan.

Mr. Mark Gearan

Well, thank you all very much. This has been a really interesting conversation. We thank you for all of the preparation of your testimony, and those submitted orally here.

Ms. McGuire, maybe we could engage in a conversation. You said that from your perspective men and women are different. I think you said in foundational ways and biologically and argued for the freedom of women to respond voluntarily. I would be interested from your perspective, from a theological perspective; I know that you are a senior fellow at the Catholic Association; how you see the difference of compulsory registration of men and women from a theological perspective, and perhaps, Dr. Coppenger, you could also provide some reflection?

Ms. Ashley McGuire

Sure. Well in Catholic social teaching, they often use the word “vocation”; that men and women have different vocations. That can be professionally, professional vocations, but also personal vocations. And I think professionally you see less differences in terms of the capacities and skills of men and women. There is a lot of complementarity there, but I think on the personal level is where you see that play out a lot more. I think that women’s vocation to motherhood is the thing I’m most concerned about and where I think you would see -- at least a lot of Catholic social teachings address the fact that the role the women play as mothers is different than the role that men play as fathers. Those roles manifest differently, and there is certainly a biological component to it. I mean, the realities of what childbearing mean for women, especially in the age that we are talking about when women would be registering for the selective service; I mean, I had my first child in that age window. And I think when we think about what we are asking men and women to do, we have to acknowledge those vocational



differences. As Mr. Coppenger gave the example of his daughter, I think that women should have the unique freedom to make choices as to whether or not to prioritize their family or their career. And that's something, you know; men and women make those priorities differently. And this isn't just a theological thing. I think you find the Pugh Foundation has found time and time again that the overwhelming majority of women with children under the age of 18 don't even want to have a full-time job. There's just something about women's natures that we are designed to be with our children in a way that's different than men. The idea; A. Sending women overseas into conflict zones, or B. even requiring them to perform public service roles when they may be in a time when they are most needed at home for vulnerable children.

Dr. Mark Coppenger

Yeah, I would just say too that the very prime years for drafting people are the prime years for starting a family and so forth. There's a real overlap there. I resonate with much of what I've read in Catholic social teaching. We read the Summa and Treaties of Law and natural writings, but also the Bible is just full of scripture that points this direction. For a young Israelite to go to war, he needs to spend the first year at home with his wife so that she would be happy. Proverbs 31, the virtuous woman, doesn't talk about a lawyer. It talks about a homemaker. There's even environmental stuff. You may take the small birds out of a nest, but don't take the mother. You've got to keep that going, and it just goes on and on. The Bible just says these are really different types of creatures, and we speak in terms of humans flourishing as well, which would be, of course, the Catholic notion as well. So the Bible is full of pointers.

Mr. Mark Gearan

Thank you. You can't see your granddaughters, but they're doing very well back there.



Dr. Mark Coppenger

Are they? Really, I'm afraid to turn around.

Mr. Mark Gearan

They're very well behaved.

Dr. Mark Coppenger

No, they're wonderful. Thank you, sir. I appreciate that.

Mr. Mark Gearan

You're very welcome. It's live on C-SPAN. Thank you very much.

Dr. Mark Coppenger

Very proud of them.

Dr. Joseph Heck

Mr. Allard.

Mr. Edward Allard

Thank you, Mr. Chairman. And thank you for your service to our nation. Your being here today is very important to our mission, thank you.

Ms. Randall, I'd be interested in knowing your opinion regarding the present structure and concept of the alternative work service program. How do you feel about that?



Ms. Diane Randall

The alternative for people who are conscientious objectors? I really don't have a lot of knowledge about it. My understanding is that alternative service can be practiced when people find a place to do it, which is different than what was practiced during the Vietnam era when there was a draft. I think it is important that there is some form of alternative service if there's going to be draft to be clear, or simply a forgiveness that people who have conscience choose to serve in other ways. My personal experience is that people who have that kind of conscience often are providing public service in some other capacity, whether it is, again, set in a place that is monitored and tracked by the federal government or whether it is in a community where they're volunteering. I think that's important to do.

Mr. Edward Allard

If the present system were to continue and the draft contingency were to remain, what would you like to see in an alternative work service program? How would you structure it?

Ms. Diane Randall

I don't know that I can really answer that question, because I don't think I have given it enough thought. It is not something that my organization has been focused on or paying attention to, so there might be others, I think certainly the folks who are, I know, in the audience from the Center on Conscience & War probably have done some more work in that area. They might be able to speak to the question.

Mr. Edward Allard

Okay. Thank you, very much.

Mr. Chairman, I yield back.



Dr. Joseph Heck

Thank you.

Mr. Barney.

Mr. Steve Barney

Thank you, Mr. Chairman. My question is on the issue of conscientious objection and I'm going to direct it to you, Ms. Randall, and then, time permitting, to Dr. Coppinger. I was struck by the portion of your testimony where I will paraphrase you that individuals who are conscientious objectors, these are beliefs born not of convenience or cowardice. They are deeply held foundational beliefs of faith that are protected by the First Amendment. And I think we can't help but be struck by the power of that statement. We recognize also from some of the discussions we had yesterday and was called to our attention that our nation has not always honored and properly processed and handled individuals who assert their status as conscientious objectors. So for that reason, here's where I'm going.

If as a nation we continue to value and honor the role in our society of the conscientious objector, then how should we understand, for example, the views that Dr. Coppinger brought up of religious faiths who have a belief that women should not be subjected to mandatory registration? Should those women then be able to assert a status as a conscientious objector if they are individuals who come from a faith or belief tradition that would say that it is contrary to the teachings of my church? So where I'm going on this is would that support or would that enhance the position of being a conscientious objector? Would it undermine that? I'm interested in your thoughts on that.



Ms. Diane Randall

I can share personal thoughts about this in relation to how I see conscientious objection, which is objection to war and objection to killing. I mean, that is the basis. It's the basis for opposition to the death penalty. It's the basis for opposition to being coerced to fight in a war. I do believe in conscience that is led by religious perspective, but I think that conscientious objection that you are referring to based on the role that a woman has, based on her own religion, to serve family is different than not fighting. So I can't necessarily say that should be a matter conscientious objection. I see it as a matter conscience for women to make that choice as a matter of faith and matter of religion. Whether it suits the level of conscientious objection in this regard to a draft for combat troops, I don't know that I would make that claim. But I think that it is an interesting question to ask.

Mr. Steve Barney

Thank you.

Dr. Coppinger, do you have any views as to how that might work?

Dr. Mark Coppenger

A couple of things; an interesting question. First, our default position is to be submissive to the government, Romans 13. We pay taxes to support, remotely, Planned Parenthood, and we repudiated that, so we go along with a lot of things the government causes to do. I don't think we are saying that it is immoral as a denomination to go. In fact, we praise women who go into it, and to just say, "Well, I'm Southern Baptist, therefore I may not do that." So I don't think we would put the stake down there as a denomination. I think, mainly, we are saying it is imprudent. It's unwise. Maybe if you're in Israel, smaller than New Hampshire, with existential threats, you can have a Molly Pitcher jump in there and replace her husband or whatever. But that's not our position as a denomination that it is immoral for a woman to serve.



Mr. Steve Barney

Thank you both for your views on that. I yield back.

Dr. Joseph Heck.

Thank you.

Ms. James.

Ms. Jeanette James

Thank you, Mr. Chairman, and thank you to the panel for appearing with us this morning and your compelling testimony. I would like to start off with a question for Ms. Eden. Ms. Eden, during your testimony you cited statistics on the injury rates of military women in particular and you mentioned that these women have to keep their physical fitness up because they are in the military. To some, and the statistics are compelling, to some it may suggest that you're trying to say or trying to prove that women are weaker, physically weaker, than men. So, my first question is how would you respond to that. The second question is if there are ways of mitigating those injury rates, those injuries, so if the military was able to develop training programs or programs to mitigate the risk of injury, particularly for women, would that change your views on registration?

Ms. Jude Eden

To your first question, I would respond that men and women are different. We are not biologically the same, and that does not mean that women are less. It just means that we have different strengths and weaknesses. Men are particularly suited to highly physically demanding activities. And to your second question, I've done a lot of research on the injuries, on nutrition, on medicine, sports medicine, and so far I have not seen any compelling data to show that



additional or different nutrition/training mitigates for the injury rates. There is, you know, these biological differences, sort of capacity. Women have 40percent less aerobic capacity and 20percent less muscle mass. And the studies I've read, and there is a lot of them, show that the harder women train, they still reach a cap and at a certain point plateau, whereas with men, we see this in weightlifting, bodybuilding, CrossFit, any of the, you know, latest and greatest physical fitness fads, men can bulk up and bulk up and bulk up. And for women, there is only so much that they can do that. So I don't see any mitigation for that. And that disparity in injury rates is a big reason that there are dual standards between men and women, just as there are dual standards for young Soldiers, Marines, Airmen, and older ones, because they are differently situated.

Ms. Jeanette James

Thank you. Ms. McGuire and Dr. Coppenger, I would like to continue on the discussion about the roles of mothers and fathers. And I picked up on your comment about running to the nursery if folks were compelled. You mentioned that there is a crisis of single-parent families in the country now. So, my question is in most of the single-parent families, from what I've read, it's a mother with a child, not a father with a child. So, my question is if the decision was to not to include women in selective service, and so, again, men only would be drafted, once again, we are taking that would be that men would be taken, fathers would be taken out of those families. So, over a period of time, you're going to end up with single-parent families, at least physically in that location. How do you respond to that, both Miss McGuire and Dr. Commager?

Dr. Mark Coppenger

Ladies first, or?

Ms. Ashley McGuire

Sure.



Dr. Mark Coppenger

Or should I have said that?

Ms. Ashley McGuire

The studies I've read show that children do significantly better in a situation where there is either a prolonged absence of a father who is married to the mother, or even when the father has died than in a home where there is a father at all. So I think they are two different situations, and I would be a lot less concerned about that than I would be about a single-parent home.

