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“A borderline issue”: Are there child soldiers in the United States?

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ABSTRACT

The human rights literature on child soldiers has long emphasized conflict zones in the Global South, fostering the stereotype of the gun-toting African child while ignoring militarizing practices in the West. Of note, the existing human rights legal framework fails to address the reality of Western youth exposed to military recruiting in their schools. Seeking to address this limitation, we examine some of the primary methods the US military employs to “penetrate” American high schools in search of new recruits. We discuss the apparent targeting by military recruiters of communities with large numbers of low-income students, immigrants, and youth of color. Indeed, in many educational settings, students with limited access to college preparatory programs find themselves ensnared in a “web of militarism” that sharply limits their career options. Drawing on primary source material and military recruiting documents, we demonstrate how US schools are sites for the socialization of youth to a culture of militarism and, ultimately, the production of child soldiers. Thus, we argue that the military presence in US schools be included in the debate over the militarization of youth. We conclude by assessing the discourses and organizing strategies employed by US “counter-recruitment” activists, including some of those who use human rights-based arguments to curb militarism in American schools.

Introduction

In recent years, scholars have examined the concept of militarization and analyzed the extent to which the US armed forces are integrated within public education settings. There are now ethnographic studies that examine how the military uses federal law to permit military recruiters on US high school campuses (Lagotte 2012, 2016), and research on the ways the military engages students once ensconced in schools (Pérez 2006; Johnson 2010; McGlynn and Lavariega-Monforti 2010; Meiners and Quinn 2011; Abajian 2013; Dibner 2013; Horsley 2013; Johnson 2014; Pérez 2015). This literature represents, in part, a response to Pinson (2004: 656), who urged that attention be focused on the role of schools in “promoting a culture of war.”

Overall, however, scholarship on school militarization in the United States is limited. And, as Abajian (2016) noted, most research emphasizes the military presence in high schools through the Junior Reserve Officers’ Training Corps (JROTC) program. Such a narrow focus ignores the variety of ways that the military operates in schools—for example, via unregulated military recruiter access to youth. In particular, high schools “are of extreme importance in the practices of US war preparation in that they geographically corral youthful bodies for military recruiters to easily locate, communicate with, and eventually enlist” (Wall 2009: 139). Thus, in order to sign up 200,000 new recruits annually, public high schools have become key sites of formal recruitment and other methods to socialize youth to

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support a culture of militarism. Indeed, the US military is explicit in its desire to target students in school settings: "The objective of the school recruiting program is to assist recruiters with programs and services so they can effectively penetrate the school market. The goal is school ownership that can only lead to a greater number of Army enlistments" (US Army Recruiting Command 2006: 1).

There are more than twenty-six thousand public high schools in the United States, enrolling nearly 14 million students. The US military views its unimpeded access to high school students as a primary factor in recruitment. Seventeen-year-old males are the "future of the all-volunteer force," according to a top Marine recruiter (Long 2006: 8), and recruiters must therefore "saturate" high schools—an official in the US Army Recruiting Command noted—as they seek to shape the aspirations and career options for American youth (Tabor 2008: 8). The Pentagon spends approximately $1.3 billion per year on direct military recruiting activities, although, as described below, their ability to reach teenagers extends far beyond these practices.

The prevalence of military recruiters and militarizing structures in US schools suggests that the United States is effectively violating international legal standards on the recruitment of children into the armed forces. Although a broad literature on child soldiers exists (Singer 2005; Breen 2007; Lee-Koo 2011; Williams 2011), few scholars have examined US school militarism in relation to international human rights law. Even omnibus legal treatises on child soldiers offer scant treatment of US military recruiting practices (see Rutkow and Lozman 2006). Although some have discussed the malleable definitions applied to child soldiers, they ignore how such shifting categories create a "state of exception" for the child *recruiting* practices of nations in the Global North (Jézéquel 2006). Those who do analyze the United States often stress US support of a global movement to eradicate child soldiers (Heckel 2004; Becker 2013), rather than examining how the human rights of American youth may be violated through military recruitment efforts.

Limited critiques of the United States in relation to child soldiers have emerged in recent years (Vautravers 2008; Olmedo and Quiñones 2010; Lee-Koo 2011), and some nongovernmental organizations (NGOs) have recently condemned the recruiting practices of Western nations. One example is Child Soldiers International, a prominent British NGO that publishes a series of "shadow reports" examining state compliance with pertinent human rights law. When the group released its shadow report on the United States in 2012, it found that military testing in US high schools "infringes children's privacy, and is an enabler for military recruiters" seeking new soldiers (Child Soldiers International 2012: 14). The organization also raised concerns about "extensive access to schools and students' information by the US military, which suggests that the US government is pursuing the active recruitment of under-18s" (Child Soldiers International 2012: 7). This is significant, as unregulated military recruiter access to schools and active recruitment of youth under 18 years of age would constitute "potential infringement" (Child Soldiers International 2012: 13) of a global treaty—the UN Optional Protocol to the Convention on the Rights of the Child of the Involvement of Children in Armed Conflict (2000)—regulating the involvement of children in armed conflict.

The post-September 11 global environment makes these issues especially relevant. Although the United States regularly engaged in military conflict after World War II (in Korea, Indochina, and the Persian Gulf, among other places), since 2001 it has been involved in two of the longest armed conflicts—in Iraq and Afghanistan—in US history while maintaining a constant state of war preparation. In the global fight against "terrorism," Presidents Bush and Obama have maintained bipartisan political support for the constant use of military power in numerous countries. Combined with broad public backing for an aggressive US foreign policy, these actions support the claim that militarism and war have become normalized in American culture (Lutz 2010; Giroux 2013). Even in an era when the United States is increasingly reliant on the use of drones, air strikes, and Special Forces to wage war (Turse 2012; Dower 2016), the Pentagon must still replenish its all-volunteer military force with new recruits each year.

