

Moral Waivers in Army Recruiting: It Is About Family

by

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Abstract

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America has always had an uneasy relationship with its Armed Forces. The nation expects the few in uniform to be ready and capable of winning the nation's wars, but, during times of peace it also expects reductions in the Armed Forces to reap maximum fiscal savings. Yet, throughout history, military recruiting has sought to meet demand in peace and war; this has been a perennial challenge. This paper discusses this challenge asking why, in a nation of 33.1 million youth, very few qualify for military service for reasons of education, fitness, and conduct. I show that current demographic trends promise to worsen future recruitment prospects; I then look at the opportunities and risks of moral waivers, a recruiting tool that has seen significant use in the last decade of war. Lastly, Instead of analyzing the effects of childhood education, crime, and school lunch programs on future recruiting, I adopt an alternative approach aimed at the common trend through these three childhood maladies: the adult outcomes of intact natural biological family environments on children.

Moral Waivers in Army Recruiting: It Is About Family

In 1970, President Nixon charged the Gates Commission to make the case for the All Volunteer Force (AVF). To change 194 years of military tradition, the Commission needed to transform the universally held idea that military service to the nation was an obligation of every capable citizen to the concept that military service was a right exercised by a few select individuals. By making this change, the Commission did more than build a case for an All Volunteer Force (AVF)—it changed the terms of the debate.

President Nixon's election promise to end the draft served two masters: popular sentiment against an unpopular war and, more fundamentally, economists who believed that free market economic principles can and should be more widely applied to contemporary problems. Thus, the Gates Commission reasoned that the nation could end the draft if it chose to see military service as a job choice. The services only needed to change their perspective and make their wages and benefits competitive within the marketplace. However, all the services, as well as a portion of private industry, would chase the same slice of the pie: young physically, mentally, and behaviorally capable men 18 to 24 years old.

Under this free market model, recruiting was a supply and demand market problem. Thus, pay and entitlements skyrocketed, becoming a significant portion of the defense budget. To compete in this new competitive labor market, the services had to use one of its few remaining tools: moral waivers.

The purpose of this paper is to examine the Army's use of moral waivers in recruiting. To do this, I will not conduct an analysis of moral waivers using an ethical model. Instead, I will give the larger issue context by approaching the issue from three

vantage points. First, I will frame the issue by citing difficulties facing recruiting today and the factors complicating this herculean task in the future. Second, I will look at the historical and social context in which the Army uses moral waivers. Lastly, I will look at the difficulties, opportunities, and consequences of our current moral waiver policy.

I will end this paper proposing that strong families is the common denominator behind many of our military recruiting and national readiness challenges of health, education, and morality. I will then recommend broad policy principles which focus on how the nation can bring about constructive change to strengthen this critical component of national security.

Background

With a nation of 316 million citizens, 33.1 million men and women of recruiting age,¹ why is it so hard to fill about 65,000 new pairs of Army boots each year?² With so many citizens, the Army should be able to open a few strategically placed recruiting stations and easily fill its ranks from the population. But, does the Army really want everyone who comes through the door?

Finding the right recruits to fill an army has been a universal problem throughout all military history, not just the post-draft US Army. Since the Ancient Greeks, militaries had a preference for three primary traits: prospects should be single, male, and sufficiently—but not overly—educated.³ In other words, the ideal soldier came with few attachments, was most physically capable, had a basic education, but was slightly raw or unfinished so that leaders could mold him culturally, institutionally, and morally. Even today, the US Army targets this segment for recruiting; it is called the Prime Market.⁴

Given a near doubling of recruiting population in the last fifty years, it would seem we would have no need to resort to incentives or tools such as moral waivers to aid

recruiting. However, since seven of every ten adults of recruiting age—men and women alike—are unable to meet minimal qualifications for military service,⁵ filling the ranks is a significant challenge. Specifically, of the 33.1 million Americans of recruiting age (17-24 years old), only 6.1 million are “qualified military available.”⁶ In other words, this means only 18.4 percent of recruitment age youth meet the minimum standards for service. The ineligible 81.6 percent of the youth population cannot serve without waiver for the following reasons: 13.8 million do not meet standards for medical fitness, conduct, or dependency; 6.7 million do not meet mental and education standards; and 6.6 million are overweight and/or do not meet minimum aptitude standards. Recruits in the Prime Market, or the segment the Army most desires due to education, fitness, and morality, is only 2.3 million or 7 percent of the entire 17-24 year old US population.⁷ This small fraction of the population means the Army cannot restrict its recruiting to the Prime Market alone; it must open the doors wide to meet recruiting goals.

In addition to fitness, health, education and conduct, recent research about demographic contraction is another challenge to military recruiting. In his book *Coming Apart: The State of White America, 1960-2010*, sociologist Charles Murray studies two class segments of white America against the backdrop of behaviors that build and sustain societies: marriage, industriousness, honesty, and religiosity. Murray believes that while each population segment and class may have held to these values in the 1960s, today’s lower middle to lower class segment of society has substantially declined in every one of these categories of social health.⁸

Since the Army most heavily relies on lower middle to lower societal classes as its recruiting base, Murray’s data is a cautionary tale. As a whole, the middle class

(those earning \$33,268-\$65,031 annual) provides approximately 64 percent of all recruits while the lowest earning stratum (\$0-\$33,267 annual income) provides roughly 11 percent of all Army recruits.⁹ The lower middle to lower class segments (earnings of less than \$42,040 or a portion of the middle class and all of the lower strata) accounts for nearly 29 percent of all recruits. Additionally, recent data shows the total US fertility rates, which have been below replacement level for the past four years and is now at its lowest rate since the Great Depression, will cause a shrinking of total population in the lower middle to lower class segments.¹⁰ A reduced growth rate means that, although total population will increase, that increase will slow until it hits a tipping point and quickly decrease. Furthermore, below replacement level fertility rates will lead the US to an aggregate aging of the population with a corresponding decrease in all measures of social and national power: innovation, economic prosperity, security, and foreign policy.¹¹

None of this is good news for Army recruiting. On one hand, the segments of the population on which the Army relies for one third of its total recruitment is shrinking in both size and social capital, making it potentially less available for future recruiting. Furthermore, the 18.4 percent of today's total recruitment population meeting minimal service qualifications will also face increased recruiting pressure. The Army could offset this by recruiting more from center and upper middle income strata, but this would necessarily increase incentive costs to attract those recruits.