Dr. Mark Coppenger

Yeah, I mean, it's a good question. I suppose you could kind of push it one way and say therefore you shouldn't take the fathers either or what have you. It seems to me you have a scale. The best is that you've got both in the home, and there is a crisis of that, but better a mom with a child than just leave the child in daycare and both of them go. So I think you can still argue that a woman alone is better if you have to draft from a couple to take the fellow out.

I was just reading Michael Novak, a Catholic writer, on the way over, and he was talking about the impact of aid for dependent children in the Great Society and so forth, and how it did seem to incentivize a certain kind of -- there is a profit in having children. So I guess my narrow concern is that is enough to have a kid to get exemption, and I would just hate to encourage that when it's rampant. When I left Chicago and moved out, I think the rate among black families in Chicago was 79percent illegitimacy, and I did service in Detroit on a mission trip, Two of them, and it was 85percent there. Among Hispanics and Anglos, it was very high too. So it's just an epidemic, and I would hate to poke that by saying, "Oh, this is another way to get an advantage for having a baby."



Ms. Jeanette James

Thank you.

Dr. Joseph Heck

Dr. Davidson.

Dr. Janine Davidson

Thank you for everybody coming today and for your preparation and your well-thought-out testimonies. A couple of you, Dr. Coppenger and Ms. Randall, made similar points. Dr. Coppenger, you talked about the difference between The United States and Israel, for instance. In your testimony, you said that Israel suffers from continual rocket and artillery attacks; that, unlike U.S. forces, the IDF does not deploy troops to foreign conflicts. And you made a similar point, Ms. Randall, about how the U.S. is often in distant frontiers and how much they have been serving abroad. So, your point being that in Israel the women are part of a home guard in a nation facing perennial existential threats with everyone on the front lines.

Yesterday, we heard from a number of national security experts, people that are looking at the changing nature of war and what is going on globally. And there was a pretty broad consensus that: A. we never are able to predict the wars of the future. We have a pretty strong track record of getting it wrong 100percent. We never really know. But there is also a consensus that we can't rule out that in future conflicts that the homeland will not be a sanctuary. We have had that sort of luxury for 250 years, except for the Civil War. We haven't been attacked as much from what Europe has gone through in the 20th century; what's happening in the Middle East.

I'm wondering if you had those scenarios in your head if that changes your opinion about the draft in general and selective service and compulsory service and also the role of women, like



your point about Israel. Are there other things in that kind of an existential situation you might actually call up everybody to do something, if not fight a war over there?

Dr. Mark Coppenger

No, it's a good question. And by the way, I'm not persuaded that Israel is doing the right thing, and I've been all over. I was with a FIDF group, and we went to enlisting posts in Mount Hermon and the drone base down near Ghaza, Tolworth, Paul McKeever Airbase. You know, I've seen them at the consoles and so forth. I just don't think we're anywhere near that. I know with international terrorism and the bombing in Sri Lanka and whatever shooting at Fort Hood, things could happen all over the place. But I think we are so far from that. However, if they were all in amongst us and terrorism is everywhere, it is conceivable that you could have, you know, coast watchers. In Britain in World War II and in America, you would have elderly people as coast watchers, or I guess you still have the Rosie the Riveter thing and so forth. If families can stay intact and mom can still work with the kids and still do her thing; walking the streets at night watching for fires, you know, I think that's okay. But I think we are a long, long way from that. I just don't think there is a need for that.

And by the way, I was looking at the comparison, picking up on your question, the comparison, they were always different. When I would have to run my 2 miles to the bridge with the hiker from the Pentagon athletic club, the older I got they let me run slower. And then you had the women, and there's a different standard. So, I'm thinking if we're talking about people who match those in capability, then maybe we should start drafting 45 year olds too or something. You're opening a whole can of worms. But yes, if they're all in amongst us, if Canada and Mexico are shooting Katyusha rockets and shelling us and people are having to run into bunkers and so forth, I could imagine a mother in Des Moines having to put on the little helmet and walk. Yeah, it's conceivable. We're not there. And so, I don't even think that's even a good projection.



Ms. Diane Randall

The question of national security, of course, is an incredibly compelling question that too often gets equated with U.S. military policy. And I think this commission has opened up some of those questions in important ways by looking at national service connected to the question of military service. My feeling, and I think the feeling of our organization, is that we are ignoring questions of vital national security in favor of considering that addressing military policy and funding the Pentagon at \$750 billion a year is a solution to national security or the solution to national security.

It is very clear that there are other threats to our country that we are seeing in our election system; that we are seeing in the rising sea levels that are overwhelming coastal communities; that we are seeing in other forms of cyber security threats that do not get the level of attention that they should have. It seems to me that looking back and looking at a system that was used during World War II, or even the Vietnam War, is really looking backward, when what we need to be doing is looking forward. It is not impossible to imagine that this country could be attacked, although it is hard to imagine it being attacked as a war like World War II or the Vietnam War. It has been attacked in a different way, I feel like through the election system. It just feels like the question about readiness for combat in that way is not really the right question to be asking right now.

Dr. Janine Davidson

I think that is one of the reasons one of the fellow commissioners asked about differential skill sets. A lot of people have in their head that just because we are talking about selective service, we are talking about the future of the selective service. The idea about the 20th century model where it is really about combat replacement, to your point, Ms. Eden, that is not necessarily what the future would be. Not necessarily what we would be calling people up to do. So that assumption, if we broke that out, it changes the way we think about the conversation. So, thank you, and I yield the rest.



Dr. Mark Coppenger

One more little thing. By the way, there is one thing that I don't know I've talked about. It's just the whole demographic crisis that you have in a lot of nations. The birthrate in a lot of nations is so low. Russia is having terrible troubles. Japan has all of these incentives. I read a couple of years ago that Italy had a 1.2 replacement rate. I mean 2 has 1.2 kids, and then you exponentially start to shrink. And so, one of the important things that women do, who are not drafted, is that they have children. And by the way, there is a lot of unfitness out there. I have seen statistics that say if you call people immediately, I don't know, 30 or 40percent couldn't make it.

Dr. Janine Davidson

70percent.

Dr. Mark Coppenger

70percent? Wow, okay. I slept, and it got worse.

Dr. Janine Davidson

That's right, you did.

Dr. Mark Coppenger

But at any rate, you think, man we've got to have people just making people. And that sounds, I don't know, industrial, but it is absolutely humanly critical. And so, again, that is supplying the military as well.



Dr. Joseph Heck

All right. Thank you.

Mr. Kilgannon.

Mr. Tom Kilgannon

Thank you, Mr. Chairman. Thank you all for being here. This is great conversation, and I want to begin with Ms. Eden. First of all, thank you for your service. Can you tell us a little bit about the circumstances that led you to want to join the Marine Corps?

Ms. Jude Eden

Actually, I looked at the Peace Corps first, and I was looking to do something greater; a challenge. I wanted to fight the war on terror. I'm a very strong, independent woman, and I just said, "Here am I; send me," and decided to go with the Marines. They were the toughest branch, and I never regretted it.

Mr. Tom Kilgannon

That was a choice you made. Is that right?

Ms. Jude Eden

Yes.

Mr. Tom Kilgannon

Did you ever think that your success as a Marine would lead to a point where it might be compelled upon other women to do the same thing?



Ms. Jude Eden

No, and I think that you get better personnel or a better product, if you will, by asking for the best and brightest and by people making the choice themselves.

Mr. Tom Kilgannon

And along those lines, you mentioned something either in your testimony or an answer to a previous question, about a presidential call for volunteers; that that hasn't been done. Can you explain to us what you meant by that and how you envision that taking place?

Ms. Jude Eden

Imagine if George W. Bush had called for volunteers after 9/11. He didn't do that. We had lots of people who volunteered for service after that happened, after that attack, and we are not really asking. And in fact, a couple of generations have been taught that all war is bad, military people are dumb, you know, that Janet Napolitano as the head of Homeland Security even said that returning veterans were the next most likely domestic terrorists. So why would we expect people to volunteer for service or submit to conscription when we are castigating the military as something undesirable, as something brutal always, which it is not always. There is a lot of functions that the military has that are not combat. So, we can ask for our best and brightest and get the skill set that we might need for that future war just by asking. Congress can ask. Another point is that a lot of campuses, high school and college campuses, are forbidding recruiters to have tables at their campuses. So how do we expect people to learn about the military when that is happening?

Mr. Tom Kilgannon

So, in your circle of friends, if you saw the president in the rose garden appealing to the American public to step up and serve, or if you went to a town hall meeting with your



Congressman and they made a similar appeal, would the circle of friends and professional colleagues that you have, do you think they would have responded?

Ms. Jude Eden

Sure. Having a circle of veteran friends, of course we did respond. It wasn't necessarily a call from a specific person, but we felt called to do that.

Mr. Tom Kilgannon

Thank you.

Thank you, Mr. Chairman.

Dr. Joseph Heck.

Thank you.

Ms. Haines.

Ms. Avril Haines

Thank you very much. I really appreciate all of you coming today. Ms. Eden, can I make sure that I understand an aspect of your testimony, and I think it follows on to Commissioner Kilgannon's questions. If I understood correctly, even on the voluntary basis, you don't think that women should be able to take combat positions in the military. Is that correct?

Ms. Jude Eden

Correct. I think that Combat Arms should remain all male.



Ms. Avril Haines

Okay. And just to be utterly clear, even if they meet the current standards before they are assigned to that?

Ms. Jude Eden

Right, for those reasons that I mentioned; because of the high disparity of injury rates, the higher risk. Terrorists don't care that we are egalitarian. They will target females. I have a Navy SEAL friend with multiple deployments who said that when they had women on their team, the enemy would shoot at her first. So that is something that you can't mitigate with. It doesn't matter that she made the men's standards.

