



The Phyllis Schlafly Report



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Should Women Be Drafted?

One of the potentially most explosive subjects now being debated in State Legislatures across the country is the question, should women be drafted? This radical proposal has sneaked in through the back door as one of the fundamental issues involved in the ratification of the Equal Rights Amendment.

The proposed Equal Rights Amendment now under consideration by the State Legislatures provides that "Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex." There may be some dispute about what "equality" means in some areas, but there is NO dispute about what this means in relation to the draft and the military. ERA is a proposed constitutional amendment which will positively, absolutely, and without the slightest shadow of a doubt, make women subject to the military draft on the same basis with men.

Shocking? Yes. Radical? Yes. Contrary to American customs and current laws? Yes. Contrary to the wishes of the overwhelming majority of American citizens? Yes. Nevertheless, this little-debated sleeper in the Equal Rights Amendment is well on its way to becoming a constitutional millstone around the necks of American women. The only way this can now be prevented is if enough courageous State Legislators recognize *in time* that such a requirement is unwise, unpopular, and un-American.

In order to prove that the Equal Rights Amendment will make women subject to the draft equally with men, one need only to turn to the official U.S. House Judiciary Committee Report to Congress. This Report (No. 92-359) states clearly:

"Not only would women, including mothers, be subject to the draft but the military would be compelled to place them in combat units alongside of men."

What the Proponents Say

Do the eager proponents of ERA really want to draft women into military service? Indeed they do. You don't have to take my word for it. Let them speak for themselves.

The leading ERA sponsor in the U.S. House of Representatives, Congresswoman Martha Griffiths, stated: "The draft is equal. That is the thing that is equal. But once you are in the Army you are put where the Army tells you where you are going to go." She surely is correct in saying that once women are drafted, "the Army tells you where you are going to

go."

The leading ERA sponsor in the U.S. Senate was Senator Birch Bayh. When I debated him on television, he admitted: "If there is a draft, it is fair to say that women who meet whatever physical and mental standard we set will be subject to it."

The principal piece of scholarship presented to the Congress by Congresswoman Griffiths and Senator Bayh is an article in the *Yale Law Journal* of April 1971 by Professor Thomas Emerson. This article spells out in specific detail how the Equal Rights Amendment will make women subject to the draft equally with men. Here are the pertinent passages from pages 969 to 978:

"As now formulated, the Amendment permits no exceptions for the military. Neither the right to privacy nor any unique physical characteristic justifies different treatment of the sexes with respect to voluntary or involuntary service. . . . A woman will register for the draft at the age of 18, as a man does now. . . . Training and combat may require the carrying of loads weighing 40 to 50 pounds, but many, if not most, women in this country are fully able to do that. . . . As between brutalizing our young men and brutalizing our young women there is little to choose. . . . Women will be subject to the draft. . . . Women will serve in all kinds of units, and they will be eligible for combat duty."

At the State Legislative hearings around the country, the ERA proponents have appeared and confirmed that ERA will subject women to the draft, and that this is what the proponents want. Sometimes they state it gleefully and enthusiastically; a speaker at the Illinois hearing said, "I consider myself a salesperson for the Selective Service Board -- I think women *should* be drafted." Sometimes they state it only reluctantly under questioning, as did the Republican National Committeewoman of Arizona at the Phoenix hearing. One way or the other, the ERA proponents *always* admit that ERA will positively make women subject to the draft, and they say this is what they want.

Dodging the Issue

How has such a radical and unwanted constitutional amendment sailed through to ratification by 28 state legislatures without causing enough public debate for most Americans to know that this is happening? Primarily because of the chicanery of the ERA

proponents who have resorted to every kind of word trick to conceal from the public the sleeper that ERA will draft women. Here are the phony arguments they use to divert public attention from the fundamental fact that ERA will make women subject to the draft equally with men.

False Argument No. 1: "Congress now has the power to draft women."

This is a prime example of the word-chicanery practiced by the ERA proponents. It is true that Congress now has the power to draft women -- but Congress has used this power to *exempt* women. This is the way the overwhelming majority of American men and women want it. The point is that, if ERA is ratified, Congress will no longer have the option to draft women or not to draft them. Congress will be constitutionally compelled to draft women on an absolutely equal basis with men.