Meeting Supply and Demand

The American public has historically had an uneasy relationship with its Army. The mistrust of a standing army is rooted in involuntary quartering of soldiers and uneasiness towards colonial military policy before the Revolutionary War. Concern over

integrating the army into public life was substantial enough that George Mason articulated such in section thirteen of the Virginia Declaration of Rights (1776), which later served as a template for The Bill of Rights.¹² Later, the Constitutional Convention (1787) deliberately divided authorities for raising, directing, and employing the Army between multiple branches of government as further insurance against potential military oppression.

This suspicion and uneasiness caused haphazard military recruiting efforts. As such, during much of its early history, the US Army had no formalized recruiting processes or methods at all. Aside from a brief attempt to build a formal process in 1822, the Army used local recruiting methods.

Local recruiting was simple and straightforward. Units needing manpower would, under the direction of their officers, fan out into local environs and appeal to patriotism, opportunity, and duty to fill their ranks. As a result, both regular and militia units were regional in name and composition.¹³ For an Army that had seen little technological change over the past century and where every soldier could serve either in combat or peel potatoes, this approach to recruiting was reasonable. Furthermore, local recruiting required virtually no overhead or preparation; local commanders went into the population and solicited volunteers with promises for adventure.¹⁴

In the post-Civil War peace however, the Army found that its homespun recruiting could not respond to the changes in military technology it was seeing in Europe. As a result, the Army formalized and centralized a new process in 1872 and, a little over thirty years later, promulgated its own recruiting standards which all the services soon

adopted in 1904. Finally, to deal with increasingly complex demands of recruiting, the Army formed the US Army Recruiting Command in 1964.¹⁵

Using volunteers to fill the ranks has been the norm in US military history. In fact, the nation only used conscription for 55 of its 236-year history. In an interesting contrast between romance and historical fact, the only time the nation used the draft to completely replace volunteer recruiting was during the latter part of World War II.¹⁶

Although the nation has an image of the entire Greatest Generation voluntarily leaving home to join in the fight between good and evil, actually of the sixteen million men under arms in World War II, 10 million were compulsory draftees.¹⁷

After World War II, the nation was ready to return to the life it left behind. Many believed the Armed Forces would never again need a draft and the services would return to an All Volunteer Force. Yet, World War II thrust America into a new position on the world stage. Although the Armed Forces shrank from sixteen million to one million men, within a few years the US remained committed worldwide and, with the exception of a small window before the Korean War, the nation continued to draft enlistees until 1973 to meet its new commitments.¹⁸

Although the draft allowed all the services to raise conscriptions very quickly, the Vietnam War exposed a political downside: it required public ownership of the political calculus of war. In other words, the draft is useful in conflict largely supported by the public, but it can be a hindrance for political decision makers in unpopular interventions. Thus, the Vietnam War draft stood as a formidable impediment between former Vice President Richard Nixon and the public that would elect him. As such, Nixon announced

he would end the draft in the run up to the 1968 election, taking many people—including the Armed Services—off guard.¹⁹

Following his inauguration in January 1969, President Nixon appointed a commission to study the All Volunteer Force. The President's Commission on An All-Volunteer Armed Force, also known as the Gates Commission, was staffed with industry, government, academia, and the military representatives. This provided a holistic approach to the problem as well as political legitimacy. The Commission also included a number of rising free market economists such as Alan Greenspan (later Chairman of the Federal Reserve from 1987-2006).

In its recommendation to end the draft, the Commission understood that the Armed Services had to provide approaches and incentives in this new free market equation. The Army had to do things it had never done before: marketing, offering better housing and amenities, and increasing pay.²⁰ Moreover, subject to free market forces, the Army would now be at the mercy of fluctuating employment in the civilian sector all while desperately trying to reach the most perplexing and vacillating market segment—the youth.²¹

The Moral Waiver

After nearly 30 years of an All Volunteer Force, the services have retained two tools for filling the ranks during times of high demand and/or low supply: the Selective Service Act and Moral Waivers. The Selective Service Act (SSA) gives the President, in consultation with Congress, the framework to quickly expand the Armed Forces in times of existential need. The Act remains an interesting doomsday device with language clearly running counter to the theory behind the AVF; it reverts to the language of obligations and duty, and it is limited to males only:

The Congress further declares that in a free society the obligations and privileges of serving in the armed forces and the reserve components thereof should be shared generally, in accordance with a system of selection which is fair and just, and which is consistent with the maintenance of an effective national economy...except as otherwise provided in this title it shall be the duty of every male citizen of the United States, and every other male person residing in the United States to present himself for and submit to registration ...as shall be determined by proclamation of the President....²²

To be sure, the SSA is a law which brings tremendous capability in times of crisis. However, with only 6.1 million youth today able to meet military standards of education, fitness, and behavior, we could not build the same size military of 16 million men today that we did in World War II, even with the SSA.

Moral waivers are the military's other recruiting tool during times of need. Moral waivers are exceptions to regulations that otherwise exclude from enlistment those not meeting legal standards and moral societal norms. This exclusion is predicated on the understanding that the military service has an obligation to protect itself from potential future problems, infractions, security risks, and overall disruption to morale, discipline, and cohesion of military units caused by these unacceptable behaviors.²³

Moral waivers have long been a historical practice in the Army. In the Civil War, released prisoners substituted for draftees as an alternative to unemployment and hunger.²⁴ More recently during the Vietnam War, the Army employed an exemption process, waiving rules against recruiting soldiers with criminal records.²⁵

By law, all Armed Services can use moral waivers at any time. Title X United States Code Section 504 gives the Department of Defense (DoD) this authority. After enumerating behaviors antithetical to military service such as insanity, intoxication, desertion, and felony convictions, Title X United States Code Section 504 grants

Service Secretaries authority to enlist deserters and convicted felons in exceptional circumstances where “enlistment is vital to the national interest.”²⁶

Title X United States Code Section 504 allows DoD to further restrict moral waivers and develop internal implementation policy for the services. In general terms, DoD restricts enlistment of those under “judicial restraint,” such as bond, probation, imprisonment, and/or parole; those with “significant criminal records,” and those previously separated under other than honorable conditions or for the good of the service. The DoD policy also contains a more nebulous denial of enlistment to those with “antisocial behavior” or further characteristics making them unfit for service with others.²⁷ Homosexuality was a subcategory of antisocial behavior before the September, 2011 repeal of Do Not Ask, Do Not Tell.²⁸