Haynes

Ms. Avril Haines

Okay, and I was wondering for the other panelists, are you also of the view that even on a voluntary basis Combat Positions should not be open to women?

Dr. Mark Coppenger

Yeah, I would agree with that. And let me just add my son was in the push up from Kuwait up into the central part of Iraq and they were in very close quarters with women and there is a certain sexual thing at play there too. This happens on shipboard also, and so that's not necessarily a determining thing, but it's just one more item to say this is not wise.

Ms. Avril Haines

Mr. Hasbrouck?



Mr. Edward Hasbrouck

I'm not here, because I'm trying to advance the ability of the U.S. to fight endless, unconstitutional, undeclared wars against people around the world who are not my enemies. So you're asking the wrong person, if you're asking me to give you advice about how to fight the wars that I'm trying to stop you from fighting. You're missing the point.

Ms. Avril Haines

Okay, I was just looking for your opinion on the specific issue, and it sounds like you don't have one to offer. That's fine.

Ms. McGuire?

Ms. Ashley McGuire

I have read a lot of the same research, and as I said in my testimony, it seems that combat roles are the one exception where the physical standards for men and women are basically the same. And even with those standards in place, women have significantly higher odds of injury or death. So as I said, I think they have an equal opportunity to fight at the front lines, but an unequal chance of survival. And furthermore, my understanding is that once all of those roles were open to women. That removed the ability of women to object to combat roles, as per military leadership, should they be deemed physically fit. So that again created an issue where women who had already joined the military could be forced into combat roles against their will, and I think this is sort of the trickle-down of that. Where that created the ripple effect, where now we're having this conversation about if the selective service is about readiness for combat. And the male-only requirement was what prevented women from being required to register for the selective service. And now, as two courts have held, they can.



Ms. Diane Randall

It's not something that I have thought about. I don't have a comment for that.

Dr. Mark Coppenger

Can I pitch one other thing that came to mind? I'm sorry to interrupt you. Every once in a while, the Army will assign some young officers to our seminary for a year of study and ethics to get a DHM in ethics. A few years back, I had a couple of young officers come in and one of them chose to write on chivalry of all things; the old standard of chivalry, kind of the Titanic principle of women and children first into the lifeboats. And he said that's a dynamic too on the battlefield that if a woman goes down, do you maybe jeopardize certain things in a way you wouldn't if it were a man going down. There are just a lot of dynamics and to say, "Oh, well, that's just some kind of carryover from ancient days, and we need to get past that," or it's a paternalistic thing or something; to just write that out of the psyche of guys is a tough thing. And it is at play in combat units.

Ms. Jude Eden

There's one other thing that I would like to mention. A lot of the pitch of advocates for putting women into combat units was that it was just about a few women who want to. This discussion is exactly why it wasn't just about a few women who want to, because this particular thing, that policy, is what has brought us to this discussion today.

Ms. Avril Haines

Thank you.



Dr. Joseph Heck

Ms. Skelly.

Ms. Shawn Skelly

Thank you, Mr. Chairman. Ms. Eden, if I could, I would like to hopefully close out or add another element to the conversation that has been going on. What was your MOS, please?

Ms. Jude Eden

0651, Data Communication Specialist.

Ms. Shawn Skelly

And what role or value did that bring to the Marine Corps for this mission?

Ms. Jude Eden

That means that we would build networks for communication, radio, computers, cryptology, and so in Falluja that meant our primary duty was to support the communications for everyone on camp Falluja and all the Infantry working on the outskirts; working computers, a data center base and radios and everything like that.

Ms. Shawn Skelly

So, it had a role, it had a purpose in the Marine Corps' mission in providing combat power?



Ms. Jude Eden

Right, it was supporting the mission in Falluja.

Ms. Shawn Skelly

So how many MOSs and specialties does the Marine Corps have that doesn't exist to support its mission of fighting wars on behalf of the United States; creating combat power and exercising it? Are there any MOSs that are superfluous to that; any specialties, any units?

Ms. Jude Eden

I'm not sure I understand what you're asking. Are there any jobs in the military that are not supporting?

Ms. Shawn Skelly

That don't have anything to do with the mission of the military, or the Marine Corps in your case, in your service; do you know any Marines that didn't have anything to do with part of the Marine Corps' mission?

Ms. Jude Eden

I'm not really sure how to answer that.

Ms. Shawn Skelly

Okay, thank you.

What percentage of the specialties in the military are not direct combat roles?



Ms. Jude Eden

About 80percent.

Ms. Shawn Skelly

Okay, thank you. Next question to Ms. McGuire, please.

With regard to the position you have expressed for this and thank you for that and your presence here today; are there any secular components or just secular opinions that form the views that you've shared with us.

Ms. Ashley McGuire

Yeah, I think so. I mean I mentioned the Pugh example of just one stark manifestation of the way women clearly have different priorities, especially when they have young children. I mean, I think actually most of what I articulated was from a secular perspective. Certainly, my faith informs my belief that men and women are different, but I think science does too. I think most of what we have talked about today has been from a sort of scientific and biological perspective, and I think you could talk about it from a sort of human rights perspective as well; that women have different rights than men. So, I think there's a lot of secular aspects to what I talked about.

Ms. Shawn Skelly

Thank you very much.

I yield back, Mr. Chairman.



Dr. Joseph Heck

Thank you.

Mr. Khazei.

Mr. Alan Khazei

Thank you, Mr. Chairman. Thank you all for being here and sharing your views. I would like to start this question for Ms. Randall, but if Dr. Coppenger or Mr. Hasbrouck want to share your views, I would like your opinion too.

Assuming that some form of selective service and draft mechanism stays in place, what are the best things that could be done to protect conscientious objectors? For example, it was recommended there should be a box on the selective service form saying I intend to apply for conscientious objector status. Do you think that's a good idea? What else should be taken into consideration?

Ms. Diane Randall

I certainly think that is an option. I think one of the biggest challenges the selective service has is to determine what is one's conscience, because it is such a personal decision to make. I know there is a determination for how that is happening now for people who are in the military who are leaving because of their own conscientious objection to war. So, I think using the criteria that are now being used, at least to consider that, is important in figuring out and ensuring that there is a provision for conscientious objection. Allowing a checkbox would do that. I'm not sure whether it is determinative though. Certainly, it is not -- there are historic peace churches which often are considered determinative factors, but there are many people who are not religious but who have a moral compunction and conscience against war.



And so it has to be a much fuller process that we look at for how that can be determined. I think the process that was used during the Vietnam era of having local draft boards didn't work well, and if it's going to be local boards making the determination, they would have to have some clear training and understanding of what conscientious objection is and how it has been manifested.

Mr. Alan Khazei

Thank you.

Dr. Coppenger?

Dr. Mark Coppenger

Yeah, it is interesting that the whole history of conscientious objection, in the Vietnam War they extended to secular humanism too, and it wasn't just a peace church, brethren, Quaker, or what have you. I think that they ruled against objection to a particular war. Like, I would sign up for World War II, but I wouldn't for Vietnam or something like this. So, I think we are fairly generous. It is interesting when you look at what the nations experimenting with it are doing, like Norway. I think they give incredible leeway here. I think maybe 30percent of the Israeli women, I think I read that. I think in Norway it's only one in six that show up or something. It's kind of like, "Yeah we think this is a cool thing to do, but we really don't much mean it." I mean, particularly in some of the European nations now, it just seems to me and odd exercise if you're not that serious about it that someone says, "I don't much want to go." I think for a Southern Baptist young woman, it would be kind of awkward. It would be like saying I really don't think this is the best, and I think God is calling me to this and that. "Well, yes, but show me the Southern Baptist record that you are appealing to and grounding in." So, you get into this kind of hinky thing on the border, and it puts them on the spot I don't think they should be put on or put upon. It's like, "Okay, this is a test. I don't think I should." Well, I mean, is that the principal, or what if Canada invaded? Would you do that? Why complicate it so much?



Just say no, we just don't do that. But, no, I think we are pretty thoughtful with conscientious objection at this point.

Mr. Alan Khazei

Mr. Hasbrouck?

Mr. Edward Hasbrouck

My beliefs wouldn't fit the government's definition of a conscience objector, so I won't try to speak for them. But I want to make sure you keep it in perspective. There is a continuum, and there's a few people like myself, and, perhaps, Ms. Randall that go into wouldn't try to kill, and there's a few sociopaths at the other end who will hate anyone you tell them to regard as an enemy and kill anyone you tell them to kill. The vast majority of people are in the middle. They believe that there's some just wars, some unjust wars. They want to make their own choices about which ones to fight or on which side. So, the overwhelming majority of people who don't want to be conscripted are people who would not fit any definition of conscientious objector. While it is important to accommodate conscientious objectors, you shouldn't have any illusions that that's going to have any significant effect on most objectors who don't fit that conscientious objector, the definition, or that whatever you do about conscientious objectors is going to meaningfully impact the compliance rate. Because most people are not going to be affected by that.

Mr. Alan Khazei

Thank you. My next question is for any of you that would like to respond to this. Since this commission was established, there's been a federal court ruling now that said that the current all-male draft registration, selective service system, is unconstitutional. What are your reactions to that?



Dr. Mark Coppenger

I think it's a bad ruling. I think *Plessy versus Ferguson*, Dred Scott; I mean, just because somebody said it in the courts doesn't mean you think, "Well, that settles that." I think that is a foolish ruling.

Ms. Ashley McGuire

I think the prohibition of discrimination on the basis of sex is meant to prohibit discrimination on the basis of sex, and I think that, as to the military, it would be one thing if women were not allowed to serve in the military or they were being systematically discriminated against because of their sex. That's different than saying that the requirement for the selective service applies to men only. In other words, if there is a war, women are not going to be denied the opportunity to serve in the military. And so, I think those cases are pretty recent and that there will be a legal response that will make different arguments.