Moreover, the fact that military service is valorized in US culture discourages the airing of critical questions—for example, whether it is appropriate for children to be exposed to the high-pressure sales tactics of military recruiters. Although not a veteran, President Barack Obama regularly offered support for US militarism. One example came on Memorial Day 2016, when he told a crowd at the Tomb

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of the Unknown Soldier in Washington, DC, that those who serve in the military represent "the best of America," and that "what separates them from those who have not served in uniform" is their selflessness, "their extraordinary willingness to risk their lives for people they never met" (Gilmore 2009). Mainstream media and public officials also note the tonic effects of military service—its potential to bestow on enlistees greater economic stability, enhanced personal discipline, and other positive attributes. It is this aspect of the ideology of US militarism that most frequently appears in recruiting advertisements, and it has been a useful wedge for the military in prying open schoolhouse doors. Recruiters, after all, must be granted unlimited access to schools to ensure that youth learn of the amazing opportunities that come with being "the best of America" (Gilmore 2009).

Based on international law, we argue that the activities of the American military and its presence in public schools should be included in debates over "child soldiers." The current policy debate, limited by an emphasis on "zones of conflict" in the Global South (Beier 2011: 15), must also address "zones of militarization" in the Global North, thus recognizing how US schools are sites for the production of child soldiers. In describing US military recruitment in educational settings, we emphasize the apparent targeting of schools with large numbers of low-income students, immigrants, and youth of color, which would also violate existing international principles. We then present the human rights basis for critically analyzing the issue of US school militarism and military recruiting practices. Although not our focus, we recognize that the US government indirectly promotes the use of child soldiers by other countries through its use of military assistance. Thus, between 2010 and 2016, the Obama administration directed hundreds of millions of dollars in US military aid to foreign governments that use child soldiers (Human Rights Watch 2016). Although an important consideration, we emphasize the unique aspects of the United States in child soldiering: It is one of the few countries to actively recruit soldiers in educational settings and has an expansive public relations apparatus to normalize such efforts. Importantly, the United States defines child soldiering in a way that minimizes its own school-based recruiting and other activities that encourage youth to enlist in the military.

The hegemony of US militarism

Scholars influenced by the writings of Antonio Gramsci (1971) have maintained that schools are social agencies that contribute to the creation of ideological hegemony—the condition in which ideas and habits most beneficial to the ruling class come to be accepted as "normal" and "commonsense" in a society. Hegemonic ideologies must be constantly reinforced through "ideological state apparatuses" (Althusser 1971), such as the media and educational institutions, so that key values (such as military service) are embraced. In this view, schools—especially high schools—act as agents to normalize US militarism and war, and to facilitate the processing of young bodies into the military. By giving students' contact information to recruiters, permitting recruiters to visit campus and interact with students, hosting military training programs, and providing sites for administering military aptitude testing, schools offer an explicit endorsement of the hegemonic ideas concerning the value of military service, and thus support the state's role in maintaining a military force. As many American schools host military recruiters far more often than those for other occupations, schools effectively privilege military careers over other possible life paths students may choose.

Gramsci (1971) also described the concept of a "war of position," whereby social groups engage in a power struggle over whose understanding of the world will become dominant. As Lagotte (2012: 553) noted, "The war of position encapsulates the struggle of groups to have their explanation of social conditions in particular fields take precedence so the group's interests are served best." For example, asking the question, "Are there child soldiers in the United States?" gives rise to competing answers struggling for primacy. The dominant ideology in the United States is that child soldiers are a phenomenon confined to the Global South, that school-based recruiting by the US military is a beneficial activity, and that "our" 17-year-old recruits do not "count" as child soldiers.

However, Michael Apple (2013: 117) reminded us that "no institution and no dominant ideology is totally monolithic," and thus space is always available for counter-hegemonic discourses and practices. As we demonstrate below using government documents and military publications, the available

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evidence contradicts these commonly held views of US military activity in schools. We suggest that human rights scholars and activists lend their expertise and actively engage with social movements seeking to challenge the dominant ideology and rein in the military's influence on American youth. Armaline, Glasberg, and Purkayastha (2015) argued that rights practice predicated on international law instruments and mechanisms *and* on grassroots organizing and direct action is more likely to lead to lasting change. Asserting that military recruitment of minors in the United States is a human rights matter is a first step in the struggle to redefine power relationships and mobilize for widespread recognition of the harms of these practices.

Dimensions of US school militarism

Early twentieth-century philosopher and educational reformer John Dewey raised concerns about the conflict between militarism and educational values as early as the 1920s, a time when US policymakers and the armed forces advocated more military training programs in secondary and postsecondary institutions (Howlett 1976, 1982). Dewey was a member of the Committee on Militarism in Education (CME), composed of leading American educators, clergy, and pacifists. The group sought "the elimination of all compulsory military training in colleges and universities and all military training, compulsory or elective, in high schools" (Barthell 1977: viii). In a popular pamphlet, Dewey (1927: 3) condemned military training in colleges and high schools as part of a "well-organized movement to militarize the tone and temper of our national life." Despite support of distinguished figures like Dewey, the dawning of World War II led to the dissolution of the CME and growing public support for American militarism.

Throughout the 1950s and 1960s, budgetary concerns and official skepticism regarding the value of the JROTC prevented the military from expanding its presence in US high schools (Malischak 1974). However, greater access to educational settings became a priority following the end of the military draft in 1973. In the 1970–1971 school year, the Pentagon's high school testing program, Armed Services Vocational Aptitude Battery (ASVAB), reached approximately 425,000 students in 8,100 schools; three years later, those numbers nearly doubled (Lee 1979). During the 1970s, the number of students participating in the Naval JROTC program more than doubled, while the Air Force JROTC saw an increase in student participants of nearly 40 percent (Hamilton 1979). Over time, this expansion enabled a regular military presence in schools in order to recruit youth, along with media-based marketing initiatives, direct mail advertising, and the establishment of thousands of school-based units of military training, like the JROTC.