Specific behavior excluded under subsequent policy include the following criminal or behavioral activity: all felonies, such as murder and grand larceny; misdemeanors, such as assault and larceny, destruction of public property; minor non-traffic and traffic offenses such as disorderly conduct, driving with a revoked licenses, or driving without a license; and drug and alcohol abuse before induction.²⁹

Federal law sets a moral floor and DoD sets broad policy; this allows each military service to retain some latitude to determine unacceptable behavior. A February 1999 Government Accountability Office report underscores this difference. For instance, the US Army will waive up to four non-minor (serious) misdemeanors such as assault and petty larceny while the US Navy will only waive up to two offenses. Similarly, the US Marine Corps will waive up to nine minor non-traffic offenses while its parent US Navy will waive up to five.³⁰

All military services consistently rely on moral waivers for recruiting, but the numbers vary widely from year to year. For example, in the years with relatively few deployments, from 1990 to 1997, the services granted a total of 192,000 moral waivers, or 12.8 percent of the total recruited population.³¹ In contrast, the most recent data shows that despite fighting two conflicts in Afghanistan and Iraq, the Army issued moral waivers to 10 percent of recruits in 2006, but that number increased to 30 percent of all Army enlistments in 2007.³²

Considerations and Difficulties of Moral Waivers

Many hold to a belief that, given sufficient time and motivation, the Army can train any recruit.³³ Yet, the Army questioned this idea nearly a century ago and made a number of findings. The Army first measured mental aptitude of its recruits in 1917, a key year of historical transition. Three factors prompted mental testing: a desire to measure and quantify all things (scientism), record immigration, and the eugenics movement. This is a dark period in American history where many asked whether Blacks, Italians, Germans, Catholics, atheists and eastern Europeans could be good citizens and serve the nation. The pseudo science of eugenics provided an all too easy excuse for those who sought to separate the fit from the unfit.³⁴ The Army seized on these new studies of mental categorization to screen for military service, adopting a version of the new Intelligence Quotient (IQ) test as its screening instrument.³⁵

Standardized testing of military recruits underwent four evolutions since 1917. Today's Armed Forces Vocational Aptitude Battery (ASVAB) is an outgrowth of the Armed Forces Qualification Test (AFQT), a test for separating potential recruits into five categories, Category I being the most mentally capable and Category V the least

capable. Of these categories, potential recruits must score in Category I to III, although some waivers are given for Category IV.³⁶

The Army voluntarily refuses all Category V and most Category VI applicants from military service. However, during the Vietnam War the Johnson Administration requested the Army increase low end Category IV recruits under the Project 100,000 program. Project 100,000 was Secretary of Defense Robert McNamara's answer to President Johnson's Great Society. It called for enlisting young men who would ordinarily have few opportunities, training them, and returning these soldiers to America as productive members of society.³⁷

Under every program designed to screen for minimum recruiting thresholds, the Army found that, despite limited successful outliers, most Category IV recruits required longer training, more oversight and greater reinforcement to achieve even partial parity with Categories I-III. More importantly, Category IV Project 100,000 soldiers were killed and wounded at higher rates than any other combat soldiers.³⁸ Additionally, those such as military analyst Eliot Cohen argued Category IV recruits put entire units at risk: "Those who assure us that stupid soldiers can make good infantrymen should ask themselves whether, if they had to go on a patrol behind enemy lines, knowing that a lapse in alertness, willing cooperation, or initiative could lead to death in a sudden ambush, they would prefer stupid to bright comrades. The dull-witted soldier does not simply get himself killed—he causes the death of others as well."³⁹ Congress later prohibited mental category quotas, thereby ending Project 100,000.⁴⁰

A 2007 Army G-1 study of recruits between 2003 and 2006 arrives at a similar conclusion about soldier performance under moral waivers: those entering military

service under moral waivers face more problems during their initial enlistment terms. Specifically, the study of those recruited under moral waivers found they had higher rates of non-judicial punishment and courts martial, greater alcohol rehabilitation failures, higher desertion rates, and higher bad conduct or dishonorable discharges. However, the study also showed that soldiers with moral waivers tended to have higher rates of retention and reenlistment, were promoted faster, and received more valor awards. Additionally, this group also had higher ratios of high school graduates, lower numbers of Category IV recruits, and lower rates of dismissal for personality disorders, unsatisfactory performance, or entry-level performance.⁴¹ In sum, similar to soldiers recruited under Category IV aptitude waivers, soldiers entering the Army under moral waivers face significant performance hurdles; however, those hurdles may be short-lived as eventual conformance to military society can prompt success.

Informed leadership could help develop their soldiers recruited under moral waivers. The Army has long held that leaders can teach, coach, and mentor their soldiers best when they understand each soldier's particular challenges, family situation, and tendencies. Unfortunately, well-intentioned policies designed to protect the privacy of soldiers recruited under moral waivers also prevent leaders from knowing who in their formations have criminal backgrounds and why. In fact, former battalion commanders have expressed significant frustration over the consequence of this policy on their ability to effectively lead.⁴² Admittedly, these leaders felt that when facing military discipline, these soldiers willingly volunteered the circumstances surrounding their moral waivers; few, if any, were deceptive and attempted to hide their past. Yet, had they known about these circumstances in advance, these leaders felt they would

have been able to help their soldiers before they got into trouble. For example, leaders felt they could have assigned these soldiers more seasoned mentors or maintained a closer watch over their behavior. In short, had these former battalion commanders known about the full circumstances of their soldiers recruited under moral waivers, unit leadership would have been better equipped to handle discipline cases associated with these soldiers.

Soldiers enlisting under moral waivers can be successful provided they receive additional attention to keep them on track. However, despite the best efforts of engaged leadership, enlistees entering service on moral waivers for criminal conduct may be predisposed to suicide. Virtually every study of suicide clearly shows that those with criminal records have higher suicide rates. Highlighting this finding is a noted 2011 study on young adult suicide which examined the connection between suicide and criminal convictions of nearly one million youth. The study shows that men with one conviction were 200 percent more likely to attempt suicide than those without any conviction. This number peaks to a 660 percent greater likelihood of young adulthood suicide for those with five or more convictions.⁴³ While most soldiers under moral waivers are allowed only one or two previous convictions, the causal connection is clear. Faced with record suicides, it is surprising that the Army has not seen this connection or other potential connections between criminal convictions and sexual assault.

