

WOMEN IN COMBAT

The phrase, "Women in combat," has become in recent years more an ideological slogan than the designation of a meaningful ethical issue. To conservatives it is a red flag evoking hostility toward "feminism" and all its associated evils. To liberals it is a critical litmus test dividing insensitive sexists from those who respect the equality of all persons. Because the phrase, "Women in combat," has become so emotional those who are divided by it rarely consider its cognitive, non-emotive meaning and, thus, seldom consider possible differences between their beliefs and those of their opponents.

Those in favor of "women in combat" often say that "women should be assigned to combat duty." But this is not sufficiently clear. Do they mean that women should be assigned to combat branches of service, that women should be assigned to areas where combat is likely, or that women should be trained and expected to kill the enemy in time of war? Those, on the other side, who oppose "women in combat" do not want women, with the possible exception of nurses, to be assigned to any areas where armed conflict with the enemy is probable and they certainly don't want any women to be trained or expected to kill.

From a legal perspective it should be noted that when President Carter, in 1980, asked Congress to amend the Military Selective Service Act so women could be drafted, Congress refused to do so on the grounds that because the purpose of future drafts would be to obtain combat troops and because women were prohibited by law from engaging in combat there was no military need to draft women. The U. S. Supreme Court, in *Rostker v. Goldberg*, endorsed this Congressional position and cited with approval Senate Report No. 96-826 as it stated: "The principle that women should not intentionally and routinely engage in combat is fundamental."¹ The legal prohibition alluded to is Section 6015 of Title 10 of the U.S. Code, which prohibits assigning women to any ships or aircraft that could be used in combat.

In February of 1978 the Department of Defense defined "combat" to mean "engaging an enemy or being engaged by an enemy in armed conflict," but also distinguished "combat" from "in combat" by defining "in combat" to mean "in a designated combat/hostile fire zone."² Later in the same year, the Women's Armed Services Act was modified by Public Law 95-485 to allow women to be assigned to combat ships for periods up to 180 days which meant that the Secretary of the Navy was given the same kind of discretion concerning placing women "in combat" that the Secretary of the Army already possessed. These definitions recognize a distinction between what Mady Segal calls "defensive combat" and "offensive combat," between being placed in an area where armed conflict with an enemy might occur and actively seeking out and engaging the enemy with line-of-sight weapons.³ What Congress and the Court meant by "women in combat," when they called its legal prohibition "fundamental," is "women engaging in offensive combat; women seeking out and engaging the enemy with line-of-sight weapons," while "being exposed," as a 1982 study, "Women in the Army," put it, "to direct enemy fire, a high probability of direct physical contact . . . and risk of capture."⁴ And this is also what is meant by those who disagree with Congress and the Court and who would argue, for example, that a woman in the Air Force should be allowed the same opportunity to become a combat fighter pilot as that allowed a man in the Air Force.

The cognitive, non-emotive content of the phrase, "Women in combat," is now more clear, but the ethical issue, "Should women be allowed to engage in combat?" will remain ambiguous until it is determined whether it is intended as conditional or absolute. One Gallup Poll, in 1981, revealed that 61% of American males and 74% of American females believed that women should be allowed to engage in combat, but only on the condition that they volunteer for combat service.⁵ Much smaller percentages approved of making combat service compulsory for all women in the military and, although the poll did not raise the question, it would be safe to assume that most of those who approved of women in combat on a voluntary basis took it for granted that only women qualified for combat by selection and training would be allowed to volunteer.

The point is that some see the ethical issue as conditional, they favor allowing women to engage in combat, for example, only if they are qualified and volunteer; others see the ethical issue as absolute, they favor or oppose allowing women to engage in combat, for example, regardless of whether they volunteer, meet qualifications or make possible the survival of the nation.