Increased advertising of the new, all-volunteer military also required more recruiters in the field. Thus, the number of military recruiters more than doubled, from 13,000 in 1970 to 32,000 in 1975 (Musil 1975). Starting in the early 1980s, the military lobbied for greater school access for recruiters, with varying degrees of success (Kershner 2014a). Although the military presence slowly increased, until 2001 the Pentagon had to settle for a patchwork of local and state initiatives that provided entrée to schools and contact with students. Since then, the 2001 federal No Child Left Behind Act and its successor, the Every Student Succeeds Acts of 2015, have guaranteed recruiters' access to students (and their personal information) both directly on high school campuses and via telephone and other communication tools. Despite its prevalence, however, limited data exist about military recruiting efforts in American schools. Rech (2014: 244) found that "studies of recruitment lack the rigour they should be afforded"; and McGlynn and Lavariega-Monforti (2010) and Johnson (2010) noted the restricted access to information on these practices.

Nonetheless, it is clear that a sizable military presence exists in many US public high schools. Abajian (2013: ii) described a "web of militarism" that includes the extensive role played by military recruiters and "well-resourced institutionalized programs" (like JROTC) present in one urban school serving mostly low-income students of color. As a result of local educational policies and norms, she found that military service and military values were regularly advocated to high school students. In "privileging military values and shaping the school-to-military pipeline," Abajian (2013: ii–iii) concluded, military service was given "unparalleled promotion in comparison to other postsecondary"

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career paths. Such findings mirror research that identifies the disproportionate targeting of certain schools by military recruiters: those with large numbers of immigrant, low-income, and nonwhite students (Murphy 2005; Mariscal 2007; McGlynn and Lavariega-Monforti 2010; Huerta 2015).

Since the 1970s, the phrase "poverty draft" has been used to critique a system that targets low-income high school students and recent graduates for military enlistment, due to their perceived lack of postsecondary educational and employment opportunities. Evidence of such a poverty draft, or a "school-to-military pipeline," abounds. For example, units of the JROTC are disproportionately found in high schools with large numbers of low-income and minority populations. According to a 2006 report by UCLA's Institute for Democracy, Education, and Access, Los Angeles County high schools serving large numbers of low-income students of color and English-language learners were much more likely to offer JROTC than other high schools in their district.

Military recruiters, according to Pérez (2015: 112), "are a ubiquitous feature of many low-income urban American high schools." McGlynn and Lavariega-Monforti (2010) cited a connection between socioeconomic status and the likelihood a student has contact with a recruiter at school. Pérez's (2015: 124) research among low-income high school students in Ohio found that recruiters "sow anxiety and reap resignation" to lead students to a "safe" career path in the military. The unequal recruitment of students from low-income schools in urban neighborhoods by the military is significant. According to US Army Recruiting Command data gained through Freedom of Information Act requests, whereas high schools in wealthy suburban school districts typically restrict visits from recruiters to twice a year, in low-income communities, the military is on campus twice a week.

US Army documents about recruiter activities in Connecticut high schools during the 2011–2012 and 2012–2013 academic years illustrate such practices.[1] Using this data, we made comparisons of the military recruiting activities at high schools in two contiguous, similarly sized, but demographically disparate Hartford suburbs: Avon and Bloomfield. In Avon, which is nearly 90 percent white, Army recruiters visited Avon High School, where only five percent of students qualify for free or reduced-price lunch, just four times during the 2011–2012 school year.[2] Some two-thirds of Bloomfield residents are nonwhite. At Bloomfield High School, where nearly half of students qualify for free or reduced-price lunch, recruiters made more than 10 times as many campus visits in the same period. In areas of extreme wealth inequality like the Bridgeport metropolitan area of Connecticut, the targeting of schools with concentrations of economically disadvantaged students appears blatant. The poverty rate in Bridgeport is nearly twice the national average, and the rate of "chronic absenteeism" among high school students in the city is almost 50 percent (Connecticut Economic Resource Center 2016). At Bridgeport's Central High School, where 89 percent of students are non-White and more than 95 percent qualify for free or reduced-price lunch, army recruiters visited more than 70 times during the 2011–2012 school year. In the nearby, wealthy suburb of Darien—which has a nearly all-White student population, a median household income of $200,000 (Connecticut Economic Resource Center 2016), and just 0.1 percent of students qualify for free/reduced-price lunches—army recruiters visited Darien High School only twice during the same period.

Although this formal recruitment presence is widespread in many communities, it is not the only means the military has of reaching teenagers. Due to shrinking public funding and budget cuts, many public high schools have eliminated guidance counselor positions and other "extracurricular" activities, allowing recruiters to play an outsized role. Such is the case with James Hillhouse High School in New Haven, Connecticut, where 89 percent of students are minorities and 82 percent qualify for free or reduced-price lunch. A journalist who spent a significant amount of time at the school (Denby 2016) found that James Hillhouse did not offer its students *any* college counseling services. What it did provide was the chance to enroll in Army JROTC as well as 46 opportunities to talk with Army recruiters on campus during the 2011–2012 school year alone.

In underresourced schools, aside from staffing tables advertising the armed forces, recruiters also coach sports, serve as chaperones for dances, and are often in classrooms, where they fill in as substitute teachers and give presentations on the "benefits" of military service. Thus, for students like those studied by Huerta (2015), the odds of interaction with military representatives are much higher than the likelihood of contact with a school guidance counselor. As a result, the career path many students

learn most about involves enlistment in the armed forces (Harding and Kershner 2015). As Cortright (1975: 47) suggested more than 40 years ago, "A society which offers so few alternatives to the military cannot be considered healthy. When preparation for war is the principle source of economic security and job training, our national life has become dangerously militarized."

