

GOOD ORDER AND DISCIPLINE: THE POLITICS OF EXCLUSION IN THE AMERICAN
MILITARY

by

JOHN GABRIAL RIVERA

A DISSERTATION

Presented to the Department of Political Science
and the Division of Graduate Studies of the University of Oregon
in partial fulfillment of the requirements
for the degree of
Doctor of Philosophy

June 2022

DISSERTATION APPROVAL PAGE

Student: John Gabriel Rivera

Title: Good Order and Discipline: The Politics of Exclusion in the American Military

This dissertation has been accepted and approved in partial fulfillment of the requirements for the Doctor of Philosophy degree in the Department of Political Science by:

Jane Cramer	Chairperson
Craig Parsons	Core Member
Priscilla Yamin	Core Member
Ellen Scott	Institutional Representative

and

Krista Chronister	Vice Provost for Graduate Studies
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Original approval signatures are on file with the University of Oregon Division of Graduate Studies.

Degree awarded June 2022

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DISSERTATION ABSTRACT

John Gabriel Rivera

Doctor of Philosophy

Department of Political Science

June 2022

Title: Good Order and Discipline: the Politics of Exclusion in the American Military

How do systemic and ideational factors shape the composition and effectiveness of the American military? From the American Revolution to the present, the American military has regularly established informal and formal discriminatory military personnel policies that have limited the availability of its military manpower, diminished its ability to fill critical and undermanned military occupations, harmed unit cohesion, reduced retention of vital talent, and made it difficult for individual service members to be the best they could be at their jobs. I contribute to the debate within security studies literature concerning the formation of military doctrine by including a focus on military personnel policies with an extensive focus on the American military's historical treatment of African American men, gay men and lesbians, women, and transgender individuals.

Existing literature suggests that national security is an area of state behavior where we should least expect ideational variables to trump systemic ones, and where states are least likely to make national security decisions that act against a state's material self-interest. This dissertation demonstrates the United States has frequently done so and placed the enforcement of prejudicial ideas and beliefs about certain groups of individuals above national security. In a mixed-methods research study, I exhaustively review existing literature on the relationship

between race, sexual orientation, gender, and transgender identity with military service, conducted archival research from the Congressional Record and various Department of Defense records, and conducted forty-five semi-structured personal interviews with civilian and military elites as well as individual military service members.

My findings demonstrate that discriminatory military personnel policies are entirely ideational in origin and are neither a function of systemic pressures nor military necessity and are both harmful to military effectiveness and antithetical to national security. The lengthy historical content across discriminatory military personnel policies shaped by prejudicial ideas and beliefs about race, sexual orientation, gender, and transgender identity also strongly demonstrates that elites' justifications for these policies are strikingly similar across time and the harmful effects of individual policies are not isolated events.

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CHAPTER I: INTRODUCTION

“. . . Lieut. Enslin of Colo. Malcom’s Regiment tried for attempting to commit sodomy His Excellency the Commander in Chief approves the sentence and with Abhorrence & Detestation of such Infamous Crimes orders Lieut. Enslin to be drummed out of Camp tomorrow morning.”¹

General George Washington, 1778

The First Discharge of a Gay Soldier in the American Army

“. . . with implementation of the new law fully in place, we are a stronger joint force, a more tolerant joint force, a force of more character and honor, more in keeping with our own values.”²

Admiral Mike Mullen, 2011

Press Statement After the Repeal of “Don’t Ask, Don’t Tell”

Nearly two decades after President Truman issued Executive Order 9981, which ended segregation in the American military, sociologist Charles Moskos argued that “Although the military was until recent times one of America’s most segregated institutions, it has leaped into the forefront of racial equality in the past decade.”³ In 1966 the American military had indeed come a long way. During the early days of the Revolution General George Washington barred

¹ Washington, G. (1934). *The Writings of George Washington from the Original Manuscript Sources 1745-1799, Vol.11* (J. Fitzpatrick (ed.)). United States Government Printing Office, 83-84.