False Argument No. 2: "This objection is moot because the draft is ending and we will have a volunteer army."

This shows the ostrich-like naivete of the ERA proponents who blithely assume that we have now achieved a utopia in which we will have no more wars and no more draft. Logic, history and common sense advise us otherwise. We have had a draft for 33 years and three bloody, costly wars -- during most of which time the politicians have been promising us peace, beautiful peace. Who could have predicted that we would have been saddled with the Vietnam War? But we were -- for eight long years.

The point is that, if ERA is ratified, any national emergency will be compounded by this constitutional noose around our necks. We will be simultaneously confronted with the social upheaval of drafting women for the first time in our history. Just imagine what this would have meant in the bewildering days after Pearl Harbor.

False Argument No. 3: "All women will not be drafted any more than all men are required to serve."

Of all the arguments used by ERA proponents, this is probably the most hypocritical. No one ever claimed that "all" women will be drafted. If you are over draft age, or if you have only one eye or one leg, of course, you are not going to be drafted, and no one ever claimed you would be. But women will be drafted on the same basis as men, and with only the same exemptions. The extent of the exemptions varies with the national emergency. In World War II, men, including fathers, were drafted up to age 35.

"Equality" under ERA means that mothers cannot be exempted just because they are mothers -- unless fathers are likewise exempted. We have had periods of the draft when fathers were exempted, but we have also had some very bloody periods when fathers were drafted. We could not have won World War II without drafting fathers.

False Argument No. 4: "Only one percent of men are placed in combat."

This is like saying that ONLY 45,000 American servicemen were killed in Vietnam. Yes, that is only a small percentage of young men -- but who is so callous as to minimize the service and sacrifice of ONLY 45,000? Do we really want "equality" so that half of those killed would have been girls? Yes, there were ONLY about 1,000 POWs and MIAs -- a very small percentage even of those in combat. Are we asking for "equal rights" so that ONLY 500 of the POWs and MIAs would be girls?

The percentage of servicemen who are put into combat depends on the national emergency, as witness the very large percentage assigned to combat during World War II.

False Argument No. 5: "The Selective Service Board wouldn't really draft women!"

It is hard to see how anyone could be so foolish as to make such a statement. The Selective Service Board must obey the law and the Constitution.

Doubting Thomases should read the official report of Selective Service Director Curtis W. Tarr to President Nixon, as printed in the *Selective Service Bulletin*, January 1, 1972 to July 30, 1972, page 37: "When the President's authority to induct expires, the structure of the System and the remaining activities now undertaken will continue as required in section 10(h) of the Military Selective Service Act. Selective Service must register young men at age 18 (and young women as well if the Equal Rights Amendment becomes a part of the Constitution), hold an annual lottery, classify registrants, and maintain viable procedures in the event of inductions. It might be wise as well to call some young people for preinduction examinations so that the President would have available an acceptable pool of registrants for immediate induction in an emergency."

False Argument No. 6: "In this modern, technological age, combat duty isn't very dangerous; it may mean just sitting at a computer at a missile site."

Tell that to the hundreds of thousands of young men who fought in jungle warfare in Vietnam. Who would have believed that, in the nuclear/space age, the great United States would be bogged down for eight years in a land war in Asia fighting in hand-to-hand jungle and guerrilla combat. But we were. If the Equal Rights Amendment had been ratified ten years ago, this is what our young girls would have been subjected to -- by mandate of the U.S. Constitution. Who has a crystal ball to assure it cannot happen again?

False Argument No. 7: "We need ERA so women can get their fair share of veterans' benefits equally with men."

Let's be perfectly clear about what this means. It means that when girls are killed in action, they will get the same death benefit as the men do. When girls have their arms and legs shot off, they, too, will get disabled veterans' benefits. And when they are taken prisoners of war, they will share in all the "benefits" of being a POW, equally with men, if they are released.

False Argument No. 8: "Making women subject to the draft is a good way to end the draft altogether. Congress won't want to draft women, so no one will be drafted."