School militarism is a growing phenomenon in other Western nations, including Germany (Schulze von Glasser 2012; Dosch, Roßa, and Sachs 2013). Yet US public schools are unusual in this regard, allowing high school students to have at least three types of contact with the armed forces. This occurs, first, through a process of socialization: regular contact between recruiters (and other military personnel) and students. Military recruiters usually work from a table filled with brochures and offer "free" merchandise to students willing to put their information on a recruiter's "contact card." Because few US schools place meaningful restrictions on these campus activities, recruiters can and often do supplement their tabling by wandering the hallways in search of potential recruits (aside from serving other roles, as noted above).

The military solidifies its presence in schools through the use of educational services, like its ASVAB. This military test, administered to nearly 700,000 US high school students in the 2013–2014 school year, is deceptively marketed to school districts as a harmless vocational guidance tool; by offering the three-hour test for free, the military claims it is performing a valuable public service. In internal documents, however, the military describes how it uses the test to customize its marketing pitch to potential enlistees. According to a recent Army War College analysis, administering the ASVAB in high schools accounts for nearly 15 percent of all new military enlistees (Humble 2012). Only one study has examined the larger socioeconomic context behind this particular recruiting tool: an analysis of the ASVAB testing regime in Pennsylvania, where nearly 25,000, (or 10 percent of all the state's high school students) took the test in the 2012–2013 school year. This revealed a statistically significant correlation between a school's share of socioeconomically disadvantaged students and the use of the ASVAB (Kershner, Lavariega-Monforti, and McGlynn 2014).

Military science courses such as JROTC (present in more than 3,500 US high schools) are also important. Although the content of these classes are often obscured, the curriculum includes military drill training that may involve the use of in-school firing ranges. According to the military's own estimates, some 40 percent of students who spend three years or more in JROTC end up in one type of military service (ROTC, Reserves, or active duty) after high school (Corbett and Coumbe 2001; Pema and Mehay 2012).

The activities of recruiters and other militarizing structures in public high schools, although an increasingly normal practice, raise troubling questions. More disturbing is the extent of military outreach to *younger* students. Although it has never been the focus of critical scholarship, military presence in American elementary and middle schools is growing. Of note, the military distinguishes how it identifies American students: as "prospects" and "preprospects." Recruiting activities directed at prospects typically occur in high school settings and consist of "persuading those with appropriate characteristics and skillsets" to consider enlisting in the armed forces; in contrast, recruiting activities directed at preprospects are aimed at "creating an environment receptive to future recruiting" (US Department of Defense 2011a: 2). A 2000 survey of military recruiters defines the preprospect as a youth between the ages of ten and fourteen, and suggests that preprospecting activities may include volunteering to lead Boy Scouts or coaching in a youth sports league (US Department of Defense 2011a: B-8).

Military analysts (Defense Manpower Data Center 2000; Firmin 2002; Galford 2009) and sociologists like David Segal (Segal, Bachman, Freedman-Doan, and O'Malley 1999) have increasingly encouraged the military to strengthen its presence in the preprospect market—to make military enlistment more appealing to young American children. Why would the military try to interact with and influence elementary and middle-school students? Recruitment strategies are informed by national polling data that track youth attitudes toward the military. The 2011 *State of the Recruiting Market*, a report produced by the Pentagon's Joint Advertising, Market Research, and Studies program, identifies several key trends. One statistic that has held steady since the early 1990s is that half of American 16-year-olds say they are "definitely not joining" the military (US Department of Defense 2011b: 4). A second

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conclusion is that, "if joining the Military is not considered by age 17, it likely will not be in later years" (US Department of Defense 2011b: 5). As a result, the report concludes: "We must get in front of the coming recruiting challenges and start laying the foundation for future recruiting missions … [by] working to educate and create a connection with the prospect market of tomorrow, today" (US Department of Defense 2011b: 33). In fact, although not explicitly stating so, the military clearly views recruitment as starting when a child is in middle or even elementary school. These recruiting activities often avoid the hard sales strategies seen in high school settings. Instead, recruitment at the preprospect level mostly involves providing opportunities for fun, educational activities, often in the form of competitions involving science and math skills (Chief of Naval Operations 2009).

Reaching the preprospect market

One of the most institutionalized structures of military outreach to preprospects is the Department of Defense (DoD) STARBASE program. Supported by more than $20 million in annual funding from the Pentagon, this initiative has been part of the military's preprospecting apparatus since 1993. Yet, like other aspects of militarism directed at primary and middle-school students, a dearth of research exists on this program; in fact, it appears to have been the focus of only two peer-reviewed articles (Lee-Pearce, Plowman, and Touchstone 1998; Dickerson, Eckhoff, Stewart, Chappell, and Hathcock 2014). In fiscal year 2015, DoD STARBASE delivered hands-on science and aviation instruction to more than 60,000 fifth-grade students in 31 states and Puerto Rico. Although schools and parents may like the idea of having supplementary instruction for their children, the military has a clear recruitment aim with this program. According to the 2015 DoD STARBASE annual report (STARBASE 2016: 66), one of the "primary goals" of STARBASE is to generate more "positive attitudes" toward military bases and military personnel. Indeed, a 2009 presentation, produced for internal distribution by the Office of Naval Operations, cited STARBASE as an effective way to promote "social awareness" of the Navy for the "youth market (grades K–10)" (Chief of Naval Operations 2009: 4).

In sum, to secure the future allegiance of American teenagers and children, the US military deploys both formal and informal means of recruitment. Formal mechanisms—highly resourced, systematic, and well advertised—typically occur in high school settings, where a recruiter's "primary target" is found. Less formal approaches—resource challenged, more *ad hoc*, and with marketing aims often obscured by educational language—are used to cultivate future interest in the military with elementary and middle-school students. Such efforts underscore the need to recognize American military recruitment of youth as a long-term process that occurs throughout childhood, rather than as a discrete event at a later (legal) age.

