
HOUSE CONCURRENT RESOLUTION

EXPRESSING SUPPORT FOR THE NATIONAL DRAFT TO INCLUDE WOMEN.

1 WHEREAS, the Declaration of Independence (1776) states that
2 "all men are created equal, that they are endowed by their
3 creator with certain unalienable Rights, that among these are
4 Life, Liberty, and the pursuit of Happiness;" and
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6 WHEREAS, gender equality was further codified in the United
7 Nations Convention on the Elimination of All Forms of
8 Discrimination Against Women (1979), in which was noted that
9 "States Parties to the International Covenants on Human Rights
10 have the obligation to ensure the equal rights of men and women
11 to enjoy all economic, social, cultural, civil and political
12 rights;" and
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14 WHEREAS, some women find military training and service
15 fulfilling: female cadets in the United States Reserve Officers'
16 Training Corps (ROTC) see military training as an "opportunity
17 to be strong, assertive and skillful" and such training "as an
18 escape from some of the negative aspects of traditional
19 femininity" (2008 study, Jennifer M. Silva); and
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21 WHEREAS, front-line infantry, armor, artillery and special
22 operations jobs are currently open to female volunteers who can
23 meet the physical requirements; last year alone, nearly 15
24 percent of the nation's 1.5 million active duty military
25 personnel were women; and
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27 WHEREAS, the purpose of a draft is to create a pool of
28 potential combat troops should a national emergency demand a
29 rapid increase in the size of the military but the draft has
30 excluded women; and



1 WHEREAS, the United States came close to drafting women
2 during World War II (1939-1942) when there was a shortage of
3 military nurses, though a few women also cross-dressed as men in
4 order to fight; and

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6 WHEREAS, expanding the universe of draft registrants
7 increases the share of the national population with a stake in
8 the activities of the armed forces; and

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10 WHEREAS, women should become equally obligated to defend
11 the United States if the need for a draft arises and the women
12 are physically capable of enduring the strenuous activities the
13 United States military requires; and

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15 WHEREAS, excluding women from a draft reinforces a
16 stereotype that they are less capable than men and need to be
17 protected; and

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19 WHEREAS, *Rostker v. Goldberg*, 453 U.S. 57 (1981) alleged
20 that the Due Process Clause of the Fifth Amendment was violated
21 because only men are required to register with the Selective
22 Service System; however, it was subsequently over-ruled because
23 women were excluded from combat service by statute or military
24 policy; and

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26 WHEREAS, that same year, the National Organization for
27 Women, in agreement, filed an action alleging that the male-only
28 draft was unconstitutional and testified before the House Armed
29 Services Committee prior to the enactment of the Military
30 Selective Service Act, that, "because men exclude women here,
31 they justify excluding women from the decision-making of our
32 nation;" and

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34 WHEREAS, the announcement made by the Department of Defense
35 that women between the ages of 18 to 25 can serve with ground
36 military forces in combat has opened the possibility that women
37 could be required to register for Selective Service, mirroring
38 the law applicable to all U.S. men in that age group; now,
39 therefore,



1 BE IT RESOLVED by the House of Representatives of the
 2 Twenty-seventh Legislature of the State of Hawaii, Regular
 3 Session of 2013, the Senate concurring, that this body strongly
 4 supports including women in the national draft; and
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6 BE IT FURTHER RESOLVED that certified copies of this
 7 Resolution be transmitted to the President of the United States,
 8 Speaker of the United States House of Representatives, Majority
 9 Leader of the United States Senate, and members of Hawaii's
 10 Congressional Delegation.
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 12
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John Stiles
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