Despite this correlation between previous criminal offenses and self-destructive behavior, there is no way to determine the magnitude of impact to discipline and military readiness. This is puzzling since the Surgeon General of the Army launched no less

than seven Mental Health Advisory Teams to specifically examine behavioral health issues stemming from record suicide and Post Traumatic Stress Disorder (PTSD) rates in the Army. None of these Mental Health Advisory Teams attempts any correlation between destructive behavior such as suicide and potential causes precipitated by moral waivers or preconditions documented in studies of at risk populations.

One major study of at risk populations is the Adverse Childhood Experiences (ACE) Study. The ACE Study is an ongoing research project between the Centers for Disease Control and Prevention and Kaiser Permanente. The study began in the 1990s as an analysis of adverse childhood experiences on adult outcomes. The study tracks the adult situations of 17,000 patients as a function of their childhood trauma.

Researchers classified these traumas into ten measures of child experiences such as incidents of adult violence to the child, sexual assault of the child, lack of adult encouragement and physical care of the child, separation or divorce, witness to spousal abuse, substance abuse, witness to suicide, or imprisonment. Study participants received what is known as an ACE Score, a measure of their childhood trauma. Each “yes” to any one of these ten childhood experiences added an additional point to the individual’s ACE score for a maximum of ten points. For instance, “yes” to the question “Did a parent or other adult in the household often or very often swear at you, insult you, put you down, or humiliate you?” yielded an ACE Score of one. While questions differ in severity, it takes few affirmative responses to increase the ACE Score.⁴⁴

The connection between childhood trauma and adult outcomes shown in the ACE Study are startling. For instance, individuals with an ACE Score of four are seven times more likely to be an alcoholic than those with a score of zero. Moreover,

individuals with an ACE score above six were thirty times—3000 percent—more likely to attempt suicide.⁴⁵ From their criminal records alone, soldiers recruited under moral waivers may have already demonstrated first signs or evidence of previous childhood trauma. Likewise, we can also conjecture that, while these individuals might not recidivate, they may be more susceptible to additional future self-destructive behaviors as indicated by the ACE Study.

Public Perceptions of Moral Waivers

The American public is ambivalent about the services waiving moral requirements to meet recruiting needs. Increased public concern tracked the Army's 65 percent increase in issuing moral waivers in 2006 and 200 percent increase in 2007 over 2003 numbers.⁴⁶ However, it was the press who sounded the alarm about waiver increases; there was no sympathetic echo across the nation.

Public silence about moral waivers over the past few decades is telling. Superficial questioning about moral waivers and no corresponding public debate is a shift from years past: As a nation we may be no longer concerned with whom our sons and daughters serve. In 1994, DoD Directive 1304.26 (Qualification Standards for Enlistment, Appointment, and Induction), the chief policy document for DoD-wide recruitment standards, clearly articulated this connection between the nation and the military and between parents and their serving sons and daughters:

The Military Services also have a responsibility to parents who expect that their sons and daughters will not be placed into close association with persons who have committed serious offenses or whose records show ingrained delinquency behavior patterns. The Military Services are responsible for the defense of the nation and should not be viewed as a source of rehabilitation for those who have not subscribed to the legal and moral standards of society at large.⁴⁷

There are several possible reasons why the DoD specifically detailed this obligation. On one hand, it may have truly felt an obligation towards parents. On the other hand, the DoD may have felt it needed to reassure parents, especially mothers. This is reasonable since recruiting studies consistently show maternal willingness as a significant factor in encouraging (or discouraging) youth from Army service.⁴⁸

In contrast, the 2005 revision of this same policy does not mention responsibility to parents, nor does it make the distinction between right and wrong or causal connection between past behaviors and susceptibility to future problems. Instead, it takes a position that sufficient moral character minimizes problems.⁴⁹ By removing an obligation to parents, striking such terms as criminality and delinquency, and replacing with the generalized term of moral character, the new policy gave the services greater latitude and top cover to use moral waivers. Notably, by not casting judgment between right or wrong moral behavior, very little policy was physically changed to allow repeal of Do Not Ask, Do Not Tell in September 2011.

Do Not Ask, Do Not Tell repeal notwithstanding, public silence about these creeping changes—changes that occurred during politically and socially conservative administrations—reveals three realities. First, aside from crescendo events such as at the start of a war or during sweeping social change such as women in combat, this silence underscores a knowledge gap between those wearing a military uniform and the nation they serve. Second, public silence may show more than a greater disassociation from military service: it might show that the public doesn't care that the services use moral waivers. In other words, public silence may reflect an increasingly utilitarian public philosophy where the ends do justify the means. Third, silence may mean that, despite

political rhetoric and policy to the contrary, the public expects the services to be a “source of rehabilitation”⁵⁰ for some. A nation distanced from its military is not vested in the practical outcomes of using moral waivers in recruiting; it will be uninterested in any true analysis.

Utilizing military service as an engine for opportunity is not new. This was clearly the thinking of Secretary of Defense Robert McNamara’s Project 100,000. The plan called for “salvaging” legions of young men from “poverty encrusted backgrounds” for military service and “later for productive roles in society.”⁵¹ For criminals, the cycle is similar: a criminal record makes for poor job resumes. Military service may serve as a cure for the youthful indiscretions of a recruit; it could also grant the recruit the definitive ways and means to rebuild his future. While Project 100,000 failed because of the risks posed by Category IV participants, those entering military service under moral waivers generally do not have Category IV waivers. However, assessing risks of moral waivers is problematic: where Project 100,000 overseers had sufficient data to evaluate the program, risk data for moral waivers is not available.