Demilitarization campaigns and the "human rights repertoire"

The use of human rights framing in antimilitarization activism has increased in recent decades. Since the 1960s, human rights have formed the intellectual framework for transnational solidarity campaigns seeking to pressure military dictatorships in Uruguay (Churchill 2014), Brazil (Green 2010), and Argentina (Franco 2007), among other examples. During the 1980s, the US–Central America solidarity movement pressured Congress to end financial support for the Nicaraguan Contras and the military in El Salvador, frequently citing human rights abuses by both (Smith 1996; Peace 2012). Ongoing efforts to close the US military prison at Guantanamo Bay, Cuba, often claim that indefinite detention with limited access to a fair trial violates detainees' human rights (Jones and Howard-Hassmann 2005).

A notable example of human rights-based advocacy is the multiyear campaign against the US Naval presence on the Puerto Rican island of Vieques. The Navy's long-term use of the island for bombing practice and other military exercises caused extensive environmental damage. This forced many of the island's men to abandon their traditional occupations of fishing and agriculture, and exposed the community to dangerous toxic chemicals from exploded munitions. After the accidental bombing death of a local security guard in 1999, activists set up dozens of civil disobedience camps and occupied the Navy's training areas for more than a year. Ongoing organizing against the military installations forced

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the Navy in 2003 to end its military exercises on Vieques. The campaign succeeded, according to Torres (2005: 10), by focusing on improving public health (by demilitarizing the island) and "reclaiming human rights lost during military occupation." In contrast to earlier organizing efforts against the US military, which leaned heavily on nationalist appeals and "anti-Yankee" rhetoric, McCaffrey (2009: 219) found that the successful Vieques campaign was emblematic of contemporary demilitarization campaigns, which "are often expressed in terms of the environment, health, and human rights."

Although some have effectively used a human rights framework to demonstrate how the military negatively impacts local communities, such activism can have unpredictable effects. Thus, whereas some human rights campaigns "pull Western actors into engagement," Hagan (2010: 562) found, "others are ignored, rejected, or downplayed by the target audience." Weeks (2017) describes a campaign to shut down the School of the Americas, a US military training school whose graduates have been implicated in human rights atrocities in Latin America. He demonstrates that, although grassroots organizations may force change in government institutions like the Army, they can also inadvertently strengthen that same body. Thus, the School of the Americas responded to its critics by changing its name and enhancing the amount of human rights instruction its graduates receive; yet some suggest that graduates of the institution continue to engage in torture and human rights abuses (Lindsay-Poland 2014). This case (and the example of Vieques) illustrates what Hagan (2010: 560) called the "human rights repertoire," wherein *non-state actors* pressure the state by "collecting, publishing, distributing, and advocating human rights claims." As discussed below, those seeking the demilitarization of US schools have drawn on some of the elements in the human rights repertoire.

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Child soldiers in the human rights framework

Human rights law has long been concerned with the role of children being recruited for and serving in the military. Legal scholars regard the 1989 UN Convention on the Rights of the Child (CRC) as the "most widely accepted child rights instrument in history" (Kimmel and Roby 2007: 746). Significantly, the convention sets 15 years as the minimum age for active participation in armed conflict. The United States is the only country that has not ratified the CRC. An addendum, the 2000 Optional Protocol to the CRC, established as 18 the minimum age of compulsory enlistment in the military. It also advised governments to do everything possible to avoid sending those under age 18 —whether or not they enlist voluntarily—into a combat situation. At the time it was being debated, a military spokesman offered a frank explanation for US opposition to the treaty: "[W]e believe this would hurt our recruiting" (Pleven 1999: A61). The United States did make a key concession when it ratified the CRC Optional Protocol in December 2002. By excluding 17-year-old troops from combat roles, the United States broke with a history of regularly deploying its freshest recruits into conflict situations in Somalia, Bosnia, and the 1991 Gulf War (Becker 2004).

Two international conferences—Cape Town in 1997 and Paris in 2007—were devoted to the issue of child soldering and have helped support efforts to eradicate the use of child soldiers. UNICEF and the NGO Working Group on the Convention on the Rights on the Child organized both events. UNICEF later published a set of "best practices," known as the Cape Town Principles. These include the recommendation that governments should "adopt national legislation that sets a minimum age of 18 years for voluntary and compulsory recruitment." The Committee on the Rights of the Child, in a 2008 report about the United States, supported this recommendation; as of 2012, this "Straight-18" approach to recruitment was the norm in more than 130 countries (Child Soldiers International 2012: 6). The United States currently allows "voluntary" military enlistment for minors aged 17 with parental consent. The Paris Principles defined a "child associated with an armed force or armed group" as "any person below 18 years of age who is or who has been recruited or used by an armed force or armed group in any capacity" (UNICEF 2007: 7). It added, for emphasis, that the term "does not only refer to a child who is taking or has taken a direct part in hostilities" (UNICEF 2007: 7). As Lee-Koo (2011) observed, this distinction is of crucial importance: It means that Western militaries, including the United States,

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are just as guilty of recruiting, training, and employing "child soldiers" as the African nations more commonly associated with the practice.

The Cape Town Principles also affirm that states should work to protect "those most at risk of recruitment," which they define as including "certain minorities" as well as "economically and socially deprived children." The United States appears to do the opposite by focusing much of its military recruitment in low-income and urban communities. Indeed, in the "vision statements" and annual reports of Pentagon educational outreach programs like STARBASE, the military states that its intended targets are precisely the population—"at-risk youth" in Title I schools—that the Cape Town Principles urge governments to shield from military recruiting programs (STARBASE, 2016). In its 2008 concluding observations about the United States, the UN Committee on the Rights of the Child (2008: 3) expressed concern over "reports indicating the targeting by recruiters of children belonging to ethnic and racial minorities, children of single female-headed households as well as children of low income families and other vulnerable socio-economic groups."

In response, the US report to the UN Committee showed that those enlisting in the military were "representative of United States society on the basis of race and ethnicity" (UN Committee on the Rights of the Child 2011: 17). Of note, this data only appeared to apply to the relatively small number of 17-year-old recruits in the military (and was based on data as of 2007). The United States also asserted there was "no evidence that economic and social status of individuals makes them more or less likely to enlist at any age" (UN Committee on the Rights of the Child 2011: 17), and that "economically disadvantaged individuals are actually underrepresented" in the military (UN Committee on the Rights of the Child 2011: 39).