Those who see the ethical issue as absolute are in the minority. At first glance the common conservative argument that it is contrary to nature for women to engage in combat seems to be absolute, but it is not necessarily so. Let us suppose, following the lead of Joyce Trebilcot,⁶ that there are natural differences between men and women which cause behavioral differences such that men have a greater innate ability than women to engage in combat. Should we select, then, as we decide who goes into combat only men and only those men who are most talented for combat? Obviously we should, if we believe that what we should do is what is most efficient and useful for the society as a whole. But if this is our moral standard, then our argument is conditional and we would be willing to use women in combat if doing that would be best for society as a whole. To be absolutely opposed to women in combat we would have to believe that it is wrong to use them even if women in general were better in combat than men and we would have to believe that being moral is not the same thing as doing what is best for society as a whole. But, then, as Kant asked, how could we avoid the possibility that moral laws are only "empty figments of the brain?" Only by assuming, as Kant answered, that the universe is ruled by a wise and loving Being, who for reasons we do not understand, wants us to follow moral laws which are contrary to social utility.⁷

Arguments against women in combat which which make this kind of appeal to the will of God are absolute, but difficult to assess because those who hold them differ as to how we shall determine the will of God. Many Christians, for example, claim that the will of God can be determined by reading the Bible. In Judges 4:17-23, for example, we are told that it was God's will that a woman, Jael, should kill a Canaanite general, Sisera, by driving a tent peg into his temple with a hammer while he slept in her tent.

In Deuteronomy 20, however, it seems clear that God wills that all soldiers should be only males who volunteer. Some Christians prefer to look for the will of God in the New Testament, which for some indicates that it is the will of God that no one, male or female, should engage in war at all.⁸ Other Christians disagree and find no conflict between the command of Jesus, in Matthew 5:43-48, that we should love our enemies and the participation of Christians in armed conflict.⁹ Such militant Christians generally oppose the use of women in combat by appeal to Pauline arguments, like those in Ephesians 5:22-32, which claim that women must obey and fear their husbands and other male authorities, all of whom know and follow the will of God on this issue.

Absolute arguments favoring the use of women in combat are even more rare. Some radical lesbian separatists, in the 1970's, argued that women should reinstitute ancient matriarchal cultures in which women, and only women, were the warriors.¹⁰ Such cultures were deemed to be superior by appeal to natural law and the natural law was not justified as morally binding in terms of its social utility but simply because it was the ultimate law.

The majority of arguments, for and against women in combat, are conditional and may be divided into two kinds: "utilitarian," i.e., those that appeal to what is best for the society as a whole, and "autonomous," i.e., those that appeal to what is best for the individuals involved. Among the utilitarian arguments against women in combat, there are two kinds: those that claim that women are not qualified to engage in combat and those that claim that women, even if qualified, should not be used in combat because they are needed to perform other more important social functions which men cannot fulfill. Arguments which claim that women in general are not qualified to engage in combat because of physiological characteristics focus on upper body strength and menstrual cycles. Women on the average have only 55.8% of average male upper body strength, and while there is no evidence that women in general suffer impaired performance due to menstruation or premenstrual stress, the same studies show that some individual women are affected to a significant degree.¹¹ On the average, however, premenstrual stress notwithstanding, women commit fewer crimes and kill themselves less often than men.¹²

Arguments which claim that women are emotionally and/or psychologically unqualified for combat focus on small but significant differences which favor males in some spatial and all mathematical skills and claim that women are more susceptible to stress. Differences, however, in spatial and mathematical skills can be overcome by training and there is no evidence that women are less able to work under conditions of environmental stress.¹³

What is common to all such arguments are three claims: first, women in general possess (or fail to possess) a certain emotional or mental trait; second, this trait (or the absence of this trait) disqualifies them for combat and, third, this trait is not (or is) possessed by men in general. Given the truth of these three claims and a utilitarian construction of the ethical issue, it would seem to follow that women should not be allowed to engage in combat. This follows, however, only if one or more unstated assumptions are true. Women in general, we know, compared to men in general, are more flexible in every major body joint, can tolerate more hot and humid conditions and are bothered less by living in crowded conditions,¹⁴ so we must ask, first, whether such traits are compensating traits, whether they might make up for other disqualifying traits? Next, even if our answer is negative and we accurately conclude that the disqualifying traits are preponderant, we must ask if it is possible that such traits can be altered by either socialization and/or genetic engineering with the result that women in general would become as well qualified for combat as men. There is strong evidence, for example, to indicate that premenstrual stress is the result of socialization.¹⁵ If this is true, should such a trait be altered or eliminated by resocialization? A utilitarian cannot argue that there are some traits which should never be changed, but could raise, as a moral objection, only the argument that the social costs of such an alteration would outweigh the benefits.¹⁶ It is not sufficient merely to argue that because the primary purpose of the military is to defend society it is, therefore, wrong to use it as a means for overcoming sexual or social inequality.¹⁷ What needs to be argued, instead, is that the social cost of sexual integration in the military will exceed the long-term gains. Utilitarian arguments, therefore, which seek to prove that women are not qualified to engage in combat must assume either that women possess insufficient compensating traits, that their disqualifying traits cannot be changed or that the social cost of changing them exceeds the social benefits.