Supply: The Real Problem

From the beginning of this paper, I have maintained that since the Gates Commission, society has looked at manning the ranks of the American Army as a function of supply and demand. We have consistently looked at the primary problem with supply: the struggle to attract a comparatively small portion of the population to military service. Yet, won’t Congress and the Army self correct this problem in the near-term when it reduces demand from 552,000 Active Component soldiers in 2012 to 490,000 in 2017?⁵² After all, this would allow the Army to be more selective in whom it brings into active service, therefore reducing recruitment of at-risk populations such as

those requiring moral waivers. Unfortunately, this easy answer fails to address both the significant majority of the youth population unqualified to serve in any capacity as well as the dwindling segment that can. Even if we reduced demand by lowering end strength or tweaking entry standards, the hurdles to entry for today's youth are so tall that they are, in effect, insurmountable. Put another way, with key studies indicated that 81.6 percent of the youth population are unfit to serve today, that 81.6 percent would still be insufficiently educated, fit, or crime-free to serve ever, draft or volunteer. The problem we face is not whether we use moral waivers in recruiting; the problem is limited supply of capable youth.

In the context of an abysmal shortage of youth that are able to meet minimal and optimal military standards, some 5.8 million and 2.3 million youth respectively, demographers and sociologists such as Murray continue to show that the primary segment from which the military services receive recruits is rapidly shrinking in both size and capability to serve due to local demographic decline and class fragmentation. Furthermore, this local demographic decline is within the context of slowing national population.

Some organizations also see this segment of youth who are unable to serve as a threat to national security. Organizations such as Mission: Readiness, an organization of retired senior military and civilian leaders, sees the solution to this problem in better education, nutrition, and fitness.⁵³ Naturally, this strategy aligns with the three primary discriminators to military service.

While I agree with the three underlying reasons for ineligibility for military service, groups such as Mission: Readiness miss one of the most essential root causes to the

problem. I propose there is a common thread running through any youth readiness strategy: that the intact family with both biological parents is the greatest counterbalance against negative childhood experiences and their outcomes, and thus the cornerstone for a strong society.

The connection between adult outcomes of children raised in strong intact families is a consistent research finding. For example, strengthening children within the context of the intact family is a cornerstone theme for Nobel laureate and economist Dr. James Heckman of the University of Chicago.⁵⁴ Heckman posits that it is the family context which is essential to build the requisite cognitive and non-cognitive skills needed for all successful adults. Moreover, parents, in the act of passing simple moral lessons to their very young children, are the vital and essential catalyst leading to successful adults. Heckman states “We can see how the structure of the brain are effected by parental intervention...it is direct investment in the child” and is a “good social investment” not contingent of access to government resources. According to Heckman, the body of evidence suggesting the key role of parents and healthy families is significant and continues to grow.⁵⁵

While the research of Dr. Heckman necessarily shows the positive effect of stable families of any type on adult outcomes of children in general terms, research from firms such as The Marriage and Religion Research Institute focus on the more specific impacts of intact biological families and religious practice on young adult and adult outcomes. The institute studies the connections between marriage and religious practice as well as digests extant research to make it widely understandable to broader audiences.

The Marriage and Religion Research Institute and other organizations consistently find that the intact biological married family is the best guarantee of physical, mental, and social health of children, young adults, and adults. Specifically, in a literature review of 169 sources, researchers found that children from intact biological husband-wife marriages provided significant protection from the risks to individuals, communities, and society at large. For instance, in education, children of married parents are more engaged in school than children from all other family structures, have higher cognitive scores and more self control, are more likely to earn mostly As in school, and have the highest combined English and math grade point averages. In terms of health, children in these families are less likely to commit suicide, are more likely to consider themselves “very happy” than those raised in non-intact families, are less likely to be depressed than those in stepfamilies or single-parent families (with or without other adults present), are less likely to begin smoking than those with never-married or divorced single parents, and are less likely to be diagnosed with asthma. Lastly, children from these families have fewer behavioral problems in school, are less likely to be suspended, expelled, delinquent, or experience school problems than children from other family structures, have a decreased likelihood of becoming a criminal, or commit acts of property destruction, theft, conduct violent acts, or fight.⁵⁶

In light of good results on adult outcomes of children raised in stable families and even better results of children raised in stable biological families, recent research cautions against equating all families structures, heterosexual or same sex, as equivalent. Newer studies such the New Family Structures Study by University of Texas sociologist Mark Regnerus are showing that the adult outcomes of children of same sex

parents are not equivalent to adult outcomes of heterosexual parentage, regardless of stability. In fact, Regnerus finds that the adult outcomes of children raised by stable, heterosexual biological parents fare better in nearly every category than those from any other family structure, heterosexual or same sex.⁵⁷

I must make two qualifying statements regarding more recent family studies. First, I stress the potential validity of newer studies. I do not make this distinction arguing that newer studies are necessarily better or more accurate; I make this distinction because a more recent study has the potential to more fully track adult outcomes of alternative family situations. Specifically, it is impossible to assess the adult outcomes of a child from a same sex family until he or she has reached adulthood. In other words, it takes one generation or more to see the true effects of a social change. Secondly, I need to highlight considerable shortcomings of competing studies. While it is true competing studies tend to portray positive adult outcomes for children of same sex couples, most of these studies have not withstood academic rigor: they are plagued with shortfalls stemming from small sample size and respondent self-selection.⁵⁸ Although many of these studies have been discredited, their questionable conclusions remain in the public memory.

Recommendations

Using public data and studies, I have shown that the Army faces a significant challenge to recruit qualified men and women to serve in the 21st Century and beyond. I have also shown the connection between intact biological family structure and its effect on adult outcomes. Notably, these positive effects serve as a counterweight to the educational, health, and moral factors which prevent 81.6 percent of the youth

population from military service. A framework to best mitigate threats to otherwise strong, intact families is the purpose of these recommendations.

If the nation were willing to put the full weight of its capabilities behind this problem, we would still face two significant challenges. First, we suffer from a confusion of terms. In the public debate over alternative families and relationships, debaters cast the terms of the argument in a language of discrimination. To be clear in our public discussion, we need to understand differences in degree versus kind. Our public debate is currently unable to make this differentiation. For instance, we know from empirical observation, anthropology, and study that the intact, stable biological family best strengthens children against health, crime, and educational risks. Yet, many cast the public debate solely in attempts to define all family structures as equal in every facet—they are not. This impasse leads to an inability to discriminate between the family circumstance, as unfortunate as those may be, and the outcomes. While it is true that there are exceptions to understanding—not every intact, biological family with a mother and father is healthy in all aspects—such exceptions do not make the rule. Thus, while it is unjust to treat like things differently, it is not wrong or discriminatory to treat unlike things differently. Until we come to this understanding, we will not be able to frame the problem.