However, annual polling data conducted for the military over the past forty years regarding the "propensity" of American youth to enlist in the armed forces directly contradicts such assertions. For example, the US Department of Defense (2011a) *Youth Wave Poll* found that "propensity" declines with more education, whereas the likelihood of enlistment is higher for those with fewer employment options and among racial/ethnic minorities (although this latter trend ended in the years following the September 11 attacks). Thus, "the more difficult that youth believe it is to get a job in their community, the more likely they are to be propensed for military service" (US Department of Defense 2011a: 3–6), a consistent finding for decades. Given that such polling is viewed as "a valid indicator of enlistment behavior" (US Department of Defense 2011a: 3–22), the military and US government are well aware that some groups are more vulnerable to the military sales pitch. Furthermore, such claims ignore the broader issue of disproportionate *recruitment* practices and fail to engage with the issue of the military presence in American elementary and middle schools.[2]

Military recruitment and human rights in the United States

Do international legal standards governing the recruitment of child soldiers have relevance in the United States? The UN Optional Protocol to the Convention on the Rights of the Child of the Involvement of Children in Armed Conflict (2000) states that US practices of school militarization and recruitment are permissible based on its narrow definition, which considers only those involved in *active hostilities* to be child soldiers. Thus, military *training* programs like the JROTC fall outside these boundaries, as do cases of actual *enlistment and incorporation* into the armed forces by 17-year-old youth. These latter practices do not involve active hostilities; and, indeed, US military regulations now ensure that its youngest recruits avoid the battlefield. As a result, this understanding of international law legitimates militarized schools and recruiting practices in the United States. As Macmillan (2011: 64) noted, international law "regulates the involvement of children in armed forces in various ways but does not make militarization *per se* its object."

International law has even less to say about the various ways the military reaches out to American elementary and middle-school children. Although not explicitly labeled "recruitment," initiatives like STARBASE and classroom presentations to middle-school students are difficult to disentangle from actual recruitment. As noted, the US military categorizes these programs as preprospecting—preparing the way for formal recruitment once students enter high school. This is consonant with the view

advanced by British researchers who claimed recruiting is more of an ongoing process rather than a discrete event (Forces Watch 2015; Rech 2016). According to the "event view," youth are only recruited when they reach the minimum age of eligibility to serve in the military. All branches of the US armed forces and their respective JROTC commands promote this perspective in an effort to distance themselves from charges that they are targeting children. However, if recruitment is seen as a long-term process, then the incidents before youth turn 17—from contact with recruiters in school to more sophisticated programs like STARBASE and JROTC—should be viewed as recruitment; as a process of engaging with youth for many years about the positive values of the military; and as planting the seed of future enlistment in the armed forces.

To date, there has been little discussion by scholars or activists as to whether the term "child soldier" should apply to the United States. Macmillan (2011: 61) observed that within the discourse used by NGOs to discourage the recruitment and training of child soldiers, "Western children are conspicuous by their almost total absence." Instead, the stand-in or "poster child" for child soldiers is the gun-toting African boy. In her analysis of the iconography used by child soldier advocacy organizations, Lee-Koo (2011: 726) agreed, noting, "global efforts to raise awareness of child soldiering often rely upon the image of a lone, unsmiling, armed African boy to portray … the horrors of militarizing children." According to Jézéquel (2006: 99), the picture of a child "bearing a Kalashnikov bigger than himself has come to symbolize a typically African brand of violence." Although a closer analysis of the myriad ways that NGOs conduct campaigns to address child soldiering may reveal deviations from this pattern, the emphasis remains on children of the Global South (Beier 2011).

Not surprisingly, popular culture in the United States mirrors this narrative. From popular works of nonfiction authors like Tracy Kidder (2009), to the *Kony 2012* video viewed more than 100 million times on YouTube, child soldiers are typically associated with Africa. The dominant discourse has clearly established that the phenomenon of child soldiers exists mainly in the developing world.

Ideologically, this identification of child soldiering works on several levels. Focusing attention on the stereotypical African child soldier serves to reinforce "pre-existing notions of the global South as a morally defunct zone of tragedy" (Lee-Koo, 2011: 731). Prosecutions for war crimes related to child soldiers have been almost entirely focused on Africa, leading one legal scholar to observe an "Orientalizing" effect of identifying certain crimes as "specifically African" (Mégret 2014). Moreover, this dialogue represents the child soldier as the "dividing line" between "civilized and uncivilized" society. As a result, it has been used to legitimate North–South power relations, and provide backing for Western "humanitarian" military interventions on the basis of "child protection" (Lee-Koo 2011: 739).

Of significance, depicting child soldiers as a "specifically African" offense, or as a practice confined to the Global South, allows actors in the United States (and more broadly in the Global North) to sidestep questions about its own military's dependence on youth. When the child soldier dialogue is limited to talking about "zones of conflict" in the developing world, left unaddressed are the ways that "zones of militarization" in the Global North affect children (Beier 2011: 15). Peter Singer (2005) typified this approach in his book, *Children at War*, one of the first attempts to introduce child soldiers to a lay audience. Singer devoted less than two pages to the existence of child soldiering in the United States and Great Britain. Although acknowledging that such practices exist in these countries, he rejected the idea that international law should apply. In effect, Singer implicitly acknowledged that the United States is in violation of child soldier statutes, but sought to excuse this conduct by distinguishing between sinister (African) and benign (US and Western) forms of child soldiering. "While all uses of children under the age of 18 as soldiers are wrong," he maintained, "not all are equal." Thus for Singer, American and British involvement in child soldiering are "borderline issues," and advocacy groups that apply international legal standards to the United States are guilty of letting their "anti-American prejudices" distract them from the "heart of the matter": child soldiers in the Global South (Singer 2005: 148–149).

