

“DON’T ASK, DON’T TELL”:
A HISTORY, LEGACY, AND AFTERMATH

by

ALEXIS N. WANSAC

A thesis submitted in partial fulfillment of the requirements
for the Honors in the Major Program in Political Science
in the College of Sciences
and in The Burnett Honors College
at the University of Central Florida
Orlando, Florida

Summer Term 2013

Thesis Chair: Dr. Aubrey Jewett

ABSTRACT

Though many believe some of the greatest military leaders of all time – from Alexander the Great to Julius Caesar – have engaged in sex acts with other males, and though certainly a very different political climate from that of ancient Greece or Rome, the United States military has historically never accepted homosexual sex acts within its own military, nor has the United States military accepted open homosexuals either until recently. This thesis focuses on the evolution of United States military policy towards homosexuals and the “Don’t Ask, Don’t Tell” (DADT) policy of the United States military in order to recommend a path that the United States can follow to provide an equal opportunity for success of openly homosexual service members.

This research traces the history of policy towards homosexuality in the United States military up through the “Don’t Ask, Don’t Tell” policy and its repeal. This research discusses changing governmental policies towards homosexuals in the military, as well as changing public opinions about “Don’t Ask, Don’t Tell”. This research also outlines discharges under the policy, connecting changing public opinion to the policy’s eventual repeal. Through the analysis of statistics surrounding discharges, opinion surveys, and anecdotal evidence, this research evaluates the level of acceptance for openly homosexual service members in a post-DADT world. These findings will then be compared with the adjustment of troops in Great Britain and Canada, who each have experienced relative success in the integration of homosexual troops, in order to make a recommendation for a course of action that the United States could take in order to help better the adjustment of soldiers to a non-exclusionary policy.

DEDICATION

For those who were discharged from the military for revealing their
true sexual identities or sexual preferences

ACKNOWLEDGMENTS

I want to thank everyone who helped support me and guide me through this process.

A huge ‘thank you’ to my committee:

Aubrey Jewett, Martin Dupuis, and Margarita Koblasz: For helping me to achieve my goals and for offering tremendous amounts of guidance throughout the thesis process, thank you.

A shout out to my support units:

Margarita Koblasz: Without your guidance over the past few years, I would still be a lost, wandering freshman. You’ve been a second mother to me and a huge source of inspiration.

Kelly Astro: You’ve helped me live the Glory Days and helped me to find a Land of Hope and Dreams. Springsteen aside, you’ve been amazing, and I cannot thank you enough.

Denise Crisafe: You will never fully understand how much you have impacted me over the last few years. Your constant state of spiciness has taught me to never put up with anyone who values me less than I deserve.

To my friends:

My roommates Jackie D. and Meghan B.: For always putting up with my yelling at ‘Natalie’, our favorite laptop computer, thank you. If ever you’ve wondered what I do in my room for days at a time without seeing sunlight, here’s part of it.

Bryan: You are just hands-down, truly a good person. Thank you for listening to my rants and for always being there for me. Thank you for Amigo’s Wednesdays and for allowing my work to third wheel all that we do.

Devon: For supporting me always in everything that I do. And for keeping me focused at 3am when I need it most.

There are many, many more people who deserve my thanks, but will not be able to be recognized here. In general: All of Trial Team, Student Government Association, the Honors College, and more. Everyone’s kindness and support for this project has amazed me.

TABLE OF CONTENTS

CHAPTER 1: INTRODUCTION	1
Purpose of this Research	2
Problems to be Examined	2
Research Questions	3
Methodology	4
Organization.....	5
CHAPTER 2: THE ORIGINS OF “DON’T ASK, DON’T TELL”	6
A Brief History of Policy Regarding Homosexuality in the American Military	6
“Don’t Ask, Don’t Tell”: The Beginning of a New Era	11
CHAPTER 3: IMPLEMENTATION OF “DON’T ASK, DON’T TELL”	14
Immediate Effect.....	14
Discharges under “Don’t Ask, Don’t Tell”	16
Changing Public Opinion and “Don’t Ask, Don’t Tell”	18
The Relationship between Military Discharges and Public Opinion	21
CHAPTER 4: AN END TO “DON’T ASK, DON’T TELL”	24
Policy Debate Surrounding the Repeal of DADT.....	25
The Legal End of DADT	26
Aftermath and Recent Developments	28

CHAPTER 5: INTERNATIONAL MILITARY APPROACHES	30
Great Britain.....	30
Canada	32
CHAPTER 6: WHERE DO WE GO NEXT?.....	38
Suggestions for the Future	38
Conclusion	40
Future Research Questions to be Explored.....	40
REFERENCES	42

LIST OF FIGURES

Figure 1: 2001 <i>Dignity and Respect</i> defining homosexuality.....	15
Figure 2: Discharges per year under the "Don't Ask, Don't Tell" policy (1994-2010).....	16
Figure 3: Gallup Public Opinion Poll Results	18
Figure 4: ABC News/Washington Post Public Opinion Poll Results.....	19
Figure 5: Gallup Poll Responses by Ideology, Party Affiliation, and Church Attendance	20
Figure 6: Gallup Poll Responses by Gender, Age Group, and Geographic Region	20

CHAPTER 1: INTRODUCTION

Rumors of same-sex proclivities surround some of the most famous military leaders of all time – from Alexander the Great to Julius Caesar. While certainly distinguished and looked up to for their work on the battlefield, the United States military overlooks their personal lives, ignoring the possibility that they engaged in same-sex acts. While the present-day United States should be distinguished from ancient Greece or Rome, the fact remains that only until recently is being open about one's sexual preferences even legal in the United States military.

Starting as far back as the Revolutionary War in America, troops have been discharged for homosexual acts, though it was not explicitly codified until the Articles of War in 1916 that it was a military crime to commit sodomy or to commit same-sex acts. This policy was expanded in the 1940s to explicitly allow discrimination against homosexual service members, and was changed over twenty times to allow for new screening techniques to pick up on homosexuality within the military, as the two were seen as incompatible (United States Naval Institute, 2010).

While some newspapers hailed the 1993 Defense Directive 1304.26 of the United States Department of Defense (colloquially known as “Don’t Ask, Don’t Tell”) as “discrimination in a time warp” (Elzie, 2010), “Don’t Ask, Don’t Tell” was a compromise for the day, only allowing discharges for those who “came out” as homosexual or bisexual, and banning the United States military from asking questions about same-sex preference. This compared with previous policies that discharged troops even suspected of homosexual activity. Nonetheless, when the numbers from all branches of the military are added up, there were just less than 13,000 discharges for

homosexuality while this policy reigned in the United States. Before the “Don’t Before the repeal to “Don’t Ask, Don’t Tell” in 2010, and its implementation in 2011, service members from all branches could be dishonorably discharged because of their sexual preferences.

The issue of gays and lesbians serving openly in the military is not a topic wholly unique to the United States, however. Around the world, many policies similar to “Don’t Ask, Don’t Tell” (DADT) have been in effect at one time, but have since been lifted in favor of acceptance of homosexual service members.

Purpose of this Research

The purpose of this research is to examine the origins of the “Don’t Ask, Don’t Tell” policy, looking at the ban on homosexual activities within the United States military throughout American history and the changing laws surrounding homosexuals in the military. This research will examine how changing public opinion shaped the ways by which this policy was enforced, and how changing public opinion influenced the repeal to the act. Finally, this research will look at DADT on a comparative scale, analyzing anti-gay policies that were once in place in the militaries of countries that are comparable to the United States, using Great Britain and Canada as case studies. This research will then recommend a route for the United States to take in order to better promote acceptance for homosexuals serving openly in the military.

Problems to be Examined

Enacted in 1993, the “Don’t Ask, Don’t Tell” policy was in place for seventeen years, until 2010. With this policy in place for so long, acceptance for homosexuality within the United States military has leveled off (Standifer, 2012). The issue lies in the inability of troops to accept

the notion of the repeal and to embrace change, with less troops responding positively to the idea of the “Don’t Ask, Don’t Tell” repeal than initially projected by *The Military Times*, a popular independent magazine that services most military branches (Military Times, 2012). This 2012 survey on reactions to the end of DADT, conducted by *The Military Times*, revealed military attitude towards gays coming out within ranks to be four times more likely to be perceived by fellow troops negatively than positively – with 5 percent of service members ranking this experience as positive, and 21 percent ranking it as negative (Military Times, 2012). Duplicated in 2013, results were much the same, with 6 percent of service members expressing that the experience was a positive one, and 22 percent calling it negative (Center for Military Readiness, 2013). What has not been addressed by this survey, however, is what can be done to promote acceptance for those who reveal their sexual orientations. Because of this lack of an acceptance for homosexuality within troops compared to the predicted outcomes, this research will explore what can be done to promote acceptance.

With the United States’ policy of openness still being fairly new and with acceptance not yet being commonplace (Standifer, 2012), this research will look at how the United States military might better approach homosexuals in the military and the policies that might be adopted, using the models of Great Britain and Canada.

Research Questions

Studies that have been conducted on the general United States public show a general trend of increased distaste for policies banning gay service members (Gallup, 2010). Studies focused solely on the military, however, show acceptance levels for troops who have come out since

DADT's repeal to be less positive than expected (Standifer, 2012). This research hopes to answer the following questions:

- Did changing public perception of “Don’t Ask, Don’t Tell” impact the enforcement of and the repeal of the policy? Is there a correlation between the number of discharges in any given year and an increase of support by the public for homosexuals serving openly in the military?
- What can the United States military do to promote acceptance within ranks for openly homosexual troops?

Methodology

For this research, a review was conducted of the 1993 Defense Directive 1304.26, which created the “Don’t Ask, Don’t Tell” policy. A review of other legislation addressing homosexuality within the military before the time of Directive 1304.26 was also performed and the United States’ policy towards homosexuals in the military was analyzed. In addition, discharge statistics were compiled and compared to the results of public opinion polls.