The second challenge to strengthening intact families lies in competing philosophies of the role of government and the amount of intervention. As military service, we want that Grand Strategy; we want a whole of government approach where every ounce of our energy contributes to solving the problem. As admirable as that is, restraint is needed; it requires thorough analysis of the data, but not necessarily more

programs. Further complicating this challenge is time. Given that societal change does not occur quickly in any direction, the project of strengthening families and communities is on a time horizon which runs counter to short budget and election cycles. In essence, we need a Marshall Plan, not a Manhattan Project.⁵⁹

It is not my intention to recommend specific programs or tax structures to strengthen families for the good of the nation. Instead, I propose very broad strategic approaches. All of these are designed to give families opportunities and space so they can best function and thrive.

The first policy principle is non-maleficence or to do no harm. This is the universal principle cutting across culture and religion “without which all law and legal systems lose their intelligibility and legitimacy.”⁶⁰ This principle presupposes an understanding that some rights or conditions are more basic and essential than others and, when in conflict, society should prefer the more fundamental right. In other words, life is a necessary condition to liberty; liberty is precondition to happiness or property.⁶¹

From the perspective of the natural, intact family, our fiscal policies are not morally neutral: they are harmful. For instance, our tax policies levy higher taxes on married couples compared with the same unmarried, cohabitating couple with similar earnings. While it is true that marriage tax penalties have come and gone, the full financial impact of other policies creates a de facto penalty. Notably, the Patient Protection and Affordable Care Act created such a penalty when, in 2014, married couples will receive \$1,500 to \$10,000 less annual health care premium support than their cohabitating counterparts with equivalent combined income.⁶²

The second policy principle is to strengthen capacity of families to reconcile problems internally. As of 2010, no-fault divorce became available in every state. This allows divorce in all circumstances with parties not required to show cause. In most cases, divorcees report stress, turmoil, and extreme difficulty coping. Furthermore, if children are affected, they are likely to show an increase in academic and behavior problems on one end of the spectrum,⁶³ and, in the best case, add two additional points to the cumulative ACE test results.⁶⁴ More so, research shows more than one-third of divorced men and one-fifth of divorced women regretted their decision to divorce.⁶⁵ For certain, there are many valid reasons for separation, but, based on the essential nature of the family and the good it provides to society, divorce braking mechanisms such as cool-off periods and counseling could go a long way to curbing the unfortunate effects of divorce on families and children.⁶⁶

The third policy principle is to message the good marriage does for society. Our national messaging against smoking has been largely successful. From billboards to TV spots to lessons in public schools, that smoking is bad for you is part of a national understanding. This did not occur because of a simple marketing plan; this was developed from consistent hard evidence about the personal and societal dangers and costs associated with what is a private decision. There are existing campaigns such as those from The Foundation for a Better Life telling children to stay in school, keep off drugs, stay fit, and respect one another. Public service announcements could tackle the fundamental message that all societies—and especially the family as the primary building block of society—must resolve their differences: Families must connect, reconcile, and support one another. Like smoking, we have hard evidence about what

the presence—and absence—of intact families does for or against society; our messaging needs to catch up so that the value of families is part of the national lexicon.⁶⁷

Conclusion

When the US Army transitioned from the draft to the All Volunteer Army in 1973, it did so under great uncertainty. After forty years, the All Volunteer Army has grown in capability and international prestige. It is for this reason that countries around the world strive to emulate the professionalism and competency of this preeminent land force.

Building an All Volunteer Army has proven costly. The Army spends a large portion of its annual budget in pay compensation and entitlements each year, a fact unheard of during the draft. Not only is the Army of today difficult to financially sustain, it is becoming tricky to staff. Today, 81.6 percent of the youth population is unfit to serve in the Army due to substandard education, fitness, or behavior—a problem worsening due to class breakdown and demographic decline.

To solve this supply problem, the Army has turned to moral waivers to allow those with otherwise unacceptable backgrounds to enlist. The Army's use of moral waivers has waxed and waned over the years. Some perform well having been given a second chance by the Army, but many do not. In fact, evidence suggests that those recruited under moral waivers may have significantly increased odds at suicide and behavior disruptive to military life.

Other ways of addressing this supply problem include raising education standards and fitness levels of our youth. While these are worthy causes, more compelling evidence shows the role of the family in child development which leads to

adult outcomes is the thread which weaves through the three primary discriminators from military service.

Research has shown that the stability of the family is the primary ingredient to healthy, well-educated, and well-adjusted youth. More importantly, this childhood environment leads to optimal adult outcomes. I have shown the connection that stable biological mother/father parents are an even better guarantee for healthy, well-educated, and well-adjusted youth.

Strengthening family structure is an issue of national security, for without physically, mentally, and morally capable young adults, we will be unable to face an existential threat. Strengthening family structure is also an issue of moral leadership: It is our moral leadership that prompts us to right many wrongs and, guided by eternal values grounded in natural law, tackle many seemingly impossible tasks.⁶⁸

Endnotes

¹ Population Estimates, US Census Bureau, <http://www.census.gov/popest/data/historical/index.html> (accessed December 5, 2012).

² US Army Recruiting Command Monthly Talking Points with data from *Woods & Pool 2012 Population Estimates, Lewin Group 2007 Study (US Army Accessions Command G2/9, January 31, 2012)*, 1, http://www.usarec.army.mil/support/downloads/January_percent202012_percent20talking_percent20points.pdf (accessed 3 November 2012).

³ Beth Bailey, *America's Army: Making the All-Volunteer Force* (Cambridge, MA: Belknap Press of Harvard University Press, 2009), 61.

⁴ US Army Recruiting Command Monthly Talking Points with data from *Woods & Pool 2012 Population Estimates, Lewin Group 2007 Study (US Army Accessions Command G2/9, January 31, 2012)*, 5, http://www.usarec.army.mil/support/downloads/January_percent202012_percent20talking_percent20points.pdf (accessed 3 November 2012).

⁵ Bailey, *America's Army*, 253.

⁶ US Army Recruiting Command Monthly Talking Points with data from *Woods & Pool 2012 Population Estimates, Lewin Group 2007 Study (US Army Accessions Command G2/9, January 31, 2012)*, 6, http://www.usarec.army.mil/support/downloads/January_percent202012_percent20talking_percent20points.pdf (accessed 3 November 2012). Note: increase in

prescription antidepressants such as Ritalin to combat ADHD also reduces the available pool of potential recruits. Prospective recruits must certify they are free from anti-depressants for at least one year before they are eligible for Army service.

