

STAFF MEMORANDUM: UNIVERSAL SERVICE



This staff memorandum does not represent official findings or recommendations of the National Commission on Military, National, and Public Service (the “Commission”). Authored by the Commission’s staff, the memorandum presents preliminary summaries of research and analysis that the Commission may consider as it develops its recommendations for the Congress, the President, and the American public.

Relevant memoranda will be released in conjunction with the Commission’s public hearings. Staff encourages those with views on issues under discussion during the hearings to provide their input to the Commission at www.inspire2serve.gov and stands ready to revise its current understanding of these issues in light of new information as the Commission’s work continues.

Background

The Commission defines service as “a personal commitment of time, energy, and talent to a mission that contributes to the public good by protecting the nation and its citizens, strengthening communities, or promoting the general social welfare.”

The February 21, 2019, public hearings are the first of several opportunities for public discussion of the policy options the Commission is considering with respect to *universal service* – defined as a transformative effort to involve many more Americans in military, national, or public service. Academic literature offers three general approaches to universal service:

- **Universal access:** Committing enough resources so that any American with a desire can participate in some form of service. *Universal access will be explored in detail in the Commission’s public hearings in March and May 2019.*
- **Universal expectation:** Investing in service so that while service would remain voluntary, the norm would be for every American to devote at least 12 months to either military, national, or public service. *Alternatives to develop a universal expectation of service will be explored in the Commission’s public hearings in June 2019.*
- **Universal obligation:** Requiring all Americans to serve, possibly with a choice in how to satisfy the requirement. *This approach—which is sometimes termed “mandatory service” or a “service requirement”—will be explored during the February 21, 2019, public hearings.*

Policy Option: Mandatory Service

Mandatory service could take one of two major forms: (1) a dedicated and formal period of individual service for all Americans who meet certain criteria or (2) a flexible approach through which Americans are required to dedicate a certain period of time to service, with options for how to do so.

- A dedicated and formal approach, which is practiced in other countries such as France or Nigeria, could be implemented by requiring all 18-to-20-year-olds to commit 12 months to

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full-time service to the nation.¹ Depending on the construct, a range of service options could meet the obligation, including military, national, or public service.²

- Flexible approaches, on the other hand, can be designed in a variety of ways. For example, one alternative could be that all Americans fulfill a requirement of 600 hours of service before the age of 30. Under this approach, individuals could choose between:
 - serving 600 hours in a formal program;
 - using a self-identified, self-driven plan approved by a local or national board to meet a local or national need; or
 - participating in an employer-sponsored service sabbatical.

Implementation of either a formal or flexible requirement would vary based on a number of factors, including characteristics of the population required to participate; the qualifying types of service; the length of the required term; the agency or organization charged with management and oversight; and funding mechanisms.

The February hearing is meant to showcase expert debate around these options and encourage public discussion and feedback. To inform the discussion, this memorandum outlines some of the primary issues surrounding mandatory service: values, fairness, economic impact, and implementation.

Issues to Consider

Values

The United States is a country of strong values and rich traditions. Many have debated whether a service requirement would align with those values and traditions.

Some proponents argue that citizenship is a package of rights and responsibilities, and service is a due Americans owe to the nation.³ Supporters think that service increases patriotism and provides the citizenry with a shared experience that strengthens national cohesion, allowing Americans to transcend divisions along regional or demographic lines.⁴ Service programs have also been linked

¹ Lucy Williamson, “France’s Macron Brings Back National Service,” *BBC News*, June 27, 2018, <https://www.bbc.com/news/world-europe-44625625>; “The National Youth Service Year: An Overview,” National Youth Service Corps, accessed January 23, 2019, <http://www.nysc.gov.ng/serviceyear.html>.

² Karen M. Whitney, “Is Now the Time for Mandatory National Service?,” *Huffington Post*, July 30, 2012, https://www.huffingtonpost.com/karen-m-whitney-phd/students-national-service-volunteering_b_1720887.html.

³ William A. Galston, “Compulsory National Service Would Strengthen American Citizenship,” *U.S. News and World Report*, October 19, 2010, <https://www.usnews.com/opinion/articles/2010/10/19/compulsory-national-service-would-strengthen-american-citizenship>.

⁴ Robert D. Putnam, “Bowling Together,” in *United We Serve: National Service and the Future of Citizenship*, eds. E.J. Dionne, Kayla M. Drogosz, and Robert E. Litan (Washington, D.C.: Brookings Institution Press, 2003), 13-19; William A. Galston, “Compulsory National Service Would Strengthen American Citizenship,” *U.S. News and World Report*, October 19, 2010, <https://www.usnews.com/opinion/articles/2010/10/19/compulsory-national-service-would-strengthen-american-citizenship>; Matthew S. Brennan and Kyle L. Upshaw, “American Service: New National Service for the United States” (master’s thesis, Naval Postgraduate School, 2012), 6-8, <https://calhoun.nps.edu/handle/10945/27799>.