Finally, this research will access legislation in Great Britain and Canada, using those two countries as case studies for the United States’ own military. The programs that are in place for the British and Canadian militaries to promote acceptance for homosexual troops will be compared to the programs in place in the United States’ military. Recommendations will be made based on careful review of the effects that these foreign programs have had on their own service members.

Organization

This research will follow with a specific organization. First, this research will address the history of the ban on homosexuality within the American military, as well as the background behind the “Don’t Ask, Don’t Tell” policy. Next, the administration of the policy will be examined, discussing the effects that implementation had, both immediately after the implementation of the policy, and throughout the duration of the policy, examining the number of discharges under “Don’t Ask, Don’t Tell”. Changing public opinion under the policy will be addressed graphically, and an analysis between changing public opinion and the debate over DADT will be included.

Next, this research will address the repeal of “Don’t Ask, Don’t Tell”, examining the circumstances behind the end of DADT. It will also analyze policies similar to DADT that had at one time been in effect in Great Britain and Canada, using their adjustment policies to analyze how troops in their countries have adjusted to openly gay and lesbian troops. Using these countries’ policies as a basis, this research will recommend suggestions for the future path of the United States’ military through an examination of what has worked and what has not worked. This research will also suggest areas for future research.

CHAPTER 2: THE ORIGINS OF “DON’T ASK, DON’T TELL”

A Brief History of Policy Regarding Homosexuality in the American Military

March 11, 1778: The height of the American Revolutionary War and a first for American military history. The morning started early at Valley Forge in a dramatic fashion, with drums and fifes assembled around in a Grand Parade, while enlisted men from the Continental Army filed around to watch the spectacle that would unfold. Based off of an order by a general court-martial and approved by General George Washington, Lieutenant Gotthold Frederick Enslin would be tried and found guilty for “attempting to commit sodomy” with John Monhort, another male soldier, and for perjury. His sword would be broken over his head and he would have to march out of camp with drums sounding out his embarrassment. George Washington would write three days later about his approval of the guilty sentence “with Abhorrence and Detestation of such Infamous Crimes” (The Library of Congress, 1999). The significance of such a guilty verdict would make history; Lieutenant Enslin would become the first known soldier to be dishonorably discharged from the United States military for sodomy (Shilts, 2005, p. 11-12).

Sodomy, now defined by Article 125 of the Uniform Code of Military Justice as “unnatural copulation with another person of the same or opposite sex” (1949, p. 149), did not specifically condemn Enslin as a homosexual. In fact, the term “homosexual” would not be coined or used widely before the late nineteenth century (Frank, 2009, p. 1). Sodomy and homosexuality, however, are not necessarily synonymous, as it is worth noting. A heterosexual in the military could also be punished for sodomy just based on the “unnatural” nature of the sexual act. In the reverse, just because a military service member identified as homosexual did

not mean that they were always found guilty of sodomy, but, sometimes, just of being homosexual. Originally, policies concerning homosexuals in the military only addressed men, and lesbians were not addressed until World War II when women began entering the military more and taking a more prominent role (Embser-Herbert, 2007, p. 4-5).

While sodomy was punishable in the military and has been documented as far back as the Revolutionary War, preference for the same sex would not be addressed until the Articles of War of 1916, which created a ban on homosexuality within the United States' military. Going into effect on March 1, 1917, the Articles of War were the first revision to military law in more than one hundred years and are the first document to "address the incidence of sodomy within the military population" (National Defense Research Institute, 1993, p. 3). An update to these Articles of War would come shortly later to clarify what exactly committing sodomy while enlisted entailed. In 1920, shortly after World War I ended, consensual sodomy was included as "criminal behavior" to the Articles of War and was made punishable with jail time. To classify those who committed such acts, "sexual perversion" became the term that medics would use for homosexuality, allowing for some service members to be discriminated against by this definition. There was, however, no real witch hunt or mass purging of gays, lesbians, and bisexuals in the U.S. military until World War II (Embser-Herbert, 2007, p. 5).

During World War II, the United States Selective Service System developed procedures for spotting and excluding homosexual draftees from service in 1941. This marked the transition period from discharging only those service members charged of committing sodomy to identifying and discharging service members who were deemed to be homosexual, based on

what the Selective Service called “homosexual proclivities”. This meant anything from a-typical dress for ones gender, to feminine features on male recruits and masculine tendencies on female service members. The tactics employed during this period were sweeping: instead of just identifying those already in the military for “homosexual proclivities”, new recruits were “screened for feminine body characteristics, effeminacy in dress and manner and a patulous (expanded) rectum” (Webley, 2010). Later the next year, in 1942, military psychiatrists began qualifying their reasoning for disallowing homosexuals to serve based on their “psychopathic personality disorders” that make them unfit to fight, making the first formal regulations to explicitly list homosexuality as a disqualifier for service (United States Naval Institute, 2010).

The RAND Corporation determined that the Army revised its policy on homosexuality twenty-four times between 1941-1945; this compared with the eleven revisions before World War II began and the seventeen revisions that took place between the end of the war and the passage of the Uniform Code of Military Justice in 1950 (National Defense Research Institute, 1993, p. 5). This constant updating and changing to adjust military law in order to screen for homosexuality marks a switch from indirect discrimination against gays and lesbians in the service, where every service member could technically be discharged for acts of sodomy, to a direct discrimination on the part of the United States military, where a service member did not have to commit acts of sodomy, but could, instead, just appear to be homosexual.

The start of World War II also meant a dramatically reduced incidence of court-martialing for service members who were perceived to be homosexual. With the constant and rapid mobilization of troops, court-martialing became impractical; instead, a blue discharge (also

known as a “blue ticket”) was given to troops who were “outed” (Bérubé, 1990, p. 132). Though neither honorable nor dishonorable in standing, the negativity associated with a blue discharge created an atmosphere of post-service hardship for service members who received them. This hardship included discrimination when filing for GI Bill benefits. Originally, GI Bill benefits were given to all troops who received any discharge that was not classified as “dishonorable”. This was modified in April of 1945 by the Veterans Administration. Instructions were now given to officials at the Veterans Administration that “blue” discharges for homosexual “acts or tendencies” should be considered dishonorable (Bérubé, 1990, p. 228). Though done on a case by case basis, those receiving a blue discharge were usually denied GI Bill benefits by the Veterans Administration and, often, could not easily find work because of the stigma surrounding a blue discharge (Mettler, 2005). It is important to note that blue discharges given out do not necessarily mean that a service member was homosexual; and it is unknown exactly how many homosexual service members were given blue discharges under this regulation, but it is estimated by a U.S. Congressional House Report that 51,936 blue discharges were given between December 7, 1941 to June 30, 1945 (cited in Bérubé, 1990, 232), with approximately 5,000 of them issued to homosexuals in the Army, with the Navy's estimates of blue-discharge homosexuals was around 4,000 (Bérubé, 1990, p. 232).

The Department of Defense issued a directive in 1949 directly barring homosexuals from service in the military, saying that “Homosexual personnel, irrespective of sex, should not be permitted to serve in any branch of the Armed Forces in any capacity, and prompt separation of known homosexuals from the Armed Forces is mandatory” and continuing to highlight the inferior nature of homosexuals, classifying such service members as security risks (cited in

Bérubé, 1990, p. 261). These policies of discrimination continued through the 1950s, with Army Regulation 600-443 of 1950 filing homosexuals into three different types of classes, based on how aggressive their homosexual conduct were deemed to be. Service members deemed to be “aggressive” homosexuals were placed in Class I and are subjected to general court-martial. Homosexual service members considered “active but non-aggressive” were placed in Class II and were allowed to accept a dishonorable discharge or allowed to resign (if they were officers) in order to avoid court-martial. Finally under this regulation, personnel admitting to or exhibiting homosexual tendencies, without committing a violation of the sodomy statute, were designated “Class III,” and could be removed from service “under general or honorable discharge” (United States Naval Institute, 2010).

This policy of anti-homosexuality in the military continued through the 1970s with Army Regulation 635-200 (November 1972) establishing the policy for discharging enlisted personnel found to be unfit for duty, including “homosexual acts” as specifically designated grounds for dismissal. The other side to this is that enforcement of the regulation is left up to the commanding officers of the persons found to be homosexual. In 1981, more standards were written on dealing with homosexuality in the military, adding to the already in place instructions for classifying homosexuals. These new standards, through Defense Directive 1332.14, explicitly declared that “homosexuality is incompatible with military service”, ordering mandatory discharge for any service member who “engaged in, has attempted to engage in, or has solicited another to engage in a homosexual act” (United States Naval Institute, 2010).

“Don’t Ask, Don’t Tell”: The Beginning of a New Era

Central to the 1992 United States presidential election, economic issues took the forefront of debate for Democratic Governor of Arkansas Bill Clinton. Championing the slogan “The Economy, Stupid”, Clinton’s second concern during his run for office was health care (Kelly, 1992). While the issue of gays in the military was rarely talked about, it was not altogether forgotten. Standing at the front of a forum at Harvard University’s John F. Kennedy School of Government on October 28, 1991, then Presidential Candidate William Clinton faced questions about what he would intend to do if elected President. A student in the crowd asked the then-Candidate what he would do about the ban on homosexuals in the military and whether he would issue an executive order to rescind the ban. Disagreeing with the ban on openly homosexual service members in the military, Clinton’s answer was quick: “I think people who are gay should be expected to work, and should be given the opportunity to serve their country” (Connors, 1993, p. 2). The 1992 campaign run of President William Clinton echoed this sentiment, promising an to end discrimination against homosexuals who were serving in the U.S. Armed Forces and end the ban on homosexuality in the military (Evans, 1993).