Indeed, Singer claimed that the number of people under the age of 18 serving in the US military is minuscule. However, official recruiting data suggest otherwise. Using the most recent available data from fiscal year 2010, the Pentagon received nearly 50,000 applications to join the military from 16- and 17-year-olds (Child Soldiers International 2012: 6). The UN Committee on the Rights of the Child

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(2013: 4), reporting on the United States, recently expressed "concern that approximately 10 per cent of recruits enrolled in the armed forces are under 18 years." For its part, the British armed forces claim that approximately 40 percent of its soldiers enlisted between the ages of 16 and 17 (Vautravers 2008). If, as Peter Singer noted, Myanmar's 75,000 child soldiers represent "one of the highest numbers of any country in the world," then surely the United States is numerically close behind (Singer 2005: 27).

Broadening the debate

Expanding the conception of child soldiers to include practices of the Global North would require sharp deviation from conventional wisdom. Current discourse—although rooted in genuine concern for the welfare of children—has the effect of pathologizing poorer countries as the locus of all child soldier activity, while shielding the United States and its allies from critical scrutiny. A broader focus that included zones of militarization, for example, would highlight how schools in Western countries, especially the United States, are in fact primary sites for the indoctrination and production of child soldiers. "Once the stereotype of the child soldier is challenged," Lee-Koo (2011: 733) found, "it becomes clear that the militarization of children is not isolated to the global South." Critically examining the military recruiting practices of Western countries and showing their dependence on 16- and 17-year-old children—as Lee-Koo (2011) did with the Australia Defence Force, and Beier (2011) does with the Canadian military—can undermine these deceptive stereotypes.

A more authentic debate on these issues can occur if we resist the inclination to create special "exceptions," to say, as Singer did, that US child soldiers are a "borderline issue." There is some truth to what Singer claimed. The experience of US children enrolled in the JROTC program is qualitatively different from that of Ugandan teenagers serving under Joseph Kony's Lord's Resistance Army. We do not suggest equivalence between the two. However, it is important to remember that one can start from the same presumption of American exceptionalism but end up advocating the opposite of Singer. Thus, one can argue that because the United States *is* exceptional, it should therefore set the example to the rest of the world: that "whether in the United States or in some other country, it must be recognized that the armed forces are not a place for minors" (Olmedo and Quiñones 2010: 212). Indeed, some have suggested that military recruiting in schools is inappropriate, given that the teenage brain is ill-equipped to deal with the sophisticated sales strategies used by military recruiters. Citing the latest neuroscience research by Laurence Steinberg (2008) and other scholars of the adolescent brain, in 2012 the American Public Health Association passed a resolution urging the "removal of military recruiting from our nation's high schools, where the youngest and most vulnerable recruits are found."

Following the judgment of two Spanish scholars, we suggest that simply gathering information on children for the purposes of military recruitment in the United States "should be outlawed, just as weaker states are outlawed from recruiting child soldiers" (Olmedo and Quiñones 2010: 212). The US military should also curtail its support for the STARBASE program. If supplemental science education is deemed necessary for students in underresourced schools, then such funding should come from the Department of Education and not have any connection to the military. The United States also needs to take seriously the Cape Town Principles' demand to protect "certain minorities" as well as "economically and socially deprived children" from military recruitment. This would entail a radical departure from the way the Pentagon currently operates in low-income schools and urban communities, and would go far toward eliminating the so-called poverty draft.

The military and its supporters claim that programs like STARBASE, the JROTC, and classroom presentations—often to children under age 17—are not recruitment. Thus, no legal (or human rights) violations occur if a student can only be "recruited" once he or she turns 17 and is legally allowed to sign enlistment papers with parental consent. Any contact that might occur between a student and the military before that is simply harmless "outreach," as those under 17 are too young to enlist. But this narrow perspective provides tacit support to the US military to continue its multifaceted efforts to interact with students long before they reach the age of (military) consent. Rather than accept this *technically accurate* definition, all the ways that the military engages youth before they turn 17—from contact with recruiters in school settings to more sophisticated school-based (military) programs—should

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be considered as recruitment. Viewed thus, initial contact and ongoing interactions with primary and middle-school students are, in fact, efforts by the military to plant the seed of future military service, which can be harvested once youth are legally allowed to enlist. This more expansive perspective would shift the conversation over school recruiting practices beyond a narrow focus on legal questions to address larger ethical, moral, and political concerns posed by the widespread military presence in American educational settings.

Although their efforts are not well known, some grassroots activists are seeking to extend the debate in just this way. Composed of dozens of local groups of parents, students, military veterans, and average citizens, those involved in the military counter-recruitment movement expose, critique, and at times thwart the military's presence in US schools (Harding and Kershner 2015). Because most activists are volunteers, they focus their limited resources on countering militarism in high school settings—an area they view as the more urgent need. As a result, the military presence in primary and middle schools aimed at preprospects is largely uncontested (leading to a lack of discussion of this issue in UN reports about the United States). In the absence of effective oversight in local schools, some counter-recruiters make a goal of closely monitoring the actions of military personnel. For example, an organizer in rural Oregon made photographs and video recordings of questionable recruiter conduct at her son's high school. She brought this evidence to the attention of her local newspaper, and then successfully lobbied her school board for better regulation of on-campus military recruitment practices (Kershner 2014b).