⁷ Ibid.

⁸ Charles Murray, *Coming Apart: The State of White America, 1960-2010* (New York: Crown Publishing, 2012), Locations 4385-4386, Kindle e-book. Note: although Murray used data on white America because it was more accessible, his trend analysis correlates consistently across all races (white, black, Hispanic, and Asian).

⁹ Shanea J. Watkins, Ph.D., and James Sherk, *Who Serves in the U.S. Military? Demographic Characteristics of Enlisted Troops and Officers*, (Washington, DC: The Heritage Foundation Center for Data Analysis), August 21, 2008, <http://www.heritage.org/research/reports/2008/08/who-serves-in-the-us-military-the-demographics-of-enlisted-troops-and-officers> (Accessed December 5, 2012). Note: this discussion considers enlisted recruitment as a conversation distinctly separate from officer recruitment. Where officers are generally self-selecting by academy or program, the enlisted force is recruited under completely different conditions and assumptions about American life.

¹⁰ Composite Total Fertility Rates taken from index Mundi, "Historical Data Graphs per Year, Demographics: Total Fertility Rate, United States," <http://www.indexmundi.com/g/g.aspx?c=us&v=31> (accessed November 23, 2012) and CIA World Fact Book, "North America: United States: People: Society: Total Fertility Rate," <https://www.cia.gov/library/publications/the-world-factbook/geos/us.html> (accessed November 23, 2012) and Bonnie Kavoussi, "Birth Rate Plunges, Projected to Reach Lowest in Decades," July 27, 2012, http://www.huffingtonpost.com/2012/07/26/birth-rate-economy_n_1705744.html (accessed November 23, 2012).

¹¹ Jonathan Last, "America's Baby Bust," *Wall Street Journal*, February 2, 2013, <http://online.wsj.com/article/SB10001424127887323375204578270053387770718.html> (accessed February 6, 2013). Note: Japan attributes loss of one million citizens since 2008 to population decline. While the US has other factors such as immigration to buoy our situation, this is showing itself to slow, not halt or reverse, decline.

¹² The Virginia Declaration of Rights, Section 13, http://www.constitution.org/bcp/virg_dor.htm (accessed January 26, 2013).

¹³ Bailey, *America's Army*, 184.

¹⁴ Donald Vandergriff, *Manning the Future Legions of the United States* (Westport, Conn.: Praeger Security International, 2008), 53-54.

¹⁵ Bailey, *America's Army*, 183-184.

¹⁶ Jeffrey D. McClain, Army Recruiting Challenges in the 21st Century Strategy Research Project (Carlisle Barracks, PA: U.S. Army War College, March 15, 2008), 2.

¹⁷ Bailey, *America's Army*, 10.

¹⁸ George Flynn, *The Draft, 1940-1973* (Lawrence: University of Kansas Press, 1993), 97.

¹⁹ Bailey, *America's Army*, 21.

²⁰ *Ibid.*, 22.

²¹ Note: one may ask if, since the US public is no longer vested in what our services do abroad (less than 1 percent serving), does this deincevize public debate on national security issues?

²² *The Military Selective Service Act*, 50 U.S.C. Sec. 451c (As Amended Through July 9, 2003).

²³ DoDD 1304.26 (Sep 2011), 8.

²⁴ John W. Delehant, "A Judicial Revisitation Finds *Kneedler v. Lane* Not So 'Amazing,'" *ABA Journal* 53 (December 1967), 1132.

²⁵ *United States of America v. Jon Mike Adams*, No. 71-2206, United States Court of Appeals, Ninth Circuit, March 15, 1972.

²⁶ Title X, United States Code Section 504, as amended in 2006, <http://uscodebeta.house.gov/> (accessed October 23, 2012).

²⁷ United States Department of Defense, *Qualification Standards for Enlistment, Appointment, and Induction*, Instruction Number 1304.26 (Washington, DC: U.S. Department of the Defense, September 20, 2005 Incorporating Change 2, September 20, 2011), 9.

²⁸ Note: The term "moral waivers" is ambiguous in our current vocabulary. Formerly, all behavior, be it youthful criminal infraction or homosexuality, were classified as moral exclusions. This was tacit acknowledgement that all decisions have a moral dimension, a point held since St Thomas Aquinas, but it did not is not say all moral decisions held the same weight. Instructively, on the repeal of "Do Not Ask, Do Not Tell," legislation neutralized the morality of homosexuality.

²⁹ U.S. Government Accountability Office, *Military Recruiting: New Initiatives Could Improve Criminal History Screening* (Washington, DC: U.S. Government Accountability Office, February 1999), 3. Note: each service has dealt with the issues of substance abuse differently; during this 1999 Government Accountability Office review of criminal screening, body found that all services except the US Army granted waivers for substance abuse occurring before recruitment.

³⁰ *Ibid.*, 1.

³¹ *Ibid.*

³² "Moral Waivers and the Military," *New York Times*, February 20, 2007; Elana Schor, "US Army Increases Use of Moral Waivers to Meet Demand for Troops," *The Guardian*, April 21 2008; and Lolita Baldor, "Army More Selective on Recruits, Re-enlistments," *The Associated Press*, May 23, 2012.

³³ Bailey, *America's Army*, 107.

³⁴ Note: The eugenics movement in the United States led to a number of moral failings. Of note, over 60,000 US citizens of all races and ethnic backgrounds were sterilized between 1907 and mid-1970s to prevent proliferation of "unfitness." See "Eugenics in Virginia," Claude Moore Health Sciences Library, 2004, <http://www.hsl.virginia.edu/historical/eugenics/4-influence.cfm> (accessed January 29, 2013).

³⁵ Bailey, *America's Army*, 90.

³⁶ *Ibid.*, 90-92.

³⁷ *Ibid.*, 94-95

³⁸ *Ibid.*

³⁹ Eliot A. Cohen, "Why We Need the Draft," *Commentary*, April 1982, 35 cited in *America's Army*, 107.