This initiative, however, was met with heavy resistance from Congress who stood mostly against the idea. Originally, Clinton intended to lift the ban on homosexuals serving in the military within the first two weeks of taking office, but this soon resulted in a change of strategy after intense backlash came from the both the House and the Senate. An executive order would not be drafted until July 15, 1992 and hearings in the House and Senate would take place over the next six months (Connors, 1993, p. 2-3). In these hearings, concerns that AIDS would impact the military and its budget if gays and lesbians were allowed to serve came up, as well as

concerns about housing at military academies over if heterosexual and homosexual cadets would be forced to share housing. Concerns were even raised that the overall morale of the military would be diminished, and the environment would deteriorate. General Frederick Kroesen (U.S. Army, retired) testified that the “overall ability of the military to accomplish its mission would be compromised” (Embser-Herbert, 2007, p. 10), while Admiral Thomas Moorer (U.S. Navy, retired) testified that letting homosexual troops into the military would be “an effort in effect to downgrade and demean and break down the whole structure of our military forces” (cited in Embser-Herbert, 2007, p. 10).

In order to break a stalemate between the Clinton administration and military leadership, military sociologist Charles Moskos coined and wrote the compromise of the “Don’t Ask, Don’t Tell” policy. Around the same time, House and Senate hearings determined that a person’s status as a homosexual was different than the acts committed as a homosexual; that the former was not as punishable as the latter. Still, the idea of openly homosexual men and women serving was disconcerting for many in Congress. In the Senate alone, 107 amendments were proposed to the legislation. In the House, an amendment was proposed to strike the part of “Don’t Ask, Don’t Tell” legislation that disallowed the Department of Defense to ask recruits if they were homosexual, bisexual, or inclined to engage in homosexual acts. This failed with a vote count of 144 in support to 291 against (Embser-Herbert, 2007, p. 20).

Finally, with a vote in the Senate of 92-7 and in the House of 268-162, a compromise between the two sides was reached to lay out the guidelines behind what was colloquially known as the “Don’t Ask, Don’t Tell” (DADT) Policy of the United States Military. Clinton signed off

on September 30, 1993, creating Public-Law 103-160, with Section 571 of the law, codified at 10 United States Code 654, being the “Don’t Ask, Don’t Tell” policy. Later that year, on December 21, 1993, the 1993 Department of Defense Directive 1304.26 was issued, putting DADT into military law. This directive states that people looking to serve the military “shall not be asked or required to reveal whether they are heterosexual, homosexual or bisexual [. . .] or required to reveal whether they have engaged in homosexual conduct” (United States Department of Defense, 1993).

Considered to be a middle ground at the time of enactment, the “Don’t Ask, Don’t Tell” policy allowed for service members to be homosexual, though in secret. Under this policy, a service member must not ask another’s sexual orientation, nor tell another their own (Scaglia, 2011). This did not void Defense Directive 1332.14 and make discharges of homosexuality illegal, but it instead made them harder and forced a cease of investigations into a service member’s sexual orientation or private sexual behaviors, effectively ending the targeting of “homosexual proclivities” and the dismissing for that reason. Though initially only meant to be a compromise between the Clinton Administration and Congress, DADT ended up being a transitional step in allowing gays and lesbians to serve openly in the military. This policy would last until 2010, when it was overturned under the Obama administration, and a ban on homosexuals in the military was lifted.

CHAPTER 3: IMPLEMENTATION OF “DON’T ASK, DON’T TELL”

Immediate Effect

With the passage and codifying of the DADT policy in December of 1993, changes were made effective on February 5, 1994. Recruits could no longer be questioned about their sexuality or about if they had ever participated in homosexual activity (Embser-Herbert, 2007, p. 27). Military investigations based solely on service members’ perceived sexual orientations ceased, and security clearances could no longer inquire into sexual orientation (Ballasy, 2010).

Although policy forbade commanders from asking questions about a service member’s sexual orientation, some exceptions were in place. Outlined in Army Regulation 600-20, a “homosexual conduct policy” was made. This provided for discharges and investigations to be conducted if probable cause existed. According to Chapter 4-19 of this document, a commander, if informed by a “credible source” that a service member “has a propensity to engage in homosexual acts” or if informed that a service member was of a homosexual persuasion, then the commander could ask a service member directly about their orientation, without being penalized by the “Don’t Ask, Don’t Tell” policy (Army Regulation 600-20).

The military also began informing service members of their rights, as was required now for new recruits. A handbook was published about how to correctly address a service member who was thought to be homosexual. One version of this handbook, *Dignity and Respect*, was released as an illustration of the rights that United States Army members had and the process by which they would be discharged under “Don’t Ask, Don’t Tell”. Written in comic book form, this document details everything about the discharge policy, from definitions about homosexual

behavior, to the process by which a service member is confronted and later dismissed from the military. Figure 1 is an excerpt from this document.

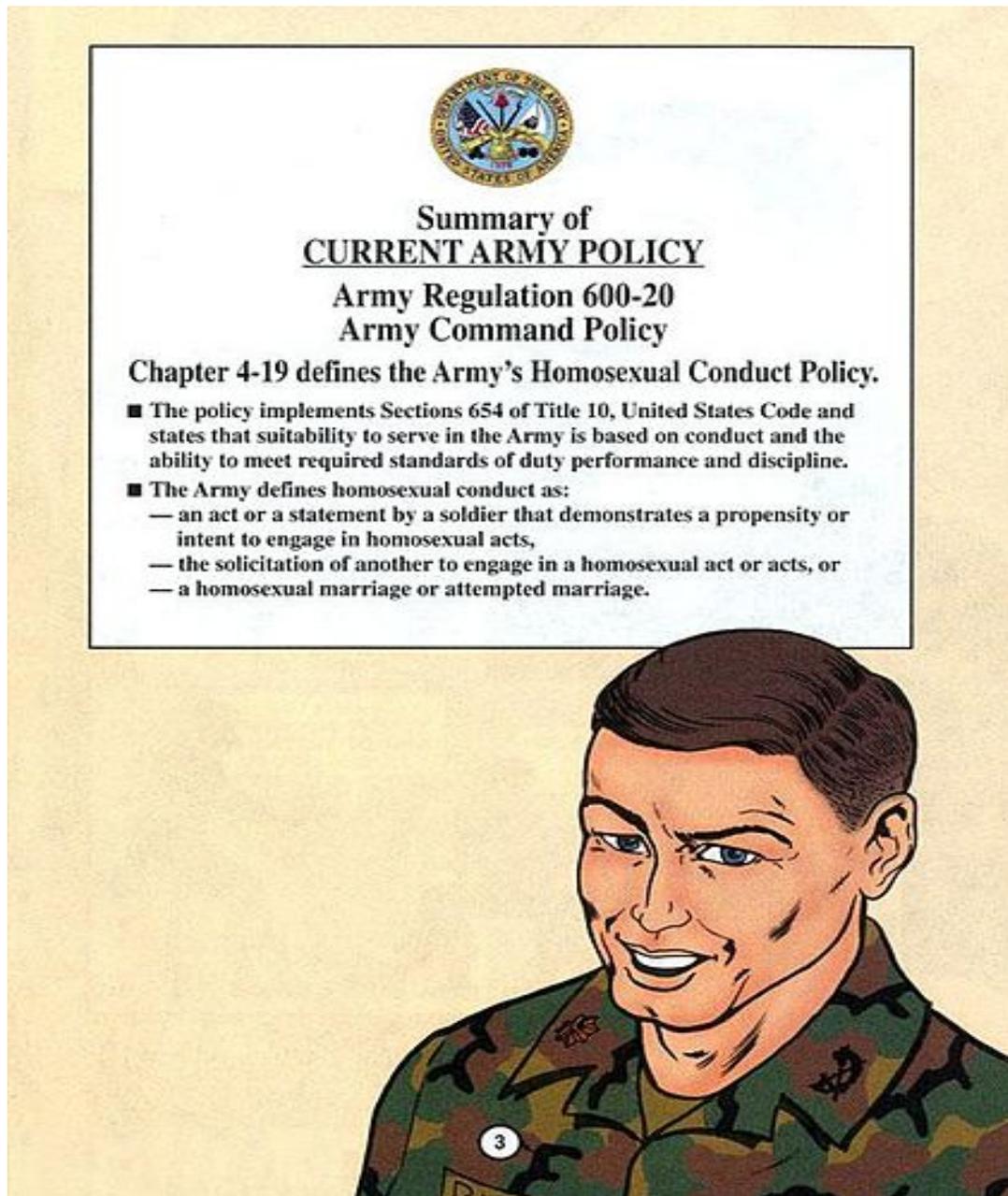


Figure 1: 2001 *Dignity and Respect* defining homosexuality

Discharges under “Don’t Ask, Don’t Tell”

For this research, all references to discharge statistics were compiled using the Servicemembers Legal Defense Network, and can be seen below, in Figure 2:

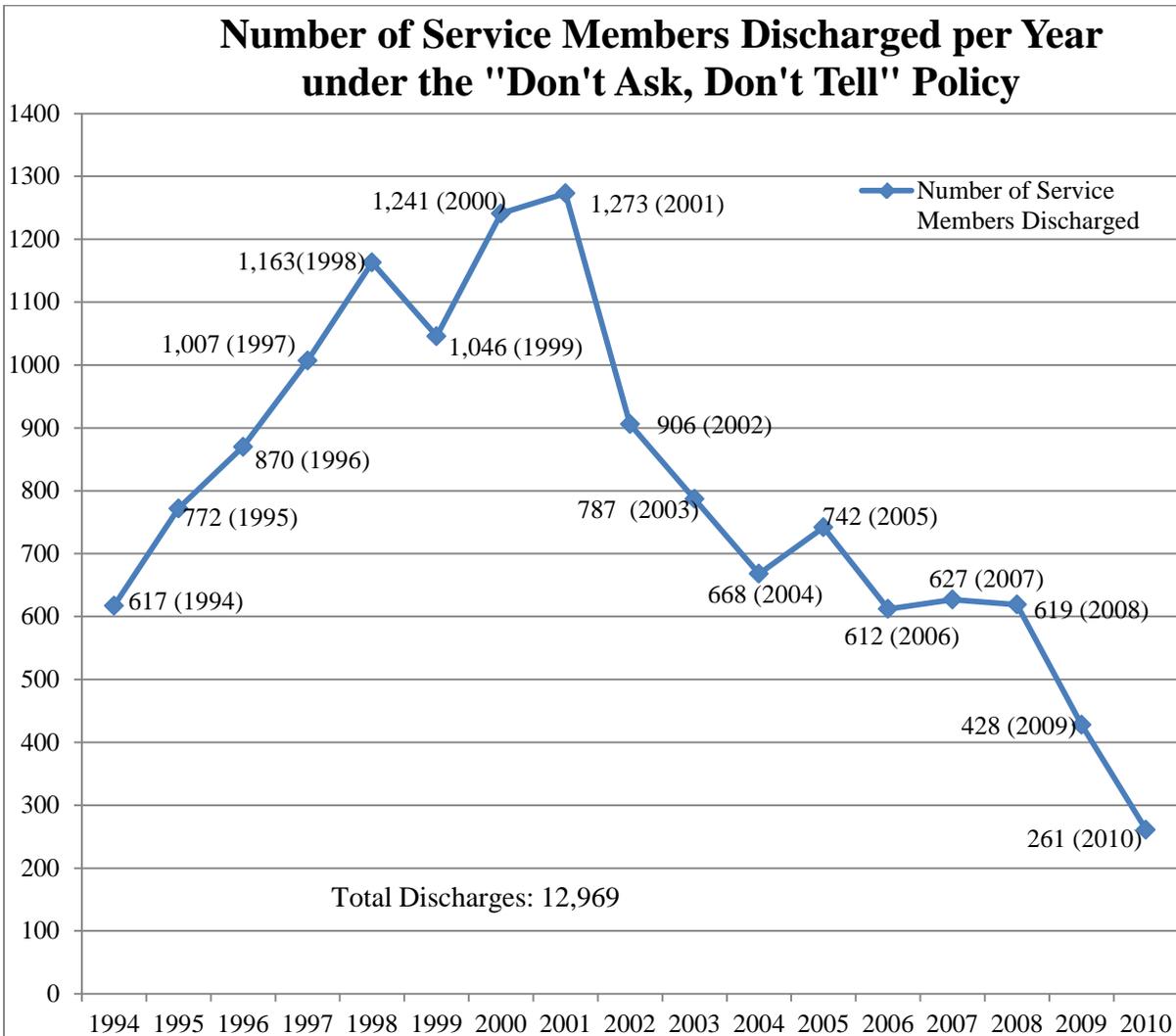


Figure 2: Discharges per year under the "Don't Ask, Don't Tell" policy (1994-2010)

Under DADT, 12,969 service members were discharged. With so many troops dismissed, the United States Government incurred a heavy monetary cost. In 2005, the

Government Accountability Office released a report detailing the cost of discharges under “Don’t Ask, Don’t Tell”. This office’s findings showed through the in the first 10 years of DADT, the cost of discharging and then replacing service members who were fired because of their sexual orientation totaled at least \$190.5 million (Korb, 2009). With the Servicemembers Legal Defense Network reporting 9,682 discharges from 1994-2003, \$190.5 million amounts to just under \$20,000 spent by the United States government per discharged service member.

It is important to note that this \$190.5 million price-tag has been disputed. In fact, according to the Center for American Progress, \$190.5 million is still too low of an estimate over what was spent. They claim that the GAO analysis was off, by leaving out several critical components:

GAO’s analysis total left out several important factors, such as the high cost of training officers—commissioned soldiers, sailors, Marines, airmen, and Coast Guardsmen with several years of service experience—who were discharged due to their sexual orientation. When these costs were factored in, the cost to the American taxpayer jumped to \$363.8 million—\$173.3 million, or 91 percent, more than originally reported by GAO. (Korb, 2009)

This new estimate, when divided up over the reported 9,682 troops that were discharged under DADT, amounts to over \$37,500 spent per discharge. Some sources estimate the cost to be even higher. Looking at discharges from 2004-2009, and the costs associated with those later discharges that occurred in the later part of the “Don’t Ask, Don’t Tell” policy’s lifespan, *ArmyTimes* estimates that \$52,800 was spent per unit discharged (Tilghman, 2011). None of

these estimates, however, considered the price that might be assigned to special classes of officers, such as those fluent in critical language skills, or those in highly specialized units with high-cost security clearances.

Changing Public Opinion and “Don’t Ask, Don’t Tell”

At the time of the passage of “Don’t Ask, Don’t Tell” in 1993, barely a majority of Americans supported the service of troops who were openly homosexual. Gallup asked over 1,000 adults over telephone the question “Do you favor or oppose allowing openly gay men and lesbian women to serve in the military?” in four different years during the reign of DADT. The results of those who answered favorably are illustrated graphically with the figure below:

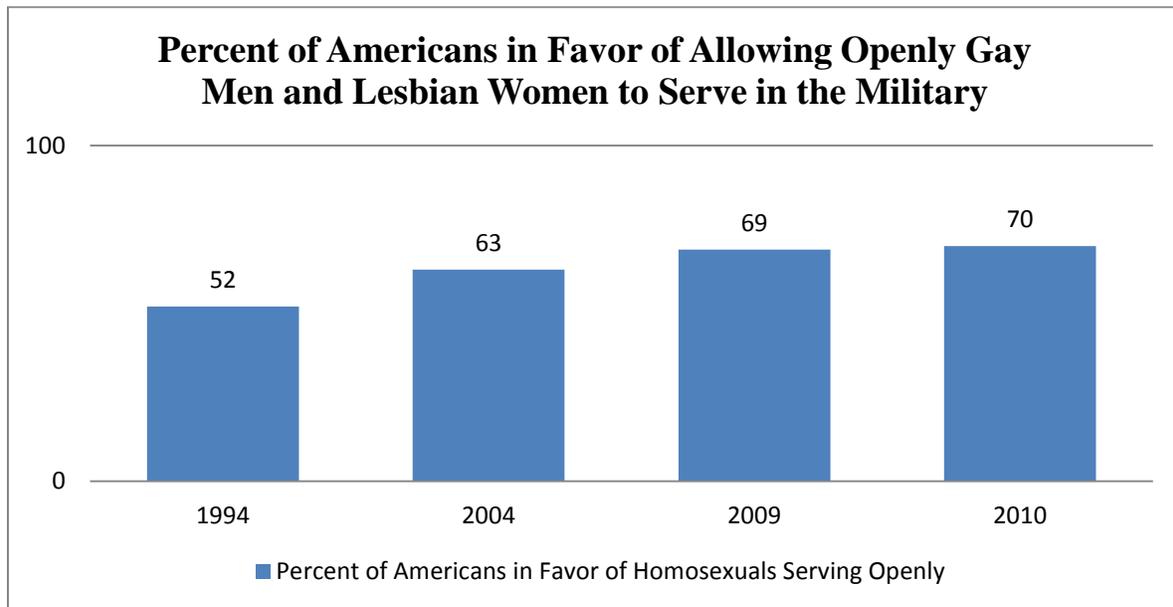


Figure 3: Gallup Public Opinion Poll Results

A similar survey, conducted by ABC News/Washington Post poll, measured differing public opinion support over whether homosexuals should serve or not based on if they were or were not open about their sexualities. The two questions posed were:

1. Do you think [homosexuals/gays and lesbians] who do NOT publicly disclose their sexual orientation should be allowed to serve in the military or not?

2. Do you think [homosexuals/gays and lesbians] who DO publicly disclose their sexual orientation should be allowed to serve in the military or not?

The results can be seen here:

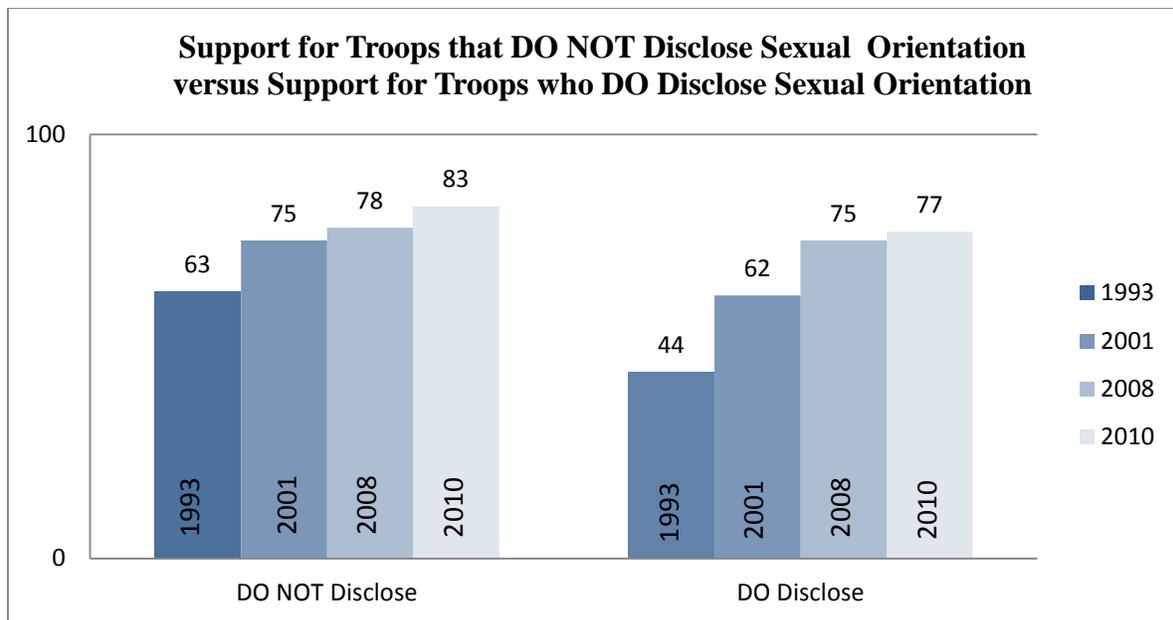


Figure 4: ABC News/Washington Post Public Opinion Poll Results

Gallup also separated two of their poll sets further, releasing data for specific demographic groups regarding the question “do you favor or oppose allowing openly gay men and lesbian women to serve in the military?” The results are broken down by political ideology, party affiliation, and church attendance for one table, and then broken down by gender, age group, and geographic location for another table.