Ms. Jude Eden

Yeah, I agree with that and, you know, the finding that since women can volunteer, can be put into combat units means that women are now similarly situated, which was a phrase used in reference to being able to be in Combat Units, but the reality between men and women is that women are not similarly situated to survive and win in combat or help the fellows that they are fighting next to win and fight in combat. So, women in Combat Units is a policy; it could change tomorrow. But the physiological differences, the risk differences, the injury differences, those remain even though the policy is there. So, I would say the equal protection clause doesn't apply, because we are not similarly situated.

Mr. Alan Khazei

Thank you.



Dr. Joseph Heck

That concludes round one of our questioning. I appreciate you all staying with us and your stamina as we continue into round two. So, I will put myself back on the clock for five minutes.

Ms. Randall, I want to follow up on one of the answers you gave to Mr. Khazei when you stated that during Vietnam the local boards making determinations did not work well. Yesterday, probably understandably, the director of selective service was here defending the need to maintain selective service. And one of the reasons for maintaining selective service that he referred to was, in fact, the local boards being able to make the determination of individuals who might be claiming conscientious objector status, because they are in the community and they know the individual. Can you please expand a little bit on why you made the statement that the local boards did not work during Vietnam?

Ms. Diane Randall

What I know is from stories people who've appeared before those local boards have told me; that they were just uneven; that who sat on those boards determined often what they decided about, what their standards were, and that there were cases where there were people serving on the boards who just didn't believe in conscientious objection. My hope is that we have evolved beyond that and have a deeper understanding, but I don't know the compositions of local boards right now. Unfortunately, I don't think that local boards necessarily know their communities as well as we think that we would like them to know their communities. That is ideal.

Dr. Joseph Heck

Thank you.



So I want to pose real quickly then to each member; again, yesterday, we heard from individuals that talked about the changing threats that we face; that the homeland is no longer a sanctuary; that future warfare will probably require different skillsets than folks picking up a rifle and going off to battle. So, I want to pose a hypothetical scenario and ask your response.

So, kind of what you alluded to, Dr. Coppenger; we're in a Red Dawn scenario where we are being attacked through both Canada and Mexico. There is no selective service system. The All-Volunteer Force is insufficient. There's been a presidential/congressional call for volunteers; for people to step up. However, the response has not been enough to meet the threat, the actual threat to our homeland; not an overseas operation. How would you propose to meet the demand?

Dr. Mark Coppenger

Yeah, I'm not sure I got all the details there, but I guess I think that if you get to the point as a nation that you have to draft the women out of the home to bear arms, it's pretty much over anyway. You know, what nation do you have after that? It's such an extreme kind of case. It's hard to build policy on something so remote as that.

By the way, I'm not sure this was an element, but he was talking about -- I think I have a different epistemology from, you know, "Well, we can find these people." I think you can find just about everybody in registered letters. I mean, they find me, and I've moved several times. So, I think it's doable to go to the records, whether it's Social Security or tax forms or something or other and driver's licenses and say, "Okay guys, let's get it." And I think that would be adequate. Yeah, I mean, if Mars invades I don't know, but we'll see what that does; War of the Worlds. But I think in the real world, we don't need to do it.

Dr. Joseph Heck

Ms. Eden, any thoughts?



Ms. Jude Eden

Well, that is a compelling reason to keep the draft. It's a signal to the world that we're serious about being ready, and we need to be. I just don't believe that we should include women in it.

Dr. Joseph Heck

Okay. Mr. Hasbrouck?

Mr. Edward Hasbrouck

I mean, you talk about the poor record of the government in assessing threats. Now that's both threats that are missed that we aren't prioritizing; the existential threats to human survival posed by nuclear weapons, including those of the U.S.; the existential threat to human survival posed by global warming. But those errors in threat assessment also include the false claims of existential threat; the claim that was made that the Vietnamese posed a threat to the U.S. in the Tonkin gulf that proved to be false but led to a war in which millions died; in which the most honorable thing anybody could say about what they did in that war is that they refused to fight. The claim that Iraqi weapons of mass destruction posed an existential threat to the U.S. that proved to be false but has led us to 17 years of war in Iraq. So I think what is called for and what history shows we need more of when the government makes this claim of existential threat is more skepticism by the public about it, and when the public says and votes with their bodies, "We are not prepared to fight that war," that's called democracy.

Dr. Joseph Heck

Ms. McGuire?

Ms. Ashley McGuire



Just to clarify; in your scenario, there was already a draft?

Dr. Joseph Heck

No, this is ongoing. It's not saying there isn't a potential, this has occurred. But there is no selective service system.

Ms. Ashley McGuire

There is none. Oh, okay, I would just say that to me is a compelling reason to keep the selective service, but not include women.

Dr. Joseph Heck

Okay. Ms. Randall?

Ms. Diane Randall

So that's quite a hypothetical, I will grant you that. I'm not sure that I have an answer directly for that. I do think that we have seen that Americans rise with the unity of purpose at different times. I think there are many people across this country that are heartbroken of the vast disunity of purpose we have our in country today, and it is quite difficult to imagine a call at this point that would unify us. I can imagine, just hypothetically, that such an action that you described would compel people, but again, that's a hypothetical situation. That's hard to know. I think there are so many other clear and present dangers to our democracy that we ought to be paying attention to those.

Dr. Joseph Heck

Thank you. Ms. Wada?



Ms. Debra Wada

Thank you. I just want to continue that thought, because we have heard from other countries that have a screening process. So if our nation was under immediate threat, existential threat, and we had a selective service system that included everyone, if there was a screening process by which an individual could choose to screen, say if the question was, “Do you wish to serve in the military in the event of a national mobilization?” Would that change your positions?

Dr. Mark Coppenger

You know, I talk about how I got a driver’s license renewed in Tennessee recently, and on the back, it says, “willing to donate your body,” or whatever. I mean, at this age, I’m not sure what they’d want, but at any rate, you can put your body on the line. And as one alternative you could say should something just get crazy, then you might could call on me. But I’ll tell you the state of Tennessee doesn’t require it. They don’t say, “You’d better turn that license over again and think that--,” no. I can walk out and be perfectly free to do that. Again, yes, that’s kind of a second step. Should something happen then I might could be on call, but it’s not compulsory, again.

By the way, one of the just war principles is that you don’t commit suicide when you enter into a war. It’s not like Lichtenstein is being invaded by Soviet Russia, and then you say we’ll fight for them.” No, you don’t do it. You don’t commit suicide as a nation. And I’m suggesting if you get to the point that you have to kind of take everybody or something, then I think better to live under whatever you have got, because after a while you’ve just gutted the home in a sense. But yeah, I think that driver’s licensing might suggest an option.

Ms. Debra Wada

Thank you. Ms. Eden?



Ms. Jude Eden

So, you're asking if there was a different screening question when people register for the draft, if that would make a difference as to conscientious objection or the existence of the draft at all?

Ms. Debra Wada

No, to the draft at all.

Ms. Jude Eden

No, that wouldn't change my opinion.

Ms. Debra Wada

All right. Mr. Hasbrouck?

Mr. Edward Hasbrouck

I have two answers, and they're both no. First, that people who don't want to serve the war effort don't want to serve the war effort and saying you can serve the war effort without wearing uniform is still serving the war effort. So, no. And second, if what you're saying is, well you are going to conscript people but not necessarily for the military, then you're back to the hearing you held in February about compulsory service. And you heard plenty of reasons then, and I submitted with my written testimony a chapter from a book that I wrote about the range of reasons people oppose the draft and some of them are particular to a military draft but a lot of them aren't. The objections to the draft as compelled servitude, the objections to the racism, the



class bias, the objections to the ageism of the draft; all of those equally apply to a draft, conscription for national service, even if it's nonmilitary.

Ms. Debra Wada

Thank you.

Ms. Ashley McGuire

Just to clarify, it would be completely voluntary, what you are proposing?

Ms. Debra Wada

Yes, you'd have to make a selection. It's a screening tool of individuals.

Ms. Ashley McGuire

I would actually be okay with that.

Ms. Diane Randall

We'd be opposed because of the coercion to register at all.

Ms. Debra Wada

Thank you. I yield back.

Dr. Joseph Hicks

Mr. Gearan.



Mr. Mark Gearan

Thank you. Dr. Coppenger, maybe I could bring you into this conversation. We have, as you may know, been on a listening tour for this commission's work, and we have met people who have observed to us and felt that the current registration and the consequences for not complying with the registration system amounts to an unfair tax on men. How would you respond to that?

Dr. Mark Coppenger

Right. I think this came to mind back during the whole ERA, like what could it mean? One of the things that came up said, "Oh, well then men could be free from the draft." But I mean, there are morally relevant differences, as we've said. You could just say, "Well, we're discriminating against young people, because you're not taking 70-year olds to hit the beach and whatever," Guadalcanal or something. Well, yeah, we are discriminating, but there is a reason to discriminate. It's not just arbitrary like we'll only take people whose name starts with C and not with D forever and ever. Well, that's ridiculous. That's arbitrary. This isn't arbitrary. To somehow decide that, and I don't want to put too sharp a point on this, but that we're smarter than God; that we know that the male-female thing that's just, you know, we've outgrown that now.

And by the way, I think when God created male and female, he didn't do market testing for the 21st century, and like, "I wonder how this will play in Peoria." He just did it, and it is a fact of reality. To tear my paper again, there is a grain, and you just honor it. It's psychological, it's physical, there are all kinds of things, but that doesn't mean that they are totally distinct. It's not as though there are two different species. There is overlap. There's complementary; there's equal honor and so forth, but center of mass, there is a difference. And so, it's not arbitrary. So, if a guy says, "Well, why don't you treat me like her?" Because you're not like her.



Mr. Mark Gearan

I yield back my time. Thank you.

Dr. Joseph Heck

Mr. Allard.

