

## *How Conscription was Designed to Work*

A description of the SSS operation during the Vietnam War period follows:

Males were required to register upon 30 days of their 18th birthday, although not eligible for call-up until their 19th birthday. They retained prime eligibility until age 26, and were categorized in four basic classes:

[Title 50 U.S.C. App. 451 *et. seq.*; 32 C.F.R. 1600 *et. seq.*]

I. Those currently on duty or immediately available for call-up (except perhaps for a temporary medical problem, or to finish a semester in school);

II. Those deferred, usually for one-year periods, for essential agriculture or other civilian employment, or while pursuing higher education;

III. Those deferred due to extreme hardship to dependents if one were inducted, or if one had children, and;

IV. Those exempted, due to administrative or medical disqualification (Class IV-F), divinity study or ministerial status, non-citizenship, or if one were the sole surviving son in a family with another life already lost on active military duty, or if one had already served. Certain federal officials also were exempt.

Legally, deferment in Class II extended liability from 26 until 35 years of age. However, in actuality, there always were enough registrants that none was needed for call-up after age 26 (except for medical practitioners whose studies took extended years to complete). In fact, the biggest problem facing SSS was, in the title of the 1966 Marshall Commission Report (one of four Presidential advisory studies on the draft between 1966-1970), "Who Serves When Not All Serve?" Post-World War II "baby boomers" had more members of the eligible group than were needed.

The deferment system had developed from World War II experience when so many citizens volunteered for the military that it was essential to defer those needed to keep crucial civilian tasks operating in wartime. During the Vietnam War, deferments and exemptions were vigorously sought too, but this time by the potential draftees.

Over 4,000 local draft boards were supposed to consist of "little groups of friends and neighbors", presumably familiar with their community, who could fairly evaluate claims and needs for deferments and exemptions. If true in 1948, the concept was irrelevant twenty years later in a mobile society with citizens moving once every five years. Most boards were composed of white males, usually veterans of past military service, especially from World War II, when patriotism had been seen as more clear cut.

The board members, as unpaid volunteers, had little training in technical applications of draft laws and regulations. They relied instead upon the paid female clerks of the board to guide them in procedures. As the number of registrants selected from each board would vary, as boards tried to meet quotas based on population, so would the uniformity in application of the rules, depending on the knowledge and attitude of board members.

To aid the boards, the SSS issued a wide variety of directives: Local Board Memoranda, Operations Bulletins, State Director Advices, Memos and Letters to All State Directors, Temporary Instructions, etc., all implementing the basic Military Selective Service Act and rules published in the Code of Federal Regulations. Aside from board members having problems absorbing the sheer volume, the directives created legal difficulties by failure to be properly published for comment in advance of implementation, as required by law, and in their conflict or ignorance of emerging court decisions often adverse to Selective Service instructions to its personnel.