The results of the 2004 and 2009 Gallup polls, sorted by variable, are depicted here:

% Favor	November 2004	May 2009	Change
	%	%	Pct. pts.
National adults	63	69	6
Conservatives	46	58	12
Moderates	72	77	5
Liberals	83	86	3
Republicans	52	58	6
Independents	63	67	4
Democrats	78	82	4
Attend church weekly	49	60	11
Attend church nearly weekly/monthly	66	70	4
Attend church seldom/never	73	76	3

Figure 5: Gallup Poll Responses by Ideology, Party Affiliation, and Church Attendance

% Favor	November 2004	May 2009	Change
	%	%	Pct. pts.
Men	57	64	7
Women	69	73	4
18-29 years	69	78	9
30-49 years	65	69	4
50-64 years	67	69	2
65+ years	52	60	8
East	70	77	7
Midwest	70	76	6
South	50	57	7
West	68	71	3

Figure 6: Gallup Poll Responses by Gender, Age Group, and Geographic Region

The Relationship between Military Discharges and Public Opinion

Data from both Gallup polls and ABC News/Washington Post polls suggests that as time has passed, there has been a general trend towards the increased acceptance of gays and lesbians serving openly in the United States military. The Gallup polls also show the most increased support for homosexuals in the military among men, those who go to church most, conservatives, Republicans, and the youngest, closely followed by the oldest, age groups. This variable is societal and was conducted by examining a large pocket of the population as a whole, not just within the military. Broken down variable by variable, this has several implications. While none of these trends can be completely determined to have a causal relationship with the fall in discharges from 2001-2010, the correlation between an increase in each variable within the military is interesting to take note of:

Women in the military are currently a very quickly growing presence. According to the Pew Research Center, women have grown in number from about 42,000 in 1973 to 167,000 in 2010. Over this same time period, the overall enlisted force has decreased by about 738,000 service members. Within the last decade, the overall proportion of ranks of women as commissioned officers has surpassed that of men (17 percent of women are commissioned officers, while 15 percent of men are commissioned officers) (Patten, 2011).

While religiosity in the United States military has not been completely tracked over time, religiosity is on the decline in America. The “Global Index of Religiosity and Atheism” poll found that the number of Americans who say they are “religious” dropped from 73 percent in 2005 (the last time the poll was conducted) to 60 percent in 2012, with a rise in atheism from 1

percent to 5 percent. Church attendance is also at an all-time low, and has been on the decline for years (Winston, 2012). Though religiosity has not been fully tracked from a military standpoint, these societal trends may still be useful. According to the Military Leadership Diversity Commission, “religious diversity in the military parallels that of the civilian population” (Military Leadership Diversity Commission, 2010). This study, conducted in 2010, includes identification with possessing no religious preference and notes that the youngest generation (dubbed the “Millennial” Generation and most heavily recruited generation) is the most religiously diverse (Military Diversity Commission, 2010).

Conservatism in the military has barely changed in recent history. The Marine Times reports that conservatism only dropped slightly from 2006 to 2013 (from 44 percent to 41 percent), but what is shocking is the drop in support for the Republican Party (from about 50 percent to 36 percent) (Tilghman, 2013).

As the military ages, newer recruits from younger age groups fill the roles of officers and shape the future of the armed services. Each generation replaces the generation before it. With the Gallup poll reporting results from five years apart, many of the people who were in the youngest (18-29 years old) group would move into the second age group, with the some from the second age group moving into the third, and so on. Eventually, what was once the “youngest” generation becomes oldest generation, but still often carrying many of the same social views that they possessed in their youth. This trend is coined by the Associated Press as the “generation gap” between troops over attitudes on gays in the military (Breen, 2010).

While the increase of women in the military, decreased church attendance, decreased dedication to the Republican Party, and a changing attitude caused by a generation gap each have an interesting correlation to changing public opinion, especially within the military, these variables do not completely explain the fall starting in 2001. Instead, the increase of all of these variables leads to an increased level of exposure within the military to service members who are in favor of gays and lesbians serving openly. This exposure can only contribute to a future increase in acceptance for gays and lesbians within ranks.

Many have credited the sharp drop in discharges to the United States military's need for troops "in a time of war". Following the September 11, 2001 attacks on the United States' Twin Tower buildings and the declaration of the War on Terror on October 7, 2001, troops – of all sexualities – became high-demand, and discharges were not handed out as readily (Tyson, 2007).

CHAPTER 4: AN END TO “DON’T ASK, DON’T TELL”

Though the repeal of DADT would not be effective until September 20, 2011, several efforts directed at repealing the policy were attempted. In 2005, H.R. 1059, known as the Military Readiness Enhancement Act, was introduced in the United States House of Representatives by Democrat Martin Meehan from Massachusetts. As stated in the text of the bill, the purpose was to “amend title 10, United States Code, to enhance the readiness of Armed Forces by replacing the current policy concerning homosexuality in the Armed Forces, referred to as ‘Don’t Ask, Don’t Tell’, with a policy of nondiscrimination on the basis of sexual orientation” (H.R. 1059, 2005). This bill failed three times when it was brought to the floor: in 2005, 2007, and 2009.

Complete hope for repeal was not lost. Then-Senator Barack Obama, during his 2008 presidential election campaign, talked about a full repeal of the ban on homosexuals serving openly in the military. After his election to the office of Presidency, his promise was not forgotten, though it was delayed by several months. On October 10, 2009 on the eve of the National Equality March in Washington, D.C., President Obama, standing in front of a crowd of about 3,000 people, officially promised an end to the ban on gays and lesbians serving openly in the military, with Defense Secretary Robert Gates and Joint Chiefs Chairman Michael Mullen in full agreement of their support for repealing the “Don’t Ask, Don’t Tell” policy (Simmons, 2009).

With the American Psychological Association first issuing support for the repeal of DADT in 2004 (APA, 2010) and the Government Accountability Office issuing a fifty page

report, detailing the costs of DADT in the millions in 2005 (GAO, 2005), and with public opinion polls showing increasing amounts of support for repeal, an end to DADT may have seemed inevitable to some. Several obstacles stood in the way of a speedy repeal, however.

Policy Debate Surrounding the Repeal of DADT

With organizations around the nation taking sides of the DADT repeal debate, many research institutions began to conduct studies on how troops felt about the possibility that the ban might be lifted. In December 2006, Zogby International released the results of a poll it conducted in October 2006. This survey found that 26 percent of military personnel favored allowing gays and lesbians to serve openly in the military, 37 percent were opposed to it, and 37 percent expressed no preference or were unsure. Of respondents to this survey who had experience with gay people in their unit, 6 percent said the presence of openly homosexual troops in their company had a positive impact on their personal morale, 66 percent said it had no impact, and 28 percent said the impact of having gay people in their unit was negative (Rodgers, 2006, p. 17-18).

Zogby International also compiled a table of arguments for keeping gays and lesbians from serving openly; having soldiers chose three of the statements made, and compiling the percentage of soldiers who agreed with the reasons. The most popular response given (with 40 percent of troops selecting it) was that “open gays and lesbians would undermine unit cohesion”. Also in this table was the option was given to choose no reason if a service member felt that there were no good reasons for exclusion. Of those who responded to the poll, 21 percent of people chose this option (Rodgers, 2006, p. 24).

A similar table was constructed for arguments for allowing gays and lesbians to serve openly in the military. The most popular response (at 36 percent) was that “sexual orientation has nothing to do with job performance”. In this response area, 19 percent of troops chose that the response that there “are no strong arguments for allowing gays and lesbians to serve openly” (Rodgers, 2006, p. 25).

This study, compounded with hundreds of witnesses for both sides of the debate over the repeal, would be used in arguing for the next four years before DADT was finally struck down. Arguments against the repeal ranged from fears over what a policy of openness might mean for unit morale and cohesion to the outright dislike for homosexuals. In March 2007, Gen. Peter Pace, the Chairman of the Joint Chiefs of Staff, told the Chicago Tribune that “homosexual acts between two individuals are immoral and [. . .] we should not condone immoral acts” (Madhani, 2007). Arguments for repeal generally included reasoning that the act was discriminatory. Other supporters of lifting the ban stuck to the practical reasons behind ending the ban, with retired Chairman of the Joint Chiefs of Staff Gen. John Shalikashvili telling the Air Force Times that “[the United States] military has been stretched thin by our deployments in the Middle East, and we must welcome the service of any American who is willing and able to do the job” (Lubold, 2007).

The Legal End of DADT

“Don’t Ask, Don’t Tell” was challenged from more than just the legislative side. The policy would be challenged in court and upheld by the federal Court of Appeals several times before proponents of ending the ban would make any headway. The two major cases to have

successfully challenged DADT are *Witt v. Department of the Air Force* and *Log Cabin Republicans v. United States of America*.

Brought to court in 2006 after an 18-year career in the Air Force, Major Margaret Witt was discharged because she was found out to have engaged in sexual conduct with another woman. This woman was her partner with whom she was in a committed relationship with, and the sexual act happened in her home, miles away from any Air Force base. Witt filed suit in the United States District Court for the Western District of Washington to seek declaratory and injunctive relief. Witt claimed that DADT violates substantive due process, the Equal Protection Clause, and procedural due process. After being dismissed by the District Court, the Ninth Circuit Court issued its ruling on May 21, 2008, reinstating Witt's substantive due process and procedural due process claims, as well as affirming the dismissal of her Equal Protection claim. Using the Supreme Court's rationale in the decision in *Lawrence v. Texas (2003)*, the court determined that DADT had to be subjected to heightened scrutiny, meaning that the DADT policy must "significantly" further governmental interest, and that there can be no less intrusive way for the government to advance that interest. In this case, Witt, who had partnered with Lambda Legal when bringing suit, was ordered reinstated. Lambda Legal explains the impact of this verdict by saying that "the government cannot demand that individuals completely sacrifice their constitutional right to sexual intimacy with a same-sex partner in order to serve in the armed forces" (Lambda Legal Witt, 2011).