Mr. Edward Allard

Thank you, Mr. Chairman. Miss McGuire, if I may, I value hearing your opinion on this very critical issue. If registration were extended to women, and I know that's a stretch for you, what would be the best practices for ensuring respect for communities to make a doctrinal distinction between the role of men and women, particularly in the military service?

Ms. Ashley McGuire

I think, generally, those communities would be religious, and I'm not sure if you can claim a religious conscientious objection on the basis of the fact that your religion says that women should not serve in the military. I'm not sure if that's an actual theological position that any religion has. I just think the cleanest way to do it if you did require women to register for the selective service is to allow religious conscientious objection and very clear and expansive exceptions for women who have young children or are pregnant.

Mr. Edward Allard

Thank you very much.

Mr. Chairman, I yield Back.



Dr. Joseph Heck

Mr. Barney.

Mr. Steven Barney

Thank you, Mr. Chairman. Following up on comments from my colleague, Mr. Gearan, we were on our listening tour last year. We had an opportunity to go to places all over the country; large cities, small towns, and we posed the question wherever we went, this issue of should women, if the selective service remains, should women be required to register? We heard in significant numbers from both men and women the idea that to exclude women from a legal requirement in our nation is to not treat women with equality under the law, and that equality under the law is valued in a very significant way throughout our country, if you follow me. So the second part of this though was when we started to discuss what that really means, we also heard from many of the same people who had strong views about equality for women and equality under the law; responses that are based in the complementarian type of idea that women do have different roles and can have different roles. So this is the ultimate question that we are looking at here, and that is to what extent could we as a nation not require women to register in a selective service, if it were to be kept, but also to be recognized as fully equal under the law in our nation?

Ms. Eden, would you like to tackle that million-dollar question?

Ms. Jude Eden

Yeah, I think we already are equal under the law, and again, the draft is for the purpose of military need during, say, a world war. So, the equal rights question doesn't really apply, because as I've argued, we're not similarly situated to fulfill that need, per combat replacements in particular.



Mr. Steven Barney

Thank you. Ms. McGuire?

Ms. Ashley McGuire

I think there's actually a counterargument to be made that women, if they were to be required to register for the selective service that has the possibility of sending somebody in a time of emergency into a combat situation, that they're not equal under the law, because they could potentially be sent to a situation where they would have an unequal chance of survival.

Mr. Steven Barney

Does any of our other panelists care to comment on this for the time that's remaining?

Dr. Mark Coppenger

Well, equality always depends upon morally relevant differences. You could say, "Look, I'm a consenting adult and she's a consenting adult and we would like to be married," and those consenting adults get to be married, but then it's something like, "Yeah, but your brother and sister." There's a morally relevant difference here. Now that's an extreme case, but to just say every single thing should be treated the same that's not what equality is under the law. It's rather that it can't be an arbitrary distinction that you would draw. So, this is not arbitrary.

Ms. Ashley McGuire

Could I add something too and say that there is a phenomenon happening in sports where increasingly discrimination on the basis of sex is -- whereas once schools were required to show



that they were requiring equal opportunities and funding for women sports, now increasingly the courts are ruling in sort of a sex blind way saying you literally cannot discriminate between men and women, like make a distinction. So, you have examples where you have men, and I'm not talking about transgender. I'm talking about biological men who, let's say, want to compete on the swim team and there's no men's swimming. They're allowing the men to compete on the women's team, and then those men are then going on to break the records and beat them and take their scholarships. So, I think we have to be careful when we talk about equality under the law as Dr. Coppenger was saying. It's not treating the sexes as identical, and that often when you do that you can have adverse results. And it always seems to backfire on women.

Dr. Mark Coppenger

It occurs to me, I was a pastor in Evanston and worked in the Ministry of Northwestern University, and the stadium there was actually where they had the Olympic trials in track and field; I think, actually where Jesse Owens competed to go to the Olympics. But because of Title IX, there is no track team at Northwestern now in that stadium. You could say that's a great thing. Whatever doesn't make money, those fall by the wayside. You have, I guess, the principle of unintended consequences. We meant to lift up the women's crew, or what have you, to this level, but then things change. Well, the question is do you want all these changes? There are consequences. There are ripples that go all along. It seems like Northwestern, a Big Ten school, ought to have a track team.

James

Mr. Steven Barney

My time has expired. Thank you, Mr. Chairman.



Dr. Joseph Heck

Ms. James.

Ms. Jeanette James

Thank you, Mr. Chairman. Ms. Eden, I'd like to tap into your experience in the Marine Corps and your experience deploying with the Marine Corps. If the draft was extended to women, how would that affect logistical requirements such as training and equipping if there were mass numbers of women that came into a military service? You can speak from the Marine Corps; how would you envision that affecting those requirements, and do have any thoughts about how that would be mitigated?

Ms. Jude Eden

It's taken a long time for the military to be able to fulfill the demand of the specific needs of military women as distinct from men; different gear, facilities, medical care. So if you are inducting mass amounts of women, I mean, the costs are going to be much higher than they would be if you're only inducting men.

James

Ms. Jeanette James

Are there mitigation opportunities that you could see for that?

Ms. Jude Eden



It's all about what you're willing to pay; what the American people are willing to pay in order to implement a policy like this.

Ms. Jeanette James

Okay, thank you.

Mr. Hasbrouck, you wrote in your testimony and you mentioned during your oral remarks that if women were required to register for selective service, you would assume compliance rates among women would be low or would be lower, possibly, than men. Can you cite any data that speaks to that?

Mr. Edward Hasbrouck

I think the clearest evidence that we have in terms of data, I can follow up by speaking to some of the analytic reasons; the best data we have of that is the experience the last time there was a proposal made to register women for the draft, which was part of Jimmy Carter's proposal in the State of the Union Address in 1980. We saw an utterly unprecedented explosion of activism led by women with organizations in opposition forming within days, most of them women led. We saw a march on Washington of twenty thousand people less than two months later, the majority of whose participants were women. The media may have paid more attention to men and foregrounded them as purported leaders, and much of the attention to women in the resistance, even though most of the anti-draft movement continued to be comprised of women even after Congress chose to limit registration to men. But much of the strength of that opposition clearly came from women, and clearly the proposal to require women to register galvanized women much more than men. So, we have that evidence.



In terms of analytic reasons, obviously, women have all the same reasons that men have to oppose being drafted, plus whichever perspective they're coming from; whether it's from a perspective of antiwar feminism or whether some of the other theological and other perspectives about women's role, there's some women-specific reasons for opposing it. So, more women would be inclined against registering and agreeing to be drafted, and critically, there'd be vastly more popular support. Whether or not you or I agree with these attitudes or adopt them ourselves, we'd be denying reality if we didn't recognize that there are gender differences in social expectations, and that many of the same people who would criticize a man who refuses to fight as a sissy would praise a woman who refuses to fight as a good girl. And although many people do resist as an individual act and regardless of what their family or their friends or their community says, it's certainly a lot easier in a community of support. And so, the solidarity they're going to face, and this is an issue both in terms of the volume of noncompliance for people who will have their faith leaders telling them women shouldn't be going into this; shouldn't be signing up, as well as it's an enforcement issue. When you go into communities, you're going to have a whole different level of community solidarity when you're going in and trying to round up draft resisters where there is a community where most of the people; people's families, their faith leaders, their communities fully support what these women are doing. It's going to be really hard. So, this is why the track record we have from the Vietnam period is when the government tried to go into communities that were solidly against the war and round people up for acts of dissent, they had to use increasingly intrusive and aggressive measures to penetrate resistant communities. And where did we end up? We ended up with J. Edgar Hoover as a [**10:51:31] pro, and that's the kind of aggressive tactics it's going to take to drag people out of resistant communities where they feel like this is not the role that our women should be taking, and we're going to protect them.

Ms. Jeanette James

Thank you.



Dr. Joseph Heck

Dr. Davidson.

Dr. Janine Davidson

So, I want to pick up a little bit on your testimony, Ms. Eden. You told a story about your own experiences in Iraq and also laid out some data about women and their injury rates. Am I right, or am I understanding you right that your argument is about, in many ways, operational effectiveness and the ability for women to contribute because of those injury rates?

Ms. Ashley Eden

Yes. There are tons of roles in which women excel, in which we need women and their particular intelligence and expertise; intelligence, medicine, a wide range. And in the combat units in particular, I think there's more cons than pros. So, there's more damage that is caused by doing that and that it does diminish our combat effectiveness and is harmful to women. So, I don't believe that it's a pro-woman policy.

Dr. Janine Davidson

You were IT?

Ms. Ashley Eden

Yes, networking.

Dr. Janine Davidson

Networker; okay. But then you were out on convoys, and you were at checkpoints?



Ms. Ashley Eden

Yes, that was a secondary duty that was separate from.

Dr. Janine Davidson

Which is something that a military police unit would probably be more trained to do, correct?

Ms. Ashley Eden

They do some of that. The way they were doing it when I was deployed in 2005 was that in order to be respectful of the Iraqi culture and not to have our military men frisking women for explosives as they came to checkpoints in Falluja, it would be women frisking them. So, to supplement those teams, they would bring us in; bring women from other units.

Dr. Janine Davidson

So, this gets to my operational effectiveness piece and the changing nature of our combat or operational environment. I was in the Pentagon during that timeframe, and we got sort of an emergency request for forces. And they usually say we don't have the tanks, or we don't have enough this or that. In this particular case, they said we don't have enough women. And the reason was because of that. The traditionally trained military police or even Infantry that were out in the streets or in the homes of these people, they realized that this was a horrible way to operate and they were being culturally not very sensitive or even it was affecting the effectiveness. So, does that sort of change your opinion at all about the balance between what is fair and what is equal and what is operationally required with respect to women?