Whether we have a draft will depend on the national emergency, not on the whim of Congress. Golda Meir is one of the greatest women in the world today, and women are drafted in Israel. But having a noble woman as head of state and women in the army has not eliminated Israel's draft or national emergency. History offers no example of a country saving itself from a draft by the device of conscripting women.

False Argument No. 9: "Other countries draft women, so drafting women is perfectly acceptable."

Communist countries draft women, and we certainly don't want to copy the way *they* treat women.

The only non-Communist country which drafts women is Israel, and Israel's national emergency is

entirely different from what ours has ever been. A little country whose national survival is in acute danger, Israel is forced to use all available manpower and womanpower.

Even so, Israel would never tolerate anything so demeaning to women as the Equal Rights Amendment which mandates absolute equality in the military. Israeli women serve only about half as long as men. Israel women have automatic exemption if they get married or have a baby. They are not put into combat or into integrated barracks with men.

The women in Israel are willing to do what is necessary for national survival, but, according to a recent interview with Ada Feinberg-Sereni, one of the eight women members of the Israeli Parliament, the second generation of Israeli women are "trading in their rifles for aprons." She said in a February 8, 1973 interview: "The revival of housewifery seems to be the women's choice. They say, 'We want to do our normal roles -- looking after our children and our husbands.'"

False Argument No. 10: "The U.S. Navy has already started putting women on ships, so what's so bad about that?"

In enthusiastic anticipation of ratification of the Equal Rights Amendment, Admiral Zumwalt has placed 50 women on the *U.S.S. Sanctuary* with 400 men. While the top Navy brass assures us that this experiment "is working out well," enterprising reporters have discovered that there are already two on-board pregnancies, the morale of the seamen is damaged because the female deckhands can get out of heavy work by throwing tantrums or crying, and the sailors aren't permitted to wear undershirts doing sweaty work because the girls would insist on wearing halters. Many of the girls are disillusioned and have blistered hands from the rigors of deck work.

Seawoman Sherry Sager, age 19, told the reporter: "I got fed up with welding, plumbing, and drilling in a cramped hull with little ventilaton. I didn't want to burn and scar myself and lose my fingers." Seawoman Patty Seasock, also age 19, said: "I'm bored and I feel restricted. I don't know if I can make it two more years. I'd really like to be a Playboy bunny."

There are so many things wrong with this intolerable situation that it would take a book to explain them fully. It is incredibly unfair to the wives of the sailors to tempt their husbands by putting them on board ship in close quarters with about 50 single girls of the type who yearn to be Playboy bunnies. And it is unfair to the men, too.

The U.S. Senate Judiciary Committee Report (No. 92-689, March 14, 1972, page 37) quoted a letter from the General Counsel of the Defense Department, J. Fred Buzhardt, which dealt with some of the other problems which would be caused in the military by ERA. Mr. Buzhardt said:

"Further, there is the possibility that assigning men and women together in the field in direct combat roles might adversely affect the efficiency and discipline of our forces.

"On the other hand, if women were not assigned to duty in the field, overseas, or on board ships, but were entering the armed forces in large numbers, this might result in a disproportionate number of men serving more time in the field and on board ship because of a reduced number of positions available for their reassignment.

"If this Amendment allowed no discrimination on the basis of sex even for the sake of privacy, we believe that the resulting sharing of facilities and living quarters would be contrary to prevailing American

standards.

"Even if segregation of living quarters and facilities were allowed under the Amendment, during combat duty in the field there are often, in effect, no facilities at all, and privacy for both sexes might be impossible to provide or enforce."

The Clauses Congress Deleted

The clear intent of the Equal Rights Amendment to compel the drafting of women is conclusively proved by the modifications which Congress *deleted* before passage. When ERA came out of the House Committee, it had attached to it the Wiggins Modification which stated:

"This article shall not impair the validity of any law of the United States which exempts a person from compulsory military service or any other law of the United States or of any State which reasonably promotes the health and safety of the people."

This wise and reasonable clause *was stricken out* of the Equal Rights Amendment by the "equality" extremists.