Log Cabin Republicans v. United States of America started as a lawsuit in 2004, with a challenge to the constitutionality of DADT. In 2010, this case went to trial, with the government

claiming that DADT was necessary for a legitimate interest and the plaintiffs remarking that DADT did nothing to “contribute to national security” (Lambda Legal LCR, 2011). On September 9, 2010, Judge Virginia Phillips rules that the ban on service by open homosexuals was unconstitutional, as it violated the First and Fifth Amendments of the Constitution. With this, Judge Phillips granted an immediate worldwide injunction prohibiting the Department of Defense from enforcing the “Don’t Ask, Don’t Tell” policy. This injunction was later lifted by the Ninth Circuit Court of Appeals and then Judge Phillips ruling was vacated by a three judge panel (Lambda Legal LCR, 2011).

Though the judiciary did not find success in repealing DADT, progress was made in 2010 in the legislature. On May 27, 2010 the U.S. House of Representatives approved the Murphy Amendment to the National Defense Authorization Act for Fiscal Year 2011 with a vote count of 234 to 194, providing for DADT’s repeal. Senator John McCain successfully filibustered this in the Senate before it could pass. In response, Senators Joe Lieberman and Susan Collins introduced another bill on December 9, 2010 addressing DADT’s repeal. It passed the House with a vote of 250 to 175 and the Senate with a vote of 65 to 31. Obama signed this repeal into law on December 22, 2010.

Aftermath and Recent Developments

In the aftermath of DADT, *Collins v. United States* was settled out of court on January 7, 2013, providing for the payment of full separation pay to troops discharged under DADT since November 10, 2004 (Geidner, 2013). *McLaughlin v. Panetta* was also brought to court to challenge the fact that same-sex partners of military members not receiving the same benefits as

those in heterosexual relationships. Filed in October of 2011 by the Servicemembers Legal Defense Network, this case asserts a right to dental and medical benefits, basic housing, transportation allowances, family separation benefits, visitation rights in military hospitals, and survivor benefit plans (Geidner, 2011). This lawsuit was filed as a direct challenge to the Defense of Marriage Act.

In June 2013, identification cards were made available to same-sex couples, allowing them to access to education, survivor, commissary, travel, counseling and transportation benefits, but not allowing them equal access to health care and housing allowances (Scarborough, 2013). On June 26, 2013, following the Supreme Court decision in *United States v. Windsor* that held Section 3 of DOMA unconstitutional, Secretary of Defense Chuck Hagel assured the military that access to equal benefits would soon be made available (McCloskey, 2013).

CHAPTER 5: INTERNATIONAL MILITARY APPROACHES

Around the world, the issue of homosexuals serving openly in the military is not one that is unique to that of United States service members alone. This debate has clouded militaries around the world for decades, in fact. Currently, over forty militaries around the world allow homosexual service members to serve in their militaries, with all of the five members of the UN Security Council and all members of the North Atlantic Treaty Organization (excluding Turkey) permitting service by homosexual troops.

The countries that will be examined for this comparative analysis are the Great Britain and Canada because of their similar culture traditions to the United States, and because of their similar polarizing histories surrounding gay and lesbian rights. This research acknowledges that there is no perfect model for the United States to base their military off of and that the militaries of both Great Britain and Canada are considerably smaller than the military of the United States. While Great Britain and Canada are currently more liberal in their tolerance for gays and lesbians, these countries were chosen because they have not always been as supportive as they are of homosexuals serving openly in the military as they are now and can serve as a more effective model for the United States to base policy off of than any other countries could.

Great Britain

Gays and lesbians in the British armed forces were prohibited from serving until January 2000. Before 1967, British military law and criminal law were the same – each prohibited sodomy and allowed for soldiers to be jailed if they were caught committing it. For women caught committing a same-sex act in the military, they would receive a general misconduct

charge of “disgraceful conduct of an indecent kind” (Embser-Herbert, 2007, p. 72) and then would be discharged for such an action.

In 1967, however, the Sexual Offenses Act passed and decriminalized private, consensual “gay male behavior” for people aged 21 and over. This authority was not recognized by the military until the 1991 Armed Forces Bill and the June 1992 mandated halt by the Ministry of Defense to stop all criminal prosecution for sexual activities that were made legal by the 1967 Sexual Offenses Act. To stop homosexuals from entering the military, the Ministry of Defense issued Service-wide regulations in 1994 that barred admitted homosexuals from entering the military, and gave British officers the authority to issue discharges to homosexuals serving under them (Embser-Herbert, 2007, p. 72).

Opposed by 68 percent of British citizens, this ban continued until 1999, when the European Court of Human Rights (ECHR) ruled unanimously that the ban violated the privacy of the plaintiffs (Gilligan, 2000). Discharged service members were invited to reapply for their jobs and a universal ban on all military public displays of affection – both homosexual displays and heterosexual displays – were banned. An emphasis was on equal treatment of all British troops, paying attention to dismiss service members for “sex” not for “sexuality” (Embser-Herbert, 2007, p. 75).

The new guidelines are set out to be nondiscriminatory and to comply with the Human Rights Act. Soldiers, regardless of sex or sexual orientation, are required by the British military to behave by a certain “code of conduct”. Emphasis is on a “zero tolerance for harassment,

discrimination, and bullying”, with no acceptance given to those found violating the military code (Embser-Herbert, 2007, p. 75).

Shortly after the policy banning homosexuals was lifted, research was conducted by Belkin and Evans, hailing the new policy as a “solid achievement”, pointing to successes in the ability to incorporate new military codes into training and education for troops (Belkin, 2000, p. 2). Overall, this new policy has been characterized as one with an emphasis on the importance of equality between troops, and one with no “perceived effect on morale, unit cohesion, or operational effectiveness” (Embser-Herbert, 2007, p. 75). It has also been marked by researchers for having a “marked lack of reaction” (Belkin, 2000, p. 2).

In sum, the adjustment of Great Britain has gone mostly smooth. Issues of equality for military pensions and same-sex partners of military members sometimes plague the British forces, but the adjustments that have been made are impressive. The Royal British Navy has even pursued a plan of actively recruiting gay men and lesbians, going to gay rights groups in order to try to diversify their troops and promote acceptance (Lyll, 2005).

Canada

Published in the Canadian Forces Administrative Order (CFAO) 19-20, officially called “Homosexuality-Sexual Abnormality Investigation, Medical Examination and Disposal” the Canadian policy of allowing homosexuals in the military expressly prohibited gays and lesbians, or those suspected of being gay or lesbian, to serve in the Canadian Forces. Passed in May 1967, CFAO 19-20 reorganized all of the previous military ordinances concerning homosexuals in the three services of the Canadian Forces (those being the Canadian Army, Royal Canadian Navy,

and Royal Canadian Air Force) into one piece of legislation. This order mandated that all officers in the Canadian Forces be required to investigate any report of homosexual acts among their troops. If a troop was found by an officer to be homosexual, he or she would be dismissed from the Canadian Forces. Grouped with homosexual acts in this order were other acts of “sexual abnormality”, including bestiality and voyeurism (Scott, 1994, p. 166-167).

Canada passed the Canadian Human Rights Act (CHRA) in 1978, and the Canadian Charter of Rights and Freedoms (which became a part of the Canadian Constitution in 1982). Neither of these acts included sexual orientation as a protected class, and neither specifically enumerated rights to homosexuals, though the combination of the acts forced employers to justify any exclusionary or prohibitive policy that they had in place. This portion of the policy led to the Justice Department determination in 1985 that the Canadian Forces may be in violation of their Charter’s provisions and rights because of the discriminatory practices that were in place surrounding their military; some such of these practices being an unwarranted discrimination against homosexuals serving openly in the Canadian Forces. In response, the Department of National Defence surveyed 6,580 soldiers to determine what a removal of the ban on homosexuals would mean for troop morale and for working conditions. The initial response was bleak: 62 percent of male troops stated they would refuse to shower in the same facilities as a homosexual, and 45 percent declared that they would refuse to work alongside of a homosexual. This led to a recommendation that the policy of exclusion be left in place (Embser-Herbert, 2007, p. 60-61).

Because of some levels of public pressure to be more accepting of homosexuals, the Minister of Defence in Canada announced that the new policy would no longer be that of dismissal, but rather troops would be asked to leave, and, if they refused, they would simply be denied training courses, security clearances, transfers, promotions, or reenlistment opportunities (Embser-Herbert, 2007, p. 61). This, for some, was not enough. Lieutenant Michelle Douglas, a former member of the Special Investigations Unit in the Canadian Forces, and four other dismissed members of the Canadian Forces filed suit against the Canadian Forces following Douglas's dismissal in 1989 under release item 5d "Not Advantageously Employable Due to Homosexuality" (*The Current*, 2005). Before this case went to trial, the Canadian Security Intelligence Committee ruled in August of 1990 that the Canadian Forces violated Douglas's rights under the Canadian Charter, and that the Canadian Forces could not justify legally excluding gays and lesbians from the military. In October of 1992, the Department of National Defence agreed to settle the case, dropping its policy of exclusion, and consenting to the repeal of its policy (Farnsworth, 1991).

Since this historic decision to lift the ban on homosexuals in the Canadian military, several studies have been conducted on how troop morale has been affected, if at all. The studies also were out to determine if lifting the ban on homosexuality would create any negative consequences. Because of the United States' interest in potentially one day lifting their own ban, many of the leading research projects were undertaken by U.S. based organizations. The results of the surveys and research over time are summarized below.