Ms. Ashley Eden

I think that we can make choices about what is needed operationally, but that it was problematic to make this a blanket policy across all of the military that we're going to open all combat units to women. The Special Forces, like the Navy SEALs and the Rangers, were already utilizing women on their teams. No press about it, but just truly merit-based. If they had a need and they had somebody, a female, who could fulfill that need, they were utilizing women in their teams. But it wasn't a blanket policy for the entire military that then, for example, created the situation where women can be involuntarily inside assigned combat units on the same basis as men. So, I think the problem is with blanket policy and not making individual decisions about how we need people here, we need people there, and then condone this and authorize it.

Dr. Janine Davidson

So, your participation on those checkpoints was voluntary?

Ms. Ashley Eden

Yes, I asked.

Dr. Janine Davidson

Okay. And the rest of the people on the checkpoint were trained similarly? Did you get any training to do that?

Ms. Ashley Eden

It was not additional training. We had a lot of pre-deployment workups in order to be in the combat zone. It's not the same as the Infantry. If you're not in the Combat Arms unit, you get a watered-down or a shorter version of the infantry training.



Dr. Janine Davidson

Thank you. I yield the rest of my time.

Dr. Joseph Heck

Mr. Kilgannon.

Mr. Tom Kilgannon

Ms. McGuire, I wanted to ask you a question. As we went around and talked to people across the country about the issue of females being required to register with selective service, proponents of that position made the point that doing so would give women something; more respect in the eyes of society, greater equality. Am I understanding your testimony to be that, no, in fact it would take away something from women? It would be a setback for women's rights rather than an advancement?

Ms. Ashley McGuire

I think that mentality is sort of what I would call patriarchal leftovers; this idea that women have only achieved something if we've done something that men do. And that's what I am always trying to resist. So I think certainly I would view it as a setback for women's rights, because were there to be a national emergency, they would have lost the right to make the choice about whether or not they want to stay home with their children or be sent overseas into a war potentially. But I think the bigger concern, again, is this mentality that we cannot seem to free ourselves from, which is that women achieve equality with men by doing as they do. The fact that we're having this conversation, I think it's been driven to some extent by sort of ideological elites who are trying to enforce gender equality by gender sameness, if you will. Because as many other panelists have said, it seems almost absurd; the idea that we would need women. We would need to draft women, draft mothers, and send them into a war. So I think that's a big part



of why we are having this conversation. It has something to do with the fact that there is a mindset that women's equality comes by only when women do as men do.

Mr. Tom Kilgannon

Ms. Eden, you talked about the term "similarly situated", in that women are not similarly situated as men. In your testimony, you talked that that has adverse consequences for women, but that's not limited to a combat unit, is it; that women are facing disadvantage in a combat unit, in a combat zone, in training, as you stated, with the injury rates and whatnot? Is that accurate?

Ms. Jude Eden

The problem is amplified where there's the highest physical demand. So even in noncombat units, military women sustain higher injury rates. Where you're going to put even more physical demand on them; long marches under load, lifting heavy ammunition, scaling walls in a full pack, casualty evacuation. You know, that disparity is going to get even greater, and it's going to cost women their health.

Mr. Tom Kilgannon

Under the current circumstances, females are able to make that choice to assume those risks?

Ms. Jude Eden

Right, and, you know, the high injury rates are a big reason that women's attrition from the military is much higher than men. Women leave the military earlier and more frequently than men do.



Mr. Tom Kilgannon

Thank you very much.

Thank you, Mr. Chairman.

Dr. Joseph Heck

Ms. Haynes.

Ms. Avril Haines

Thank you. Two questions, Ms. Eden, in this area; in the places where you've identified that you do see women excel, like intelligence or in health; in those areas, am I right that you wouldn't have a concern with registration for the potential of compulsory service in those areas that would include both women and men? Is that right? It's really in the sense that you think it's inappropriate and undermines sort of operational effectiveness in areas that are outside of those types of places?

Ms. Jude Eden

Yes, my position is based on the purpose of the draft as we know it today. And as I've stated, if we're approaching this from a standpoint of equity, and we say we're going to register people for the draft for all military positions, combat and noncombat alike, men are still going to get the unequal share of the heavy lifting and the high-risk jobs. So how do we justify that that's equal and fair?

Ms. Avril Haines

Okay, thank you very much.



Miss Randall, I think what I got out of your testimony is a sense of concern that anybody, which I share, with religious conviction and moral conviction that prevents them from taking positions in combat or for the military in support of combat should be forced to serve, and that that's something we should avoid, essentially, in all circumstances. Sort of on the other end of the spectrum; yesterday's testimony certainly outlined this as with the variety of hearings that we've done; essentially from a national security standpoint, a desire to have the ability, essentially, to call on people in the event of a national emergency and to do so quickly and to do so effectively and fairly and that is sort of the purpose of the selective service system. I think certainly reasonable minds can argue over whether or not the current system will be fully effective under the circumstances, but the idea that we should have a system in place that allows us to do that. Of course in this context, there would have to be a separate, congressional act in order to actually compel people to serve in the context of a national emergency that would occur, where they might have an opportunity to say this is not a just conflict that people should be compelled to serve in, etc.

Or you might hit the kind of hypothetical that Chairman Heck identified, where the country is being invaded, and there is a sense that we should go down that road. And I guess, to my mind, the space that is most useful to sort of try to understand is how could we create a system, as some have asked, that really does give everybody confidence that anybody who feels that, you know, that it's against their conscious to serve has the opportunity to express that and you have an opportunity to pull out of it in a sense? And I guess, have you seen -- you talk about the fact that you've heard from people who actually went through the boards in Vietnam and so didn't feel that the system worked effectively. Have you heard of a structure that does seem to have that kind of credibility that would allow people effectively to make this case and to do so with confidence that they would be appropriately treated, or do you have proposals with that?

Ms. Diane Randall

To the first part of your question, which I think speaks to some of the other questions that have come from commissioners with regard to the question of equality, which is essentially the



question about men and women; I think there's a broader question of equality that Edward Hasbrouck has raised about age. There is equality of is this being applied across the board? Given the fact that there are penalties to not registering, there's a certain level of inequality to it. So, I think the broader question of equality that the commission has to look at in terms of application of selective service in addition to men, but how does this apply to everyone? And then I think there's this question of whether there is, I guess what I would call for lack of anything else, a sense of social and cultural coherence in our communities that make us understand that it is valuable to be a good citizen. That being a good citizen is more than voting. That it is serving community in a way. I think there has to be some mechanism for those who choose to not serve their communities through the military. And I don't have a mechanism for how that would happen. You know, it's just not something that I put a lot of thought into. But I do think it's absolutely possible, because there are so many other needs that our communities have.

And there's so many other ways that people are serving. Particularly, young people are serving in voluntary service programs, and I'm sure you've been looking at those, but there are some that are faith-based and others that are nonprofit based where people are providing a great deal of service. And I think that question of how you might look at that is really important, but again, I don't think that people should be coerced to do that. Our educational systems, our cultural systems should be promoting the idea that we have a shared humanity, and we had to provide service in our communities.

Ms. Avril Haines

I yield.

Dr. Joseph Heck

Thank you. Ms. Skelly.



Ms. Shawn Skelly

Thank you, Mr. Chairman. I would just like to state that I am really personally deeply appreciative of all five of you being with us here today. I'm proud to be a part of this body in that we have you here with us today. I know there may be presumptions as to predispositions on our part based on our own personal histories and backgrounds and how the issues were put to us and the fact that this body exists. I can appreciate that. But the fact that we're here and having this conversation publicly and live on C-SPAN too I think is important. It says something about the relative health of our democracy. I'm grateful for it, and I just want to say that anybody that does have an opinion that I hope you took a number or that you can still share your opinions and thoughts with us sincerely via our website and all the things are there. That's not a copout. We actually do mean that and incorporate that in our deliberations. That said, the conversation has been so wholesome, I don't have an additional question at this time, so I will yield back.

Dr. Joseph Heck

Mr. Khazei.

Mr. Alan Khazei

Thank you. So we are the Commission, as you all know, on Military, National, and Public Service. So one idea that's been brought up is, and I want your opinion on this and what you think about it, is what if we replace the selective service system with a new "serve-your-country" system, where people would register, but they could choose, "I want to serve in the military," or, "I want to serve in civilian national service; Peace Corps, AmeriCorps," or, "I'd like to serve in my local state or federal government; firefighting, teaching, etc." What would your views be on that? If that was a voluntary system, would you be supportive of that? If it was a mandatory system, would you be supportive of it?



Dr. Mark Coppenger

I mean, if it's voluntary, I think that is fine. If it's compulsory, I would distinguish between men and women. I still would stand up for the military draft for men. There were 10 million of them drafted to fight World War II, and that was a very important sort of thing. I just think you need to have that in there and that men should be obliged to do that, but to allow people to register for these things. I just wouldn't supplant the military draft for men, but the other sounds okay.

Ms. Jude Eden

I think the volunteerism, separate from the draft question, I just think you can't mandate it, because then it's not really volunteerism.

Mr. Edward Hasbrouck

If you want to create opportunities for people who want to volunteer, the first and most important thing is to make education a right rather than have it be funded by loans that people end up in debt servitude when they get out of college. Many more people would choose things that you and I would probably agree would be a public service if education were a government-funded right, as it is in many of the other countries that you've been looking at and talking about. So that's the best way to encourage volunteerism.

I think there's a real problem, leaving aside the whole issue of compulsory service generally, I think there's a problem with assuming that we old people know what the best ways for young people to spend their lives, including the best ways to serve, are. We're the people who are responsible for having created a world menaced by nuclear weapons, menaced by global warming. We need to take leadership from young people. We need to learn from them. We're not going to do it by us being the ones to define which are the acceptable ways for them to lead. We need to get out of the way and let them do what they want and not try to tell them, "Oh, you



can choose from this menu of what we approve.” That’s going backwards. We need to go forwards letting the young people lead.