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with promoting civic engagement and improving democratic participation.⁵ Proponents of mandatory service suggest it could help to unite the country around a common experience and shared goals. In addition, courts have upheld various types of mandatory service programs—including compulsory military duty, jury duty, and high school community service requirements—as constitutional and some proponents believe the same reasoning would support the constitutionality of a service requirement.

Alternatively, opponents of mandatory service argue it is an unwarranted limitation on liberty and a violation of the fundamental principles of a free society.⁶ They believe America has had a long tradition of individuals volunteering to pursue common goals, and that civil society has effectively met community needs without the government compelling individual action.⁷ Some opponents of mandatory service contend that the government should not directly sponsor service unless related to national security needs, while others argue that a mandatory program would run afoul of the Constitution’s prohibition on involuntary servitude and undermine values enshrined in the First Amendment of the Constitution, such as freedom of association, freedom of religion, and freedom of speech.⁸ Finally, some view mandatory service as a presumptive violation of states’ rights and principles of federalism, arguing that states should be the primary force in jobs, education, and service development.⁹

Fairness

Although experts generally believe that mandatory service would need to be fair to gain public acceptance, opinions vary on what that means and how such a system could ensure fairness.

Some scholars view fairness in the sense of shared responsibility of civic obligations. They contend that a mandatory service program will ensure that Americans have a personal stake in serving their nation and communities.¹⁰ Currently, less than two percent of working Americans serve in the Active Duty, National Guard, or Reserve components of the military, civilian government employees comprise roughly 15 percent of the workforce, and only around 300,000 individuals annually participate in AmeriCorps, Senior Corps, or Peace Corps.¹¹ Proponents argue

⁵ Brennan and Upshaw, “American Service,” 8-10.

⁶ Matthew Spalding, “Compulsory National Service Would Undermine the American Character,” *U.S. News and World Report*, October 19, 2010, <https://www.usnews.com/opinion/articles/2010/10/19/compulsory-national-service-would-undermine-the-american-character>; Bruce Chapman, “A Bad Idea Whose Time Has Passed: The Case against Universal Service,” in Dionne, Drogosz, and Litan, *United We Serve*, 108-115.

⁷ Spalding, “Compulsory National Service Would Undermine the American Character.”

⁸ Spalding, “Compulsory National Service Would Undermine the American Character.”; Ilya Somin, “Mandatory National Service is Both Unjust and Unconstitutional,” *Reason* (blog), October 18, 2018, <https://reason.com/volokh/2018/10/19/why-mandatory-national-service-is-both-u->

⁹ Andrew M. Pauwels, “Mandatory National Service: Creating Generations of Civic Minded Citizens,” *Notre Dame Law Review* 88, no. 5 (2013): 2597-626.

¹⁰ Charles Rangel, “Bring Back the Draft,” in Dionne, Drogosz, and Litan, *United We Serve*, 136-137; Charles Moskos, “Patriotism-Lite Meets the Citizen-Soldier,” in Dionne, Drogosz, and Litan, *United We Serve*, 33-42.

¹¹ This estimate uses figures from the following sources: Office of the Undersecretary of Defense for Personnel and Readiness, 2017 Demographics: Profile of the Military Community (Washington, D.C.: Department of Defense, 2018), 3, <http://download.militaryonesource.mil/12038/MOS/Reports/2017-demographics-report.pdf>; “AmeriCorps Fact Sheet,” Corporation for National and Community Service, January 2013, https://www.nationalservice.gov/pdf/fact-sheet_americrops.pdf; “What is Senior Corps?,” Corporation for National and Community Service, accessed November 19, 2018,

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that, by increasing these numbers, mandatory service could establish equity in who serves the nation as well as promote fairness of obligation and experience.

Others, however, view fairness in the sense of treating people equally. They contend that mandatory service is fundamentally unfair because it would enable the government to require individuals to work without regard for their economic situation or other personal interests.¹² Further, some individuals would likely need exemptions, which opponents argue may privilege certain subpopulations to the detriment of the program's overall equity.

Economic Impact

While proponents and opponents of a service requirement tend to agree that the scale of a mandatory service program in the United States would require a substantial financial investment, they disagree on the value the nation could expect from such a program.