In April of 2000, The Center for the Study of Sexual Minorities in the Military at the University of California at Santa Barbara concluded with several key findings. Relevant to this research is the following: eight years after the repeal of a ban on homosexuals in the Canadian Forces, there has been no measured change in military performance, sexual harassment for women dropped a reported 46 percent (mostly due to the vanished fear of being accused of, and subsequently dismissed for, being a lesbian as punishment for reporting), and the removal of the ban has “resulted in a decrease of fear and anxiety and improved access to personnel support systems for soldiers who self-identify as sexual minorities” (Belkin, 2000, p. 37). In addition, this study found that none of the 905 assault cases in the Canadian Forces from November of 1992 (when the ban was first lifted) to August of 1995 involved “gay bashing or could be attributed to the sexual orientation of the parties” (Belkin, 2000, p. 2).

These findings have been mostly confirmed by the National Defense Research Institute (RAND) and the General Accounting Office (GAO), suggesting that the “transition was a smooth one” with “no evidence that any aspect of military life had been negatively affected” (Embser-Herbert, 2007, p. 62). A 2001 Gallup public opinion poll about openly homosexual troops in the Canadian Forces also revealed that 81 percent of Canadians support the policy of openness (Gallup, 2002).

Canada has also taken several measures to ensure a successful transition for the military in allowing soldiers to be open about their sexual identities. To start, Canadian Forces, acting through the Department of National Defence, implemented the Standards for Harassment and Racism Prevention (SHARP) program in 1996 to increase awareness about harassment, racist

conduct, and discrimination or harassment based on sexual orientation. This program was made mandatory for all Canadian Forces personnel, and included more advanced training for leadership. The results, as seen in a 1998 survey on harassment, were as follows: 97 percent of surveyed Canadian Forces units reported knowledge of the Canadian Forces' harassment policy (this compared to a 1992 survey showing only 80 percent of men were aware and 84 percent of women were aware). Further, this revealed that three-quarters of Canadian units had a harassment advisor and that there was "no correlation between homosexuality and offensive conduct" (Azoulay, 2010, p.24).

Outside of the SHARP program, the Canadian Forces allow for members with same-sex partners to obtain benefits, providing that they meet the conditions of having been together for a continuous period of at least a year, and that they publicly acknowledge each other as life partners. This was included in 1997, with an addition in June 1999 of the Canadian Pension Plan allowing same-sex partners to receive survival benefits, which include military pensions from the Canadian Forces. Participation in Pride Parades for Canadian Forces is not unusual either, with social media groups existing for military service members who plan to meet up during such events. A rainbow flag even flies above the Canadian Forces base in Edmonton.

Canadian officials even recognize a general trend of successful integration for troops, crediting military leadership's acknowledgement of "the inevitability of change in policy" (Embser-Herbert, 2007, p. 63). A conscious leadership strategy and an emphasis not on creating a policy directed at homosexuals in the military, but rather for "equitable policies" between homosexuals and heterosexuals, also helped to alleviate any stress that could have been caused

by change. In addition, Canadian Forces military chaplains were given special instruction from the Interfaith Committee on Canadian Military Chaplaincy in 2003 to treat all military units and couples, regardless of their orientation, with the same level of respect and dignity (Embser-Herbert, 2007, p. 66).

In summary, for Canada, a transition has been mostly smooth. Dr. Anne Irwin, a professor of anthropology and Canadian Defense & Foreign Affairs Institute Chair in Civil-Military Relations at the Centre for Military and Strategic Studies at the University of Calgary, describes the Canadian attitude as one of acceptance in the younger generations that are employed by the Canadian Forces, with somewhat of a gap for acceptance for the older population of service members. This, she says, is not a “homophobic” thing, but rather “all part of diversity generally”. According to Dr. Irwin, “the bottom line for them [the Canadian Forces members] is if you do your job, you’re accepted” (Smith, 2008).

CHAPTER 6: WHERE DO WE GO NEXT?

Suggestions for the Future

One thing that this study recognizes is that the military of the United States is much larger than that of Great Britain or of Canada. Also, the history surrounding gay and lesbian rights in the United States is different than that of Great Britain or Canada, with both Great Britain and Canada expressing higher acceptance levels for gay rights in general, whether it be for anti-discrimination legislation or for support of same-sex marriage. There will never be a perfect model that the United States can use as a basis for following. What this research does attempt, however, is to provide suggestions for the future of the United States military and what they can do to promote greater levels of acceptance for troops within their own ranks.

Drawing on the policies and results from both Great Britain and Canada, it is this study's recommendation that the following be done:

First and foremost, the United States should adopt an educational program to better adjust troops to the transition of gay and lesbian service members. A training program such as Canada's SHARP Program should be adopted in order to help minimize the negative responses that have been reported by service members upon encountering a homosexual military unit. A more specialized program is recommended for officers and leadership of the United States military so that they may be best prepared to handle specific instances of discrimination within their ranks, and so that they may know how to best handle more sensitive situations involving sexual orientation and sexuality.

A zero-tolerance anti-discrimination policy, much like that of Great Britain, should be adopted and particular emphasis should be put on harassment for other troops, regardless of sexual orientation. The Equal Opportunity (EO) Handbook of the United States military should include “sexual orientation” as a class of person that cannot be discriminated against. At the same time though, close attention needs to be paid to make sure that gay and lesbian service members are, in fact, being treated no differently than straight service members. If an act of harassment occurs between a heterosexual and homosexual service member, the punishment should focus on the act that was committed, and the wrong nature of the act, not on the sexual orientations of either of the parties involved. Making sexual orientation a non-issue should be one of the goals of the military, in order to ensure that forces do become equal. With the same thought in mind, true acceptance will only be achieved with complete equality given to the same-sex partners of service members. Copying Canada’s model, this full affording of rights is the only way to not cheapen the value of what it means to be a homosexual soldier, versus what it means to be a heterosexual soldier.

After being properly trained and educated on the specific challenges that are faced by the gay and lesbian community, it is recommended that the military take certain steps towards diversifying and encouraging members to feel comfortable with their sexualities. To clear the image of that the United States military has of being oppressive and homophobic, it would be commendable to target marketing at gay pride events and gay rights organizations.

Conclusion

The history of an exclusionary policy within the United States military traces back for over half of a century. Certain social stigmas and acceptance levels for homosexuality within institutions as rigid and long-standing as the military will not disappear overnight. Public opinion is constantly changing, and a battle is currently being waged in the legislature for complete equal rights for troops.

Though there is no perfect fit to base United States policy off of, using the models of Great Britain and Canada as examples, certain meaningful educational programs and harassment trainings would very much benefit the military and may reduce the incidence of negativity between heterosexual and openly homosexual service members. Overall, an emphasis should be on complete equality between troops, regardless of sexual orientation.

While this study does recommend an action plan to help the United States military better adjust perceptions from within, certain attitudes will only change with time and the eventual completion of the trend towards a more accepting population. This will most likely only be completely possible once the youngest generation replaces the officers who are in command currently, overcoming the generational gap that the military currently faces in its attitudes towards openly homosexual troops.

Future Research Questions to be Explored

While this research was able to answer the “where do we go next?” question and compile data from various sources to track discharges and public opinion, several areas were not addressed. First, this research left untouched the topic of transgendered service members; from

their acceptance levels from within ranks to how the military approaches such troops. Military attitudes about bisexuals have not been addressed either.

Another area that has not been addressed by this research is the appearance of service members and their outward displays of certain stereotypical homosexual tendencies and how this may further impact acceptance levels from within military ranks or treatment from higher ranking officers. Promotions, or lack of furtherance within ranks, have not been looked at from the average amount of time taken by an openly homosexual service member versus that of a heterosexual service member. Additionally, research on the impact of openly gay and lesbian troops should be conducted as it relates to recruiting measures taken by the United States military, as well as the different reactions by men versus women in the military. The relationship between the acceptance of homosexuals in the military and sexual harassment of women in the military is another area that should be looked into.

A final area that this thesis recommends research be conducted in is the current acceptance levels in pre-military programs, such as the Reserve Officers Training Corps (ROTC). Various levels of this program should be looked into, from the junior programs that are in place at high schools around the country, to the programs found at college campuses. This research has recommended an education program be put into place similar to Canada's SHARP Program. Research should be conducted into the benefits of integrating something similar in ROTC programs.

REFERENCES

- Army Regulation 600-20 (2006). Department of the Army.
- APA (2010, March 18). APA Reaffirms Call to End 'Don't Ask, Don't Tell'. *American Psychological Association*. Washington, D.C.
- Article 125. Uniform Code of Military Justice.
- Azoulay, D. (2010, May). *Open Service and Our Allies*. New York, NY: Columbia Law School Sexuality & Gender Law Clinic.
- Ballasy, N. (2010). If Security-Clearance Check Reveals Homosexuality, Info Can't Be Used To Discharge Soldiers, Says Defense Dept. *CNS News*. Retrieved from <http://cnsnews.com/news/article/if-security-clearance-check-reveals-homosexuality-info-can-t-be-used-discharge-soldiers#sthash.pjr84HAd.dpuf>
- Belkin, A. (2003). Don't Ask, Don't Tell: Is the Gay Ban Based on Military Necessity? *Parameters*, 33(Summer 2003), 108-119.
- Belkin, A. (2000, April). *Effects of the 1992 Lifting of Restrictions on Gay and Lesbian Service in the Canadian Forces: Appraising the Evidence*. Santa Barbra, CA: University of California Center for the Study of Sexual Minorities in the Military.
- Belkin, A. (2000, October 31). A Review of the Armed Forces Policy on Homosexuality. *Ministry of Defense*.
- Bérubé, A. (1990). *Coming Out Under Fire: The History of Gay Men and Women in World War Two*. New York, NY: The Free Press.
- Bohon, D. (2013, May 23). Homosexual Assaults Becoming a Problem in U.S. Military, DoD Survey Finds. *New American*. Retrieved from

<http://www.thenewamerican.com/usnews/item/15500-homosexual-assaults-becoming-a-problem-in-u-s-military-dod-survey-finds>

Breen (2010, October 31). Generation Gap Divides Troops on Gays in Military. *The Associated Press*. Retrieved from <http://www.newsmax.com/Newsfront/US-Gays-in-Military/2010/10/31/id/375423>

Center for Military Readiness (2013, April 2). Military Survey Reveals Signs of Trouble Among the Troops. Center for Military Readiness. Retrieved from http://www.cmrlink.org/content/home/36708/military_survey_reveals_signs_of_trouble_among_the_troops

Connors, K (1999). *Clinton's Policy Relating to Gays in the Military: Lessons in Politics at the National Level*. National Defense University, National War College, Unpublished Paper. Retrieved from <http://www.dtic.mil/dtic/tr/fulltext/u2/a442396.pdf>

The Current (2005, May 9).