⁴⁰ Bailey, *America's Army*, 94-95. Note: Some, like former New York State Representative Charles Rangel, argue that the "only opportunity" unfairly slants military service towards minorities and low-income societal segments. Rep. Rangel's insistence on returning to the draft does not meet with the reality that, after nearly 30 years of an All Volunteer Force, the Services have tended to receive a majority of its recruits from the middle class. In fact, most youth from the poorest segments of American society do not meet minimum recruiting standards. (Bailey, *America's Army*, 258).

⁴¹ Michelle Tan, "Study: Waiver Troops OK, But Need Discipline," *Army Times*, May 10, 2008, http://www.armytimes.com/news/2008/05/army_waivers_051008w/ (accessed September 28, 2012).

⁴² Note: impressions of moral waiver policy impacts on Army units are anecdotal. I documented these impressions from conversation with several battalion peer former battalion commanders.

⁴³ "Teen suicide risk linked to criminal record," *Contemporary Pediatrics*, November 3, 2011, <http://www.modernmedicine.com/modernmedicine/article/articleDetail.jsp?id=747338> (accessed November 26, 2012). Note: Study consisted of nearly 1 million participants born between 1972 and 1981 from the age of 20 until December 2006, when they were aged between 25 and 34 years.

⁴⁴ See <http://acestudy.org/home> for more information on the ACE Study (accessed December 3, 2012). Note: the following shows how readily ACE scores increase: A parent may have often put you down (one point), pushed or grabbed you (one point), failed to make you feel important or special (one point), was often too drunk or high to take care of you (one point), was separated or divorced (one point), or you lived with someone who abused alcohol or drugs (one point) or was depressed or mentally ill (one point). It is also important to note that many of these many of these situations can be found among military peers, their soldiers, and throughout greater society.

⁴⁵ David Brooks, "The Psych Approach," *The New York Times*, September 27, 2012.

⁴⁶ Lolita Baldor, "Army More Selective on Recruits, Re-enlistments," *The Associated Press*, May 23, 2012.

⁴⁷ DoDD 1304.26 (1994), 8.

⁴⁸ Buddin, Richard J. *Success of First Term-Term Soldiers: The Effects of Recruiting Practices and Recruit Characteristics*, (Santa Monica, CA: RAND, 2005), 115 and M. Rebecca Kilburn and Jacob A. Klerman, *Enlistment Decisions in the 1990s: Evidence from Individual-Level Data*, (Santa Monica, CA: RAND, 1999), 45-58. Note: maternal willingness is on par with financial and educational opportunities of military service.

⁴⁹ DoDD 1304.26 (2005), 8.

⁵⁰ Ibid.

⁵¹ Bailey, *America's Army*, 94-95.

⁵² Office of the Under Secretary of Defense (Comptroller)/ Chief Financial Officer, Fiscal Year 2013 Budget Request Overview, (Washington, DC: United States Department of Defense, February 2012), pg 4-13, http://comptroller.defense.gov/defbudget/fy2013/FY2013_Budget_Request_Overview_Book.pdf (accessed December 13, 2012).

⁵³ Mission: Readiness Military Leaders for Kids, <http://www.missionreadiness.org/about-us/> (accessed February 6, 2013).

⁵⁴ Note: for clarification, Heckman speaks of family in the generic sense; he does not delineate between families with children from both biological families, adopted children, etc.

⁵⁵ Dr. James Heckman, "How Family Matters," streaming video, from 0:43, <http://www.heckmanequation.org/content/resource/family-matters#.URLQvkDFsjl.gmail> (accessed October 20, 2012).

⁵⁶ Pat Fagan, Anne Dougherty, and Miriam McElvain, *162 Reasons to Marry* (Washington, DC: The Marriage and Religion Institute), February 8, 2012, <http://www.frc.org/marriewebsite/162-reasons-to-marry> (accessed February 6, 2012).

⁵⁷ Mark Regnerus, How different are the adult children of parents who have same-sex relationships? Findings from the New Family Structures Study, *Social Science Research*, Volume 41, Issue 4, July 2012, Pages 752-770, <http://www.sciencedirect.com/science/article/pii/S0049089X12000610> (Accessed February 11, 2013).

⁵⁸ Loren Marks, Same-sex parenting and children's outcomes: A closer examination of the American psychological association's brief on lesbian and gay parenting, *Social Science Research*, Volume 41, Issue 4, July 2012, Pages 735-751, <http://www.sciencedirect.com/science/article/pii/S0049089X12000580> (accessed February 11, 2013).

⁵⁹ Charles A. Donovan, *A Marshall Plan for Marriage: Rebuilding Our Shattered Homes* (Washington, DC: The Heritage Foundation, June 7, 2011), 2.

⁶⁰ Robert Spitzer, *Ten Universal Principles* (San Francisco: Ignatius Press, 2011), 20-21, Kindle e-book.

⁶¹ Note: While the principle of non-maleficence reaches back to Plato and the neo-Platonists, fundamentality of rights goes back to the philosophy of Fr. Francisco Suarez, John Locke, and Thomas Jefferson.

⁶² *A Marshall Plan for Marriage*, 6.

⁶³ Kristin Anderson Moore, Ph.D., Susan M. Jekielek, M.A., and Carol Emig, M.P.P., *Marriage from a Child's Perspective: How Does Family Structure Affect Children, and What Can We Do about It?* (Child Trends: Washington, DC, June 2002), 1.

⁶⁴ Note: With no other additional ACE factors, adults with childhood experience of divorce or separation face 230 percent greater likelihood of alcoholism and 250 percent greater likelihood of lifetime attempted suicide. Alcoholism figures from Shanta R. Dube, MPH, "Growing Up with Alcoholism," ACE Study Findings on Alcoholism, (ACE Reporter: La Jolla, CA, Summer 2003), 2. http://www.cestudy.org/yahoo_site_admin/assets/docs/ARV1N2.127151212.pdf (accessed December 19, 2012) and suicide figures from Dube SR, Anda RF, Felitti VJ, Chapman DP, Williamson DF, Giles WH. Childhood Abuse, Household Dysfunction, and the Risk of Attempted Suicide Throughout the Life Span: Findings From the Adverse Childhood Experiences Study. JAMA. 2001; 286(24):3089-3096. doi:10.1001/jama.286.24.3089.

⁶⁵ *A Marshall Plan for Marriage*, 10.

⁶⁶ Ibid.

⁶⁷ Ibid., 8.

⁶⁸ Barack Obama, *National Security Strategy* (Washington, DC: The White House, May 2010), 10.