Counter-recruiters and their allies in parent–teacher associations, teachers' unions, and civil liberties organizations also organize campaigns to blunt the impact of military training programs like the JROTC, and to curtail the practice of using private student information and testing data for military recruitment. To build support, activists generally avoid antimilitary rhetoric. Instead, their messages illustrate how military recruitment violates student privacy and undermines parental consent, shifts limited school resources away from college preparatory programs, and conflicts with traditional educational values like critical thinking. As we have shown elsewhere (Harding and Kershner 2015), the term counter-recruitment encompasses at least four distinct yet related forms. Some activists believe counter-recruitment is a means of stopping war by discouraging military enlistment (and thus making it harder for recruiters to meet their quotas). Others focus on legislative activity to circumscribe the role of the military in public schools by passing school district policies that limit the number of times recruiters can visit a school. A more sophisticated approach to counter-recruitment views it as a way to cultivate youth activism and encourage students to think critically about war, military service, and other social justice issues. In perhaps its most common form, counter-recruitment resembles consumer advocacy, as it involves visiting schools to share information with youth on the realities of military service and nonmilitary career options. In this approach, activists provide a powerful counter-narrative to the military's recruitment pitch.

The antiwar approach to counter-recruitment has been the most confrontational and may at times involve direct action, such as picketing in front of recruiting stations and engaging in civil disobedience to obstruct the recruitment process. Of note, these tactics are typically limited to times when the United States is involved in a hot war; this activity peaked during intense US military involvement in Iraq (2004–2009). Although some activists find these actions personally gratifying, the gains are ephemeral: A recruiting station may shut down in the face of picketers, only to reopen the next day. Civil disobedience also risks alienating the very constituencies—parents, teachers, and other school stakeholders—counter-recruiters need to cultivate in order to build coalitions and effect more durable change. One counter-recruiter, an adherent of consumer advocacy, told us that the ill will and suspicion generated by confrontational tactics in schools "made my job harder." Despite key instances of success, there are significant limitations on what counter-recruiters are legally allowed to do. For example, in the 1990s activists forced large school districts like Rochester, New York, and Portland, Oregon, to completely prohibit military recruiting in high schools. But the 2001 federal No Child Left Behind Act and its successor, the Every Student Succeeds Act of 2015, undermined such efforts. These laws have essentially required schools receiving federal funding to give military recruiters direct access to campuses and student directory information.

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To date, few organizers have used a human rights framework in their counter-recruitment work, although some efforts are notable. Finding that high school military recruitment in Georgia violated the Optional Protocol to the CRC, activists affiliated with the Atlanta chapter of the American Friends Service Committee launched a campaign in the 2009–2010 school year. Working with the state chapter of the American Civil Liberties Union, they blocked a proposed publicly funded military-themed high school and introduced state legislation to restrict military recruiter access to high school students (Harding and Kershner 2015: 76). And at least one NGO in the United Kingdom has routinely used a human rights frame to advocate for stricter regulations of military recruiting in British schools (Forces Watch 2015).

In contrast, human rights-based framing has been more consistently and effectively used to organize US communities on issues of housing, food justice, and health care (Libal and Harding 2015). Counter-recruitment activists and their allies should thus consider borrowing from the available templates for human rights-based organizing. Recruitment of child soldiers—recruiting activities that target youth under age 17 in US public schools—is more than a borderline issue. Indeed, it is a key part of the overall American military recruiting strategy. Appealing to universally held values and appropriating the discourse of child protection can strengthen the efforts of those working to demilitarize public schools.

Counter-recruiters should also incorporate more of the ingredients of a successful human rights campaign, as outlined by Hagan (2010). Among the elements she identified is "personalization," which "encourages identification and sympathy … as well as a sense of urgency" (Hagan 2010: 569). There is a particular need for activists to personalize their claims that the human rights of students are being violated in US public schools. This could involve giving youth the chance to address militarism in their schools, to articulate how it affects them and their peers, and to take an active role in formulating ways to address their grievances. Similarly, recent veterans of US wars in Iraq and Afghanistan could speak to their own experience of being recruited in schools at a young age. Increasing the involvement of other military veterans in counter-recruitment would lend added credibility to claims that US school militarism is violating human rights; it would also better insulate those campaigns from charges of being antimilitary. As Hagan (2010: 564) observed, "A successful human rights claim bolsters a campaign's reputation of trustworthiness and legitimacy."

Those involved in counter-recruitment have thus far been successful on an instrumental level: They have used legislative channels at the state and school district levels to create more regulation of military recruiters and military testing in schools. They have also had a more symbolic or normative effect, as when they use messages in the media to educate the public about school militarism and demonstrate the need for reform. These activists have arguably brought more attention to the issue of child soldiers in the US military than other human rights organizations, such as UNICEF and Child Soldiers International. This is likely due to both ideological and pragmatic reasons. Debate is constrained when child soldiers are conceived as a "specifically African" offense and by a human rights framework that emphasizes the act rather than the process of recruitment. As Cohn (2014) observed, advocates may need to recognize the limits of a strictly legal approach to addressing the problem of child soldiers. The limited resources of human rights groups could thus better be spent by "bolster[ing] prevention" of the problem "at the level of the child's ecology," which includes "regulating the messages children receive in media or public schools" (Cohn 2014: 190). Although few counter-recruitment activists have emphasized a human rights framework, such a focus has the potential to forge new alliances and broaden the debate over school militarism in the United States.

Notes

1. The authors filed Freedom of Information Act requests with the recruiting services of all relevant branches of the military. Although not exhaustive, the military eventually provided more than two thousand pages of material. The documents detail the extent of school recruiting activities—the number of recruiter visits to a given high school and the type of recruitment activities undertaken while there—in all of New York State and Connecticut, as well as parts of California, Massachusetts, and Pennsylvania for (approximately) the 2011–2014 school years.
2. Lacking other readily available data, we use this common measure of the economic status of students and their families, although "eligibility for subsidized school meals is clearly a blunt indicator of economic status" (Dynarski 2016:

BU6). Nationwide, approximately one-half of (public) middle-school students qualify for subsidized meals. Students in families earning less than 185 percent of the federal poverty threshold qualify for a reduced-price lunch, and those whose families earn less than 130 percent of the federal poverty threshold qualify for a free school lunch. School districts with a low percentage of qualifying students are generally well off economically.

3. In its most recent country report on the UN Committee On The Rights Of The Child (2016), the US government did not address the issue of targeting minorities and vulnerable groups.

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