Don't Ask, Don't Tell Repeal Act of 2010, S. 4023, 111 Cong., 2nd Sess. (2010).

Elzie, J. (2010, November 17). 'Don't Ask, Don't Tell' Policy is Discrimination in a Time Warp. CNN. Retrieved from <http://www.cnn.com/2010/OPINION/11/17/domi.elzie.dadt/index.html>

Embser-Herbert, M. (2007). *The U.S. Military's "Don't Ask, Don't Tell" Policy: A Reference Handbook*. Westport, CT: Praeger Security International.

Evans, D. (1993, January 24). Clinton to Suspend Military Ban on Gays. *Chicago Tribune News*. Retrieved from

http://articles.chicagotribune.com/1993-01-24/news/9303171831_1_homosexual-gays-military-officers

Farnsworth, C. (1991, October 11). Canada Ending Anti-Gay Army Rules. NY Times. Retrieved from

<http://www.nytimes.com/1991/10/11/world/canada-ending-anti-gay-army-rules.html>

Frank, N. (2010, February). *Gays in Foreign Militaries 2010: A Global Primer*. Santa Barbara, CA: University of Santa Barbara Palm Center.

Frank, N. (2009, March). *Unfriendly Fire*. New York, NY: St. Martin's Press.

Gallup. (2010, December 9). In U.S., 67% Support Repealing "Don't Ask, Don't Tell" [Data set].

Retrieved from <http://www.gallup.com/poll/145130/support-repealing-dont-ask-dont-tell.aspx>

Gallup. (2002, August 6). More Accepting of Homosexuals -- Canada or U.S.? [Data set].

Retrieved from <http://www.gallup.com/poll/6541/more-accepting-homosexuals-canada-us.aspx>

GAO (2005, February). Financial Costs and Loss of Critical Skills Due to DOD's Homosexual Conduct Policy Cannot Be Completely Estimated. *United States Government Accountability Office*. Washington, D.C.

Geidner, C. (2011, July 6). Ninth Circuit Halts DADT Enforcement, Pentagon "Taking Immediate Steps" To Comply. *Metroweekly*. Retrieved from

<http://metroweekly.com/poliglot/2011/07/ninth-circuit-halts-dadt-enfor.html>

Geidner, C. (2011, November 23). SLDN Takes Aim at DOMA. *Metro Weekly*.

- Geidner, C. (2013, January 7). Servicemembers Kicked Out Under Military's Gay Ban Since '04 To Receive Full Separation Pay. *Buzz Feed*.
- Gilligan, A. (2000). Brigadier Quits Over Gays in Military. *BBC News*. Retrieved from http://news.bbc.co.uk/2/hi/uk_news/620178.stm
- Haggerty, T. (2003). History Repeating Itself: Gay Men and Lesbians in the Military Before 'Don't Ask, Don't Tell'. In Aaron Belkin and Geoffrey Bateman (Eds.), *Don't Ask, Don't Tell: Debating the Gay Ban in the Military* (pp. 8-53). Boulder, CO: Lynne Reiner
- Johnson, D. (2009, February 13). *The Lavender Scare: The Cold War Persecution of Gays and Lesbians in the Federal Government*. Chicago, IL: The University of Chicago Press.
- Kelly, M. (1992, October 31). The 1992 Campaign: The Democrats – Clinton and Bush Compete to Be Champion of Change; Democrat Fights Perceptions of Bush Gain. *NY Times*. Retrieved from <http://www.nytimes.com/1992/10/31/us/1992-campaign-democrats-clinton-bush-compete-be-champion-change-democrat-fights.html>
- Korb, L. (2009, March 2). The Costs of Don't Ask, Don't Tell. *Center for American Progress*. Retrieved from <http://www.americanprogress.org/issues/military/news/2009/03/02/5714/the-costs-of-dont-ask-dont-tell/>
- Lambda Legal LCR (2011). Log Cabin Republicans v. United States of America. Lambda Legal. Retrieved from <http://www.lambdalegal.org/in-court/cases/lcr-v-usa>
- Lambda Legal Witt (2011). Witt v. United States Department of the Air Force. *Lambda Legal*. Retrieved from <http://www.lambdalegal.org/in-court/cases/witt-v-usaf>

- The Library of Congress, American Memory, George Washington Papers 1741-1799. (1999, February 16). *George Washington, March 14, 1778, General Orders*. Retrieved from <http://lcweb2.loc.gov/cgi-bin/query/r?ammem/mgw:@field%28DOCID+@lit%28gw110081%29%29>
- Lubold, G. (2007, January 15). Former JCS chairman: It's Time to Give 'Don't Ask, Don't Tell' Policy Another Look. *Air Force Times*.
- Lyall, S. (2005, February 22). New Course by Royal Navy: A Campaign to Recruit Gays. *The New York Times International*. Retrieved from <http://www.nytimes.com/2005/02/22/international/europe/22britain.html>
- Madhani, A. (2007, March 13). Don't Drop `Don't Ask, Don't Tell,' Pace Says. *Chicago Tribune*.
- McCloskey, M.; Carroll, C. (2013, June 26). Supreme Court strikes down DOMA; Hagel promises benefits ASAP. *Stars & Stripes*.
- Mettler, S. (2005). *Soldiers to citizens: The GI Bill and the making of the greatest generation*. Oxford, England: Oxford University Press.
- Military Leadership Diversity Commission (2010, June). *Religious Diversity in the U.S. Military*. *Military Leadership Diversity Commission*. Retrieved from <http://militaryatheists.org/resources/MLDC-RIPSDemographics.pdf>
- Military Times (2012, May 12). Survey: DADT Repeal Has Less Impact than Expected. *Military Times*. Retrieved from www.militarytimes.com/article/20120312/NEWS/203120318/Survey-DADT-repeal-has-less-impact-than-expected
- Military Readiness Enhancement Act of 2005, H.R. 1059, 109 Cong. (2005).

- National Defense Authorization Act for Fiscal Year 1994, H.R. 2401, 103rd Cong. (1993).
- National Defense Research Institute (1993). *Sexual Orientation and U.S. Military Personnel Policy: Options and Assessment* (Report MR-323-OSD). Santa Monica, CA: RAND Corporation.
- Patten, E. (2011, December 2011). Women in the U.S. Military: Growing Share, Distinctive Profile. Pew Research Center. Retrieved from <http://www.pewsocialtrends.org/2011/12/22/women-in-the-u-s-military-growing-share-distinctive-profile/>
- Rodgers, S. (2006, December). Opinions of Military Personnel on Sexual Minorities in the Military. *Zogby International*.
- Scaglia, B. (2011). *I'm Asking: The Farcical Middle Ground of DADT (Don't Ask, Don't Tell)*. Charleston, SC: BiblioBazaar.
- Scarborough, Rowan (2013, June 7). Military benefits for same-sex couples to begin Sept. 1. *Washington Times*.
- Simmons, C. (2011, October 11). Obama HRC Speech: "I Will End Don't Ask, Don't Tell," Says President Obama. *Huffington Post*. Retrieved from http://www.huffingtonpost.com/2009/10/10/obama-says-he-will-end-do_n_316524.html
- Smith, D. (2008, July 25). Pride in the Canadian Forces. *Parliamentary Press Gallery*. Retrieved from <http://gallerynotes.blogspot.com/2008/07/pride-in-canadian-forces-complete.html>
- Scott, W. (1994). *Gays and Lesbians in the Military: Issues, Concerns, and Contrasts*. Hawthorne, NY: Aldine De Gruyter.

- Shilts, Randy. (2005). *Conduct Unbecoming: Gays and Lesbians in the U.S. Military*. New York: St. Martin's Griffin.
- Standifer, C. (2012, March 12). Survey: DADT Repeal Has Less Impact Than Expected. *Army Times*, 10(March 2012), 11-12.
- Tilghman, A. (2011, January 20). Report: Enforcing DADT Cost \$52,800 per Troop. *Army Times*. Retrieved from <http://www.armytimes.com/article/20110120/NEWS/101200335/Report-Enforcing-DADT-cost-52-800-per-troop>
- Tilghman, A. (2013, March 26). Military Support for GOP Eroding, But Not Conservatism. *Marine Times*. Retrieved from <http://www.marinecorpstimes.com/article/20130326/NEWS/303260024/Military-support-GOP-eroding-not-conservatism>
- Tyson, A. (2007, March 14). Sharp Drop in Gays Discharged from Military Tied to War Need. *Washington Post*. Retrieved from <http://www.washingtonpost.com/wp-dyn/content/article/2007/03/13/AR2007031301174.html>
- Uniform Code of Military Justice, 64 Stat. 109, 10 U.S.C. Chapter 47 (1949).
- United States Department of Defense. (1993). *Department of Defense Directive* (Number 1332.14.).
- United States Department of Defense. (1993). *Department of Defense Directive* (Number 1332.26.).

- United States Naval Institute. (2010). Key Dates in U.S. Policy on Gay Men and Women in Military Service. *USNI*. Retrieved from <http://www.usni.org/news-and-features/dont-ask-dont-tell/timeline>
- Webley, K. (2010, February 2). Brief History of Gays in the Military. *Time*, 175(4).
- Winston, K. (2012, August 14). Atheism Rises, Religiosity Declines in America. *Huffington Post*. Retrieved from http://www.huffingtonpost.com/2012/08/14/atheism-rise-religiosity-decline-in-america_n_1777031.html
- Witt v. United States Department of the Air Force: Lambda Legal. *Lambda Legal*. Retrieved from <http://www.lambdalegal.org/in-court/cases/witt-v-usaf3>