² Marshall, Tyrone (2011). Defense leaders laud DADT repeal, return of ‘equality.’ *Armed Forces Press Service*. September 21, [Online]. Available at: https://www.army.mil/article/65878/defense_leaders_laud_dadt_repeal_return_of_equality [Accessed 10 May 2022].

³ Moskos, C. (1966). Racial Integration in the Armed Forces. *American Journal of Sociology*, 72(2), 132-148.

the enlistment of African American men in the Continental Army because he believed them to be “inferior” and “cowardly sub-humans.”⁴ In the immediate years following Moskos’ remarks, racial tensions related to inequality in the draft, disproportionate battlefield deaths in Vietnam of African American men, and events like the assassination of Martin Luther King Jr., the military found itself plagued with racial tension within its ranks that culminated in extreme events like riots aboard aircraft carriers.⁵ In response, the American military set about establishing one of the most extensive institutions which sought to combat racism within its ranks—the Defense Race Relations Institute.⁶ As of 2020, African Americans are disproportionately represented in the American military. They compose slightly more than twelve percent of the American population and compose nearly nineteen percent of the American military, yet they also compose slightly less than nine percent of the military’s population of commissioned officers.⁷ At the highest levels of national security decision-making, these numbers are much lower and often White House meetings on defense issues remain largely a white male-dominated affair.⁸ For example, despite

⁴ Lanning, M. (2016). African Americans and the American Revolution. In G. Jensen (Ed.), *The Routledge Handbook of the History of Race and the American Military*. Routledge, 27-36.

⁵ Westheider, J. (2017). African Americans, Civil Rights, and the Armed Forces during the Vietnam War. In D. Bristol & H. Stur (Eds.), *Integrating the US Military: Race, Gender, and Sexual Orientation Since World War II* (pp. 96–121). Johns Hopkins University Press.

⁶ Hampton, I. (2017). Reform in the Ranks: The History of the Defense Race Relations Institute, 1971-2014. In D. Bristol & H. Stur (Eds.), *Integrating the US Military: Race, Gender, and Sexual Orientation Since World War II* (pp. 122–141). Johns Hopkins University Press.

⁷ Office of the Deputy Under Secretary of Defense for Military Community and Family Policy, (2019). *Demographics: Profile of the Military Community*. Washington D.C., Department of Defense.

⁸ Cooper, H. (2020). African Americans Are Highly Visible in the Military, but Almost Invisible at the Top. *New York Times*. May 20, [Online]. Available at:

the high visibility of popularity of Chairman of the Joint Chiefs of Staff General Colin Powell from 1989 to 1993, there has not been another African American in this position since then and until the 2020 appointment of General Charles Brown Jr. as Air Force Chief of Staff, none of the individual services' highest-ranking positions had ever been held by an African American.⁹

Racially-based discrimination in the American military intuitively at first feels like an issue that has been definitely resolved, and yet work remains to be done—prejudicial ideas and beliefs about women and minority groups are stubborn things. When we examine them in their totality and across American history, from the Revolution to the present, the stubbornness of discrimination becomes even more puzzling because it arises not out of military necessity but because of racist, homophobic, sexist, and transphobic ideas and beliefs which are antithetical to military efficiency.

Those ideas and beliefs negatively impact the ability of individuals to bring their entire themselves to their jobs. Major Kara Corcoran, a trans woman currently serving as an infantry officer in the Army, highlighted the tension of having to remain closeted stating, “It was stressful, I dealt with my gender dysphoria in lots of negative ways, tobacco use, I did not care about physical fitness as much, I had a lot of anger issues . . . I created a lot of moral strife that carried over into work.” After being allowed to transition, Corcoran stated she is healthier, her fitness levels rose, and she has greater focus, more energy, and better working relationships with her

<https://www.nytimes.com/2020/05/25/us/politics/military-minorities-leadership.html> [Accessed 19 May 2022].