The second kind of utilitarian argument against women engaging in combat contends that women, even if qualified, should not be used in combat because they are needed more to satisfy important social needs that cannot be satisfied by men. An old but popular example, revived recently by George Gilder, holds that if we are interested in the continued survival of the human species, or, for that matter, our own society, we must see to it that females of child-bearing age are prevented from engaging in combat because, although the number of males required to maintain a human population can be quite small, the number of females required must be larger. In any future war, the argument assumes, it is quite probable that the human species, or our own society, will lose a large percentage of males. We may survive such a loss of males, but could not survive a similar loss of females.¹⁸ The soundness of this argument, of course, rests upon the unstated premise that if women are allowed to engage in combat, their number must equal that of men in combat and the assumption that in future wars it will be possible to isolate and protect females.¹⁹

A novel, pro-feminist example of this kind of argument is provided by Lyla Hoffman. Women, she argues, have been socially conditioned to be cooperative, kind, nurturing and tolerant while males by their social conditioning have been made aggressive and competitive. Militarism and patriarchy are kept alive by maintaining such different and gender specific forms of socialization. Even though they are not innate, the "feminine" traits are, nonetheless, the desirable human traits. To allow women to engage in combat would lead to the obliteration of such desirable traits and would make women aggressive and competitive while providing reinforcement for militarism and patriarchy. But "if socialization of both sexes stressed cooperation, kindness, nurturance, respect for human feelings and for human differences, patriarchy--as well as militarism--would be doomed."²⁰ Given that Hoffman describes both militarism and patriarchy as systems which institutionalize the use of force to allow males to control females, it is not clear how or why she thinks it possible that males would allow the socialization of both sexes to emphasize "feminine" values.

Curiously enough, Richard Gabriel's argument that females disturb the male bonding that is necessary for "military unit effectiveness and cohesion"²¹ is a mirror image of Hoffman's argument. According to Gabriel, the masculine traits of competition and aggression, although the results of socialization, are necessary traits for warriors and must be protected. To integrate women into the military would "require among the male members their complete redefinition of themselves as men."²² As General William Barrows, former Marine Corps Commandant said, "When you get right down to it, you have to protect the manliness of war."²³ Christine Williams, in her study of occupations and gender traits, notes that men fear the loss of masculinity much more than women fear the loss of femininity because masculinity, unlike femininity, has to be earned by achievement and can be lost by failure to achieve.²⁴ Even those who favor women engaging in combat are willing to concede that the integration of females in the military would threaten the masculinity of males and disturb male bonding. They counter Gabriel by contending that unit effectiveness and cohesion can be obtained by some way other than male bonding. Racial integration, it is suggested, may be a useful analogy; at first racially integrated units were less effective and cohesive than previous all-white or all-black units, but in time they became just as effective and cohesive.²⁵

Both Hoffman and Gabriel, it should be noted, are willing to admit that both men and women could be altered by socialization so that the integration of women in the military could be accomplished, but both argue that the social cost of doing so would be too great. Hoffman fears that if women were altered to become more masculine and aggressive, this would guarantee the domination of our society by militarism and destroy the prospects of peace in the world. Gabriel argues that the presence of women in combat positions would alter the males, depriving them of their masculinity and aggressiveness in terms of which they presently constitute a cohesive and effective military force. The work of Christine Williams, mentioned earlier, suggests that because males have a much greater need than women to define and maintain gender identity by means of role and occupation Gabriel may be more correct.²⁶