Likewise, the Senate rejected a similar modification proposed by Senator Sam Ervin, Jr. which stated:

"This article shall not impair the validity of any law of the United States which exempts women from compulsory military service or service in combat units of the Armed Forces."

When the House and the Senate specifically voted *to strike out* these clauses exempting women from the draft, they made it crystal clear that one of the major objectives of the Equal Rights Amendment is to draft women into compulsory military service.

Freedom of Choice

It really doesn't make sense for women to be agitating to make women subject to the draft. Of course, most of the women agitating for ERA are over draft age. Of those who are draft age, my own experience in talking with them is that nine of out ten who say, "Yes, women should be drafted equally with men," reserve to themselves the personal right to be a conscientious objector.

Occasionally, there is a draft-age girl who sincerely urges the drafting of women. To her we say, "Run, don't walk, to the nearest recruiting office and volunteer. The Armed Services are looking for girls like you. You have your freedom of choice to serve, if you want to. But please don't take away from the rest of the girls their present exemption from the draft. Most women believe that women have more important work -- and more appropriate -- work to do than serving in combat and on warships.

The ERA proponents, however, adhere to the psychology of compulsion. As one pro-ERA speaker stated at the State legislative hearing in South Carolina, "Women should not have the choice as to whether to serve in the military or not."

Well, that is a point of view, but it is clearly not the view of the majority. Every poll that has ever been taken shows that the overwhelming majority of American men *and* women oppose the drafting of women into the military. But it is going to happen unless a sufficient number of State Legislators have the courage to vote NO on ERA.

One day, there may be a rude awakening when American women find out how they have been fooled by the innocuous-sounding media-supported Equal Rights Amendment. Then, it may very well happen that every Legislator who voted to draft women -- by voting for ERA -- will be ferreted out, labeled, and targeted for political oblivion.

Letter Sent to Members of the North Dakota Legislature During the Debate on ERA

February 20, 1973

Dear Legislator:

The whole nation is rejoicing about the return of our prisoners of war, who have endured prison in North Vietnam for so many heartbreaking years. Those years of prison were mighty hard on those young men. They suffered so much at the mercy of cruel Communist captors.

But I am glad about one thing. I am glad that not one of our POW's was a girl. If the Equal Rights Amendment had been ratified ten years ago, probably half the Americans taken prisoner would have been girls. But when the release date came, half would not have been girls, because they probably would not have lasted that long. In addition to the fact that girls have not the strength of men, there is the horrible fact that the fate of a girl in the hands of vicious men is a hundred times worse than that of a man.

We are all so relieved that the Vietnam War is over, and we weep for those 50,000 men who died there. But I am glad that 25,000 were not girls as they would have been if the Equal Rights Amendment had been ratified ten years ago. Everyone admits that the Equal Rights Amendment will make girls subject to the draft on an equal basis with men. There is no dispute about this. The Equal Rights Amendment proponents say that this is what they want.

I hope we do not have any more wars. But no one thought we would have the Vietnam War. I remember all those years our leaders promised peace, peace, peace. Still we had wars, and jungle fighting, and battle deaths, and prisoners of war.

I am not the kind who would be a conscientious objector or run off to Canada. If the law said I would have to be drafted, I would obey the law. I am willing to make sacrifices and serve my country in whatever way girls can help in any national emergency. But I do not believe that coed armies or coed navies ever won any wars, and I cannot believe that you can close your eyes to the reality of what the Equal Rights Amendment really means. Vietnam is proof that wars do happen even when no one wants them.

Please do not vote me any equal rights to be a POW. This is really what the Equal Rights Amendment is all about. I am pleading with you not to do this to me, and my sisters, and your daughters, and all the girls who are at the mercy of your vote. Thank you.

Yours sincerely,

Betty Horner
Student at Bismark Junior College
Age 20

Phyllis Schlafly is the mother of six children and the author of five best-selling books. An Honors graduate of Washington University and of Harvard University, she is the news director of a series of interviews with scholars and scientists recently aired on 70 television and 50 radio stations. She worked her way through college on the night shift as a gunner and ballistics technician at the largest ammunition plant in the world.

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