Advocates argue that mandatory service will help decrease the costs and improve the efficiency of government programs.¹³ Members of mandatory service programs could serve vulnerable populations, improve literacy, and respond to national emergencies, particularly in places with limited resources.¹⁴ Proponents believe individuals who choose to serve are more likely to volunteer or serve in other capacities in the future.¹⁵ In addition to economic benefits for communities, service has benefits for the individuals who serve. Participants may gain important skills and workplace experiences, and service experiences may enable individuals to pursue additional education following their period of service.¹⁶

Others, however, believe that the economic costs of this program would be of limited value for government support. Opponents argue that a mandatory program would require paying living stipends or salaries and benefits for a significant number of individuals as well as other costs to the government and the economy that would outweigh the benefits.¹⁷ In addition, there may be opportunity costs and lost economic potential because young Americans would delay their careers or education.¹⁸ Additionally, some argue that mandatory service may also threaten the independence and vitality of private associations by degrading the spirit of volunteerism.¹⁹ Private

<https://www.nationalservice.gov/programs/senior-corps/what-senior-corps>; "Fast Facts," Peace Corps, September 30, 2017, <https://www.peacecorps.gov/news/fast-facts>; and U.S. Bureau of Labor Statistics Current Employment Statistics Database (series CES9000000001 and CES0000000001; accessed January 30, 2019), <https://beta.bls.gov/dataViewer/view/timeseries/CES9000000001>, <https://beta.bls.gov/dataViewer/view/timeseries/CES0000000001>.

¹² Somin, "Mandatory National Service is Both Unjust and Unconstitutional."

¹³ Richard Stengel, "A Time to Serve," *Time*, August 30, 2007,

http://content.time.com/time/specials/2007/article/0,28804,1657256_1657317_1657570-2,00.html.

¹⁴ Robert E. Litan, "The Obligations of September 11, 2001," in Dionne, Drogosz, and Litan, *United We Serve*, 101-107.

¹⁵ Andrea K. Finlay, Constance Flanagan, and Laura Wray-Lake, "Civic Engagement Patterns and Transitions over 8 Years: The AmeriCorps National Study," *Developmental Psychology* 47, no. 6 (2011): 1728-1743, <https://doi.org/10.1037/a0025360>.

¹⁶ George R. Neumann et al., *The Benefits and Costs of National Service: Methods for Benefit Assessment with Application to Three AmeriCorps Programs* (New York: Charles A. Dana Foundation, 1995), <https://files.eric.ed.gov/fulltext/ED383853.pdf>.

¹⁷ Chapman, "A Bad Idea Whose Time Has Passed," 108-115.

¹⁸ Walter Oi, "The Economic Cost of the Draft," *The American Economic Review* 57, no. 2 (1967): 39-62, <https://www.jstor.org/stable/1821607>.

¹⁹ Michael Kinsley, "National Service? Puh-Lease," *Time*, August 30, 2007,

http://content.time.com/time/specials/2007/article/0,28804,1657256_1657317_1658698,00.html.

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voluntary associations, some contend, are more effective than government-sponsored service because they are highly decentralized and directly focus on community needs and local conditions.²⁰ Finally, some are concerned mandatory service participants would be given make-work instead of valuable and fulfilling responsibilities, thus reducing propensity for future volunteerism.²¹ These individuals note that if the government was willing to properly incentivize service, the free market may be able to accommodate everything mandatory service could accomplish.²²

Implementation

Ideas on how mandatory service could be structured have been proposed many times over the past several decades, with primary considerations including ensuring compliance and effective programming.

Punishments or sanctions for failing to meet a service requirement could range from ineligibility for government benefits or employment to fines or imprisonment. The program could offer incentives such as completion certificates, educational benefits, preference in federal hiring, or even a tax-free award to every American granted at birth and received by citizens after their service term.²³ Whatever means are in place to encourage compliance, a well-structured mandatory service program would require a system to monitor participation.

In addition, the success of mandatory service will also depend on issues specific to the target population for such a program, the ideal age or age range for participation in a program, identifying an agency or organization to administer the program, and developing policies and procedures to guide the program. Implementation challenges could make the program inefficient, resulting in higher administrative costs and potentially undermining public support for the program.

The February public hearing of the National Commission on Military, National, and Public Service is intended to generate discussion of issues surrounding mandatory service in America.

Should all Americans be required to serve? Feedback can be shared at

<https://inspire2serve.gov/content/share-your-thoughts>.

²⁰ Michael Lind, "A Solution in Search of a Problem," in Dionne, Drogosz, and Litan, *United We Serve*, 121-132.

²¹ Sara E. Helms, "Involuntary Volunteering: The Impact of Mandated Service in Public Schools," *Economics of Education Review* 36 (2013): 295-310, <https://doi.org/10.1016/j.econedurev.2013.06.003>.

²² Somin, "Mandatory National Service is Both Unjust and Unconstitutional."

²³ Stengel, "A Time to Serve."