Ms. Ashley McGuire

I would be opposed a mandate, but I did like the idea about something optional that you can check saying, even if it was, you know, not, “I would like to serve my country in the time of war,” but, “I would like to learn more; volunteer to serve my country.” I do remember getting my first driver’s license and seeing the box to check, which I obviously didn’t have to check. But I was 16, and it was a good reminder of the fact that you have civic duty. I think had there been something to check about civil service, I probably would’ve checked it.

Ms. Diane Randall

I agree with those who say that volunteerism needs to be volunteerism in that you can’t compel it. But I do believe that it’s important to continue to educate young people and children, both within families and within schools and within our religious and cultural institutions about what it is to be part of a community. I think it’s very important for us to come back to this dialogue of what is national security? What are strong communities? What comprise those?

Various panel members have made recommendations that can help that, but that national dialogue is actually an important dialogue we should be having for what communities need. So, I wouldn’t make it compulsory. I don’t think that is the way to go. We don’t support compulsory military service or compulsory voluntary service, but I think it is an important dialogue and I commend this commission for your studiousness and deliberations on this topic as broadly as you are looking at it.

Ms. Jude Eden

We’re talking about national service, but kind of to a lot of the points you are making, Ms. Randall, is that a lot of service that is needed is on the local level. So one of the best ways



that we can encourage a spirit of service would be locally and not necessarily, you know, nationally.

Dr. Mark Coppenger

I just hope that in talking about national service, we don't act as though people who aren't signing up for this or checking the box aren't doing national service. We just had reunion in my hometown of all the people who played under a band director. It's kind of like Mr. Holland's Opus or something like this, and we all go together and spent days practicing and performed. He changed lives more than anybody I know in our school system, and to say, "Well, but he didn't do national service." It's all national service if it's a calling under God and it's done well.

Mr. Alan Khazei

I also want to thank you all for joining us today and sharing your views so thoughtfully and passionately, and I have no further questions, Mr. Chairman.

Dr. Joseph Heck

Thank you. So, Dr. Coppenger, Ms. Eden, Mr. Hasbrouck, Ms. McGuire, Ms. Randall, we greatly appreciate your time today and all of the very valuable information that you provided to us for us to consider as we go down the path of formulating the recommendations that we will make to Congress, the President, and the American people. That concludes the formal portion of the testimony, so we will dismiss the panel from the witness table. You're welcome to take seats in the front row if you'd like to stay through public comment.

The Commission is committed to transparency and openness with the public. In keeping with these principles, the Commission intends to provide the public with an opportunity to deliver public comments during our hearings. As a reminder, in order to provide the greatest opportunity for as many participants to offer a comment that would like, public comment is



limited to a two-minute period per person. As is noted on our website, sign up for public comment took place between the opening of registration and the start of this hearing. When you signed up, you received a numbered ticket. To ensure fairness, tickets were randomly drawn. We will call out five ticket numbers at a time and ask that when your number is called, please come forward and make a line behind the mic located to my right, your left, and provide your comment. On the easel to my left and your right, you will also see the ticket numbers in the order that you should line up. If time does not permit you to offer your oral comment, we encourage you to submit your written comment via our website at inspire2serve.gov. Additionally, if you have any written statements that you would like to submit for the record, please provide them to staff at the registration desk.

I now invite the following ticketed individuals up to the mic to provide comment. That would be numbers 55, 59, 49, 60, and 48. So if you'd please come and form a line up here at the microphone. During your comment, please be aware of the lights that are in front of you on the table. The light will turn yellow when you have 30 seconds remaining and red when time has expired. At this time, you will also hear a buzzer, and we ask you to please promptly conclude your comments. Before you begin your comment, please introduce yourself to the commission with your name and affiliation.

Number 55.

PUBLIC COMMENT

Ticket #55

Thank you, Mr. Chairman and Members of the Commission. I'm Tim Miller, representing the Conservative Anabaptist Service Program. I would like to respond to Mr. Barney's first question about women applying as conscientious objectors in relation to their role. There is a definition of conscientious objection that's used by these local boards that the selective service continues to train and maintain, which is different than exemptions allowed by



law. This is a subjective determination by a group of people, a jury if you will, that this individual merits different treatment due to, quote, “deeply held religious convictions.” I believe the same system could be used if there were some consideration given to conscientious objection in relation to the role of women. So for us, yes, it would be a matter of conscience, and while we’ve been quite willing to have our young men do alternative service of national importance in time of draft, if a woman would be registered and drafted, we would request that for women, a deeply held conviction in relation to their role as different from men could be considered to exempt them completely from alternative service.

Ticket #59

Hello. My name is Dean Morgenstern. To start out, I just wanted to acknowledge my apparent identities, you know: race, sex, age, hard of hearing, speaking. That said, I’m not going to discuss the independent merits of dissolution or conscientious objectors or fairness as the draft exists. I just want to comment on what kind Dr. Coppenger said that if we get to the point where we need women, it’s a useless fight. I don’t think women are useless in fighting in many aspects. And he suggested that we should abandon the walk-on part in the war for the lead role in the cage. No.

Ms. Eden’s argument was littered with logical fallacies, red herrings, fear mongering that everyone who’s drafted is going to be facing a meth head with a knife and a savage. And if men are so much better at fighting, why not let women backstop them so that the men can go out in the field and do what she thinks they need to do. Also, the problems in the military are not a reason to restrict the draft to men. It’s a reason to fix the problems in the military, and what happens after getting drafted. And lastly, giving women an indifferent shoulder from the selective service is not the way to resolve the military problems. Putting women in power positions is the way for the change to come from inside the military; from inside, the Service Members once they are women and once they are integrated. Thank you.



Ticket #49

Hello, my name is Chris Kearns-McCoy, and I'm here on behalf of the Friends Meeting of Washington of the Religious Society of Friends. I am a Quaker, and as a Quaker, I oppose all war. I am also young person, part of a generation that has never meaningfully known a country that is at peace. I was 5 years old on September 11, 2001 when the twin towers fell not 15 miles from my house in North Jersey. That day is one of my very earliest memories. After 9/11, one war in Afghanistan turned into another in Iraq; turned into too many conflicts to count. Many of the people fighting our wars today do not remember 9/11. I'm 22 years old, right in the middle of the draft window, and I know that my age cohort is one of the very youngest that remembers 9/11. Americans are not eligible to fight in Afghanistan who were not born on September 11, 2001. These endless wars are a grave injustice against the young people of this country and one that would be made so much worse by the expansion of the selective service. My 18th birthday was a bittersweet day for me because I was a legal adult but I also had to register for the selective service knowing that someday I may have to stand up and say, "No, I will not kill." My father's generation lived the great tragedy of having thousands of its brightest flames extinguished in Vietnam through no choice of their own in service of a foreign policy that viewed young people as expendable. I pray we have the wisdom and humanity to never repeat that mistake. But as long as selective service or anything like it exists, my generation and future generations to come will live with the sword of Damocles above our head of being forced to kill and die. Thank you.

Ticket #60

[Not present.]

Ticket #48

Hi, my name is Arianna Standish, and I'm a freshman at U.C. Berkeley and also a Quaker. I am 19 and so I'm a young woman and I'm the exact demographic that you all are talking about when you're thinking about extending the draft women. Today, it was extremely



hard for me to sit here and listen to the blatant sexism that some of our panelists were exhibiting. I find it insulting that a man who is decades older than me can sit there and tell me that it's my fate, like I'm hardwired to sit at home and be a mom and have kids, when my little brother, who is sitting behind me, is hardwired to fight in combat. And I do not want my fate and the fate of young women, my generation, decided by a panel of older adults who some of them think that our nature is to sit at home. I think it's sexist that we're concerned about drafting young women who might be mothers, but then we don't have any regard for the young men who might be fathers. To assume that young women have inherent nature to be a mom, you have to say that young men then have the inherent nature to be fathers, and that it's wrong to draft both of them away from their families. For that reason, the only right thing to do is to abolish the selective service. One of the panelists here brought in his granddaughters, and he said that you can't look them in the eye and say that they want them to be drafted and possibly killed. But what if he brought his grandsons? You also can't look them in the eye and say that you want them to be drafted and potentially killed. It's the same thing. My brother is with me. He's 15. He'll be eligible for the selective service in a few years, and I don't think that you can sit there and tell us that we have the right to be drafted and have our lives potentially taken away from us. The selective service is immoral, and I think we need to get rid of it. Thank you.

Dr. Joseph Heck

Thank you. I'd now like to have number 51, 47, 54, 57, and 46 line up.

Number 51.

Ticket #51

Good morning. My name is Bill Galvin. I'm the counseling coordinator at the Center on Conscience and War. I think you already know I feel you should recommend that selective service registration be ended for everyone. There's lots I could say about what's happened this morning. I have personal experience about how unfair draft boards work. But right now, I want



to talk to you a bit about my friend Herm Kaiser, who died a little over a year ago. For 30 years, he was a chaplain in the Army. He was a Christian Reformed minister. And after he retired from the Army chaplaincy, the Pentagon kept calling him back for another decade or so for various things where he was advising them. When he was in Vietnam, he actually lamented about how he was unable to help these young men who would come to him and say, “Because of my religious beliefs, I was raised a good Catholic or a Presbyterian or whatever, and I applied the principles of my church and this war is immoral and it’s wrong and I should get out of here as a conscientious objector.” He said, “I couldn’t help them, because the way the law was worded, you had to be opposed to participation of war in any form and not a particular war.” And he has lobbied, dedicated his life to trying to change that definition of conscientious objection to include objection to a particular war. You should know that that’s the primary teaching of almost all faith traditions in our country. Personally, I’m Presbyterian and I’m a pacifist, but there’s plenty of people with just war, I’m thinking. There are at least a dozen or probably more. I just looked the other day; at least a dozen faith groups, you know; Catholic, Protestant, the Synagogue Council of America, that all have explicit policy calling on our government to change the definition of conscientious objection to also include objection to a particular war, and I would encourage you to consider that in your recommendations. And you should know that the military policy about conscience objection is based on the draft law. They even use 1-A, 1-O and 1-AO nomenclature, which people in the military don’t even know where that came from. It came from selective service.