Next, utilitarian arguments for allowing women to engage in combat will be considered. If women want to engage in combat and are qualified, would it not be wrong, in the words of John Stuart Mill, to deprive society of "the amount of fresh social power that would be acquired by giving freedom to one-half of the whole sum of human intellect," not to mention "the benefit of the stimulus that would be given to the intellect of men by competition"? "Mental superiority of any kind," Mill continues, "is at present everywhere so much below the demand that the loss to the world, by refusing to make use of one-half of the whole quantity of talent it possesses, is extremely serious."²⁷

The use of Mill's argument assumes that mental qualifications essential for military service are just as likely to be found in women as in men and that combat duty requires intellectual skill more than physical prowess. It is, therefore, like other utilitarian arguments already considered, conditional; what it concludes depends upon what is considered good for society and what it is believed women are best qualified to do in order to serve society.

Mill, if he were alive today, would not quarrel as much with our views concerning what is good for society or what women can do for society as he would with our lack of consistency and fair play in applying those views. We are inconsistent, he would argue, in refusing to allow women to engage in combat because in our opinion they lack the necessary traits while at the same time we use them as spies and nurses in combat zones.²⁸ It is not fair to women, he would argue, to claim that women do not deserve equal treatment in the military because "no woman is going to be asked to put her life at stake as men are,"²⁹ while we consistently refuse to give women the opportunity to put their lives at risk in combat.

Utilitarian arguments for allowing women to engage in combat, as conditional, can be negated if the current and factual nature of women and state of society changes. Many, therefore, who agree that women should be allowed to engage in combat prefer to put to one side facts about women in general and concerns about what is good for society as a whole and use autonomous arguments which appeal to what is best for the individual.

Sharon Bishop Hill is a good example of a radical feminist who rejects both political liberalism and ethical utilitarianism and embraces the Kantian notion that self-determination is valuable in and of itself--even if it is unnatural and socially inefficient. Social efficiency, Hill argues, may well require women to remain feminine, to bear and raise children, but to force women to do so when they desire and are able to do otherwise is morally wrong.³⁰ Women who are qualified and seek to do so should be allowed to engage in combat simply because they possess as human beings a right to choose and determine their own behavior. This right of qualified and rational human beings to determine their own behavior is not held to be absolute, but is considered to be more important than what is natural or socially useful because it is a necessary prerequisite for morality itself. We can be moral only to the extent that we can freely choose to follow or violate moral rules. To follow moral rules simply because our natural inclinations or social sanctions force us to act in agreement with such rules is not a moral act. The ability and right, therefore, to determine one's own conduct is a necessary condition for morality.³¹

As far as we know, human beings are the only agents who, as rational and free, are able to make moral decisions. We are the beings who bring morality into the world and are, therefore, more valuable than physical objects which, of course, have value only because we value them.³² This is why it is morally wrong, according to Hill and other followers of Kant, to violate a woman's right of self-determination for the sake of military effectiveness or any other social good. To do so is to restrict and eventually destroy the very human ability that makes morality possible and to treat a human who has this ability like a no-deposit, no-return physical thing.

Even though Hill agrees with Mill that women should be allowed to engage in combat, her autonomous argument clearly opposes Mill's mode of moral reasoning. Mill favors the use of women in combat because he believes that greater self-determination for women will lead to a better society for all, but Hill argues that women who are qualified should be allowed to choose to engage in combat even if it does not lead to a better society for all.

To allow self-determination only if and when it is socially useful plays into the hands of those utilitarians who oppose allowing women to engage in combat even if they volunteer and are qualified. Such utilitarians, given certain social conditions, might well be able to demonstrate that the survival of the human race requires that women shall be excluded from combat. Such an argument, however, would be both absurd and repugnant to Hill and other Kantians; absurd because it presupposes that human life without morality is the ultimate moral value and repugnant because in the name of morality it asks women to sacrifice their ability and right to make moral choices. The only way to make certain that such an absurd and repugnant argument will not be raised is to clearly distinguish between morality and social utility and to firmly establish the supremacy of morality.

Here, then, we come to the moral point of no return. If to be moral means, as it does for the utilitarians, to act so as to promote what most humans, as a matter of fact, do value, then under a certain set of conditions women should be allowed to engage in combat and under another set they should not. If, on the other hand, to be moral means to determine for one's own self as a rational and free agent what ought to be done, then all who qualify and volunteer for combat service should be allowed to engage in such service regardless of gender, social context or the views of the majority.

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END NOTES

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2. Jeanne Holm, *Women in the Military: An Unfinished Revolution* (Novata, CA: Presidio Press, 1982), pp. 113, 120, 126, 327-328, 333, 338.
3. Mady Wechsler Segal, "The Argument for Female Combatants," in *Female Soldiers--Combatants or Noncombatants?* edited by Nancy Loring Goldman (Westport, CT: Greenwood Press, 1982), pp. 267-268.
4. Christine L. Williams, *Gender Differences at Work: Women and Men in Nontraditional Occupations* (Berkeley: University of California Press, 1989), p. 57.
5. *Ibid.*, pp. 284-285.
6. Joyce Trebilcot, "Sex Roles: The Argument from Nature," in Mappes and Zembaty, *Social Ethics*, pp. 156-159.
7. Immanuel Kant, *The Critique of Pure Reason* (New York: St. Martin's Press, 1965) p. 639.
8. Peter Brock, *Pacifism in Europe to 1914* (Princeton: Princeton University Press, 1972), pp. 7-11.
9. Adolph Harnack, *Militia Christi* (Philadelphia: Fortress Press, 1981), pp. 65-69.
10. Alison Jaggar, "Political Philosophies of Women's Liberation," in Richard A. Wasserstrom, *Today's Moral Problems* (New York: Macmillan Publishing Co., 1985), p. 53.
11. Mary Anne Baker, *Sex Differences in Human Performance* (New York: John Wiley & Sons, 1987), pp. 136, 75-76.
12. John Nicholson, *Men and Women: How Different Are They?* (New York: Oxford University Press, 1984), p. 66.
13. *Ibid.*, pp. 51, 75-76.
14. *Ibid.*, pp. 137, 89-90, 100.
15. Nicholson, *Men and Women*, p. 64.
16. For this point I am indebted to my tolerant colleague, Professor Paul W. Thompson.
17. Jeff. M. Tuten, "The Argument Against Female Combatants," in Goldman, *Females Soldiers*, p. 261.
18. The sociobiological basis for this argument was Freud's "Myth of the Primal Horde," which he derived from Darwin. Cf. Robin Fox, *The Red Lamp of Incest* (New York: E. P. Dutton, 1980), pp. 52-82, 193-217; George Gilder, "The Case Against Women in Combat." *New York Times Magazine* (Jan. 28, 1979), 29.

19. Segal, "The Argument for Female Combatants," in Goldman, *Female Soldiers*, p. 282; Holm, *Women in the Military*, pp. 395-396.
20. Lyla Hoffman, "Militarism and Sexism Control America," in David L. Bender, *The American Military: Opposing Viewpoints* (St. Paul: Greenhaven Press, 1983), pp. 79-85.
21. Doris H. Kessler and Richard A. Gabriel, "Women in Combat? Two Views," *Army* (March 1980):44.
22. *Ibid.*, p. 50.
23. Williams, *Gender Differences at Work*, p. 10.
24. *Ibid.*, p. 32.
25. Segal, "The Argument for Female Combatants," in Goldman, *Female Soldiers*, pp. 278-280.
26. Williams, *Gender Differences at Work*, pp. 14, 133-135.
22. John Stuart Mill, *The Subjection of Women*, in Martha Lee Osborne, *Woman in Western Thought* (New York: Random House, Inc., 1979), p. 279.
28. George H. Quester, "The Problem," in Goldman, *Female Soldiers*, pp. 226-229; Segal, "The Argument for Femals Combatants," in Goldman, *Female Soldiers*, p. 274.
29. Attributed to Col Barbara J. Bishop, Director of Women Marines, May 1967; cf. Holm, *Women in the Military*, p. 179.
30. Sharon Bishop Hill, "Self-Determination and Autonomy," in Wasserstrom, *Today's Moral Problems*, pp. 55-64.
31. Immanuel Kant, *Fundamental Principles of the Metaphysic of Morals* (New York: The Liberal Arats Press, 1949), pp. 43, 64-71.
32. Paul W. Taylor, *Principles of Ethics: An Introduction* (Belmont, CA: Wadsworth Publishing Co., 1975), pp. 105-107.