Ticket #47

[Not present.]

Ticket #54

[Not present.]

Ticket #57



I would just like to thank the commission and the panelists for their time today. Without wishing to go too far beyond the scope of the commission's purpose or the purpose of this particular hearing, I would like to voice my opinion on what I think is the bigger picture here; not questions of the fitness for combat or gender equality or even how to extend accommodations for conscientious objectors but rather questions of war and militarism and of life and death. In 2006, at the age of 18, I chose not to register with the selective service not because I'm conscientiously opposed to participation in all war or because of deeply held religious, moral, or ethical beliefs, but because I felt obligated by both my conscience and my critical faculties to make a statement, however small, of opposition and resistance to U.S. wars as they actually exist in the real world. I came of age during the Iraq War and witnessed its catastrophic effect on the world and on our own country. Its corrosion of liberty, of democracy, of independent thought, of truth itself, and most of all, the massive scale of death that it imposed on the world. By declining to register, I made a small protest against the system, and for it, I was denied federal financial aid, student financial aid, and permanently barred from federal employment. I was never charged with a crime. I was never convicted of a crime. But rather, I was punished extrajudicially and without due process. While I find this legally and constitutionally bizarre, it isn't this aspect of the draft registration system that really concerns me. It's that it's a part of a vast apparatus of war that has and continues to so degrade, demean, and dehumanize everything this country claims to stand for, to say nothing of its effect on the rest of the world. And I think this is the bigger picture that I would like everyone in this room to go home with today to consider. I realize it's, again, beyond the specific issues in question today at this hearing, but I would be remiss if I did not come here today to remind everyone that that's really what we're talking about here when we talk about selective service, draft registration, and participation in war. Thank you.

Dr. Joseph Heck

Can you please identify yourself for the record? Sir, can you just please give your name for the record?



Ticket #57

My name is Ethan Foote.

Ticket #46

Thank you for allowing us to comment today, commissioners. I'm Kendra Bradley. I'm the executive director of Quaker House in Fayetteville, North Carolina. As I'm sure you are probably aware, in June 2018, the VA revised how it was reporting the number of suicides among the military population. Before, it had been around 22 a day, then it was revised down to 20 and then they said that they had included both active duty and veterans. And so now the numbers stand, between 2005 and 2015, 17, on average a day, veterans committed suicide. On average a day, four active duty National Guardsmen or Reservists committed suicide. I deal with this issue on a daily basis in my role. Quaker House is a nonprofit organization that serves the military community around Fort Bragg through our counseling program that is free to military Service Members, veterans, and active duty and to their family members. We are also an integral part of the G.I. rights network and hotline. We take phone calls from anywhere in the world where Service Members are stationed. And I can tell you that there is a lot of anguish out there. And I can tell you that some people do not know they are conscientious objectors until they are already in the service. I would suggest both of these things, the experience that we have had with the G.I. rights network and this high suicide rate, are indicative that a larger portion of the population of the United States, and probably the world, are conscientious objectors, and they don't know it. There has been a lot of talk here today about innate characteristics of people, and I would suggest to you that it is an innate characteristic of human beings not to kill other human beings. And so there has been questions about how to make sure a test is fair. I would suggest that you err on the side of believing a conscientious objector. I would also suggest making the registration process, if it's kept, more intentional and presenting the information that they may need to investigate whether they are a conscientious objector. It would help the military itself, both with its readiness and also with its suicide epidemic. Thank you.



Dr. Joseph Heck

Thank you. I'll now ask the last 6 tickets that we have: 45, 53, 58, 52, 50, and 56 to line up.

And number 45.

Ticket #45

Good morning. Nice to see you again. Kate Connell from Santa Barbara, California. As I said yesterday, I'm a parent of two, draft-age youth. Not the two youth that I came with. They are friends. I am also a member of the Santa Barbara Friends Meeting, and a few other Quakers have testified today. I just wanted to address the idea of equality. Friends have had a long legacy of equality with women. From the start, women were given the same level of equality. They were seen as people who were able to have a direct experience with the light, or God, and that they didn't need an intermediary who was male. So they worshiped in the same meeting house, separate sides of the aisle, but no barriers between them. And for this and for many other practices, they were challenged by the established church and the English monarchy and sent to prison and often died there. But I am not advocating for people who are identified female at birth to be forced to register for the draft. No one should be forced to serve. Instead, the selective service funds should be repurposed to support agencies such as AmeriCorps and Peace Corps and other existing service opportunities, so that those agencies can pay their volunteers to sustainable wages. I have heard at Cal State LA, one of the listening sessions, that AmeriCorps -- it's hard for people to actually do that work when they don't have the funds. As a panelist said yesterday, you know, I don't do this for the money, but it couldn't hurt to actually have a sustainable wage. This would be a way, which was also talked about yesterday, to positively encourage people to be of service. I also agree with what the panelists said today about making education free, higher education free, so that all people can take advantage of that. And I know that my time is up. I just want to say that the coercive nature of forcing people to sign up that



needs to be done away with, and all past punitive measures for non-registrants, there should be amnesty for that. Thank you.

Ticket #53

[Not present.]

Ticket #58

[Not present.]

Ticket #52

[Not present.]

Ticket #50

Thank you. I'm Nathan Hosler I work for the Church of the Brethren, one of the strict peace churches. I direct the Office of Peace Building and Policy here in Washington D.C. I'm also a pastor at the Washington City Church on Capitol Hill. The Church of the Brethren opposes war in all forms and participation in war by our members. This is a matter of our theology and ethics, which derive from our study of scripture and prayer together. This conviction has been consistently reaffirmed by our annual conference. In 1918, for example, our denomination's highest decision-making body at this annual conference of the Church of the Brethren stated that war and any participation in war is wrong and entirely incompatible with the spirit and examples of Jesus Christ. In 1934, our annual conference statements said all war is sin. We cannot encourage, engage, and/or willingly profit from armed conflict at home or abroad. We cannot, in the event of war, accept military service or support the military machine in any capacity. These beliefs have been reiterated and expanded on many times before and after these statements. As such, nonparticipation in all aspects of war is a matter of religious freedom. This includes both direct combat and also any roles that support the use of violent force. While we recognize and



uphold the equality of women, for example, we've long ordained women to pastoral ministry, we cannot support the expansion of the draft. The question should not be whether or not women should be drafted, it should be rather whether anyone, regardless of their identity, should be conscripted into military service. Our theological understanding of war makes this answer clear.

Every single person should have the right to refuse military service as a matter conscious, regardless of gender. Additionally, there are two things we would like to note that have been minimally focused on in this process. One, is the unhelpful conflation of military service with other forms of volunteer service, and the mandate of this commission. For example, we've worked with selective service having alternative volunteer services. And the other would be the lack of discussion about disproportionate impact of the draft on marginalized communities. Thank you.

Ticket #52

Thank you. Robert Miller is the name. I am with a small nonprofit named Hope for America. We have been involved for a number of years in soliciting from the teaching offices of various components of the divided Christian church; some theological reflection on this novel, modern enrollment of women as defenders of men, one might say. I mean, that's obviously a narrow and tortured definition of what we're seeing here as women as combatants. A number of serious studies have been accomplished, and I will be sure that you get them, that conclude harmoniously that man is intended to be the defender of woman, not vice versa. And, of course, we're talking about an ordered creation which presumes the existence of a God, who we name in our oath of office, who is named and identified in the Constitution, signed on a Year of the Lord 1787. That's characterized in our oath, in our motto, in our anthem, in various ways. We're perhaps perfunctory in acknowledging where the fundamental order, in what we might call good order and discipline, is located. We're a long way down the road toward disorder by those definitions, perhaps. Therefore, I would like to just mention two things, because much could be said. One is that being equally situated before the law does not supersede the fact that woman



was not equally purposed by God. So perhaps there is a higher order of concern. The second is that there really is a justifiable conscientious objection against the woman's service as a combatant, and perhaps that ought to be considered at least as a potential legislative possibility. And I might add quickly, if I may just extend a moment, that we would see men exercising such conscientious objection. Now they can do it and do simply avoid military service or leave if they do, and there are those who do have moral scruples about exercising command of other men's wives and daughters. Much more could be said, but time has elapsed.

Ticket #56

My name is Paul Jacob, nodraft.org. I believe in equal rights; in equal freedom, and the problem with the draft registration and equality is there's no freedom. There's no rights. This isn't about equal rights. Women and men should have an equal right to join the military and to move as high in that military as their skills allow without any diminishment because of sex. Men and women ought to have the right to live their lives the way they see fit. That's what America is all about. Conscription destroys those rights. Men and women in America can also be trusted to always step forward and defend the freedoms that they have. In fact, this is really all about trust. Do you trust the American people to step up in times of crisis from Pearl Harbor to 9/11, or do you not? I submit that all evidence points to the fact that they will, because they have. Or should we trust the Congress of the United States with the awesome power to take our sons and daughters away because they choose to because there's a big emergency or maybe just because we think it will help with social cohesion? I submit that all of the evidence is that we cannot trust the Congress. At the end of the day, this commission is either going to tell the Congress, "Trust the American people. End draft registration. Don't extend it to women. And do not force any sort of national service of any kind, because it shouldn't be forced." Or you will tell the American people, "Trust the Congress." One of those groups cannot be trusted, and one can. And your charge is to tell the Congress which one.



Dr. Joseph Heck

Thank you.

At this time, the time for public comment has come to an end. I again want to thank our panelists for being here, Gallaudet University for hosting us, and all of those in the audience who have stuck with us over the past three hours to attend today's proceedings. It is only with your help and input that the commission will achieve its vision of every American inspired and eager to serve. There being no further business before the commission, this hearing is adjourned.

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