⁹ Office of the Joint Chiefs of Staff (no date), *Joint History and Research Office*. Available at: <https://www.jcs.mil/About/Joint-Staff-History/> [Accessed 19 May 2022].

peers.¹⁰ Multiply Corcoran's experience with the estimated 15,000 transgender individuals currently serving in the American military¹¹ and the aggregate impact of discrimination against transgender military service members becomes clear. Discrimination does not serve the military and American national security well. Furthermore, when we add the experience of gay men and lesbians, and women, the impact of discriminatory ideas and beliefs on military efficiency and national security becomes even more apparent. Certain ideas and beliefs about women and minority groups and their relationship with military service and military efficiency strongly demonstrate how the United States has often placed the enforcement of prejudicial norms above national security and material interest.

The individuals who compose a state's aggregate military force matter. Ideas and beliefs about certain groups of individuals also matter a great deal in how military force is shaped and how effective it is. Scholars of international relations and especially those who focus on security studies should not only ask—what role do systemic factors play in shaping military force in the international arena? We should also ask—what role do ideational factors play in playing military force in the international area? To fully appreciate the need to include a central role for ideas in our analysis, we must also ask, to what extent do ideational factors shape American military effectiveness?

State behavior in response to security considerations in the international arena cannot be completely understood solely through rationalist or materialist perspectives. The construction

¹⁰ Major Kara Corcoran (2022), *Personal Interview*, 24 February.

¹¹ Schaefer, A., Iyengar, R., Kadiyala, S., Kavanagh, J., Engle, C., Williams, K., & Kress, A. (2016). *Assessing the Implications of Allowing Transgender Personnel to Service Openly*, 6-8, 66-67.

and projection of state military force is not merely a reflection of a certain percentage of a state's GDP and population, geography, technology, or the aggregate size of the state's ground forces.¹² When states project force abroad, they do so with a literal body of bodies that are required to man their military's equipment, from tanks to military satellites. When we open the "black boxes" that realists theoretically treat states as and take an in-depth look at a given state's population, we can observe real and meaningful societal divisions even in the most culturally and racially homogenous of states. When we consider these societal divisions, we are able to observe that ideas and beliefs held by civilian and military elites, as well as mass publics, can severely limit the range of possibilities for what groups of people are worthy of being available for service and if their service is permitted, how it might be limited. In other words, when we open those black boxes and avoid the reification of "the military" and account for the actual bodies within the body of military force, we can observe that systemic factors alone are insufficient in order to fully understand how states respond to security concerns in the international arena. Not only are those ideas and beliefs present but they strongly shape the nature of how and what military force is projected abroad. The power of ideational factors are especially strong because often states will act out of material self-interest to enforce domestic ideas and beliefs about certain groups of people before responding to systemic factors.

From the Revolutionary War to the present, certain ideas and beliefs held by civilian and military elites about African American men, gay men and lesbians, women, and transgender individuals have often limited the effectiveness of military force. These ideas and beliefs have

¹² Mearsheimer, J. (2014). *The Tragedy of Great Power Politics*. WW Norton & Company.

frequently manifested into informal and formal discriminatory military personnel policies that have limited the pool of available manpower, limited the quality and quantity of training provided to a significantly sizable portion of the military's population, limited the military's ability to maximize the effectiveness its uniformed personnel, and discrimination faced by these groups of individuals has also diminished the ability of these individuals to fully focus on their jobs, harmed unit cohesion, and hurt the military's retention rates, i.e., its ability to retain highly trained and critical talent.

The power of these ideational factors becomes even more obvious when we historize the experience of these groups and look at them as a whole. For example, racially-based discriminatory military personnel policies such as segregation and "separate but equal" training and equipment not only squandered the potential of two entire American Army divisions during World War I but also nearly resulted in American forces losing the Argonne Offensive.¹³ Furthermore, World War I era discriminatory military personnel policies were not unique to America's involvement in that war. Strikingly similar policies, which strikingly similar ideational origins, consistently constrained military effectiveness in every major American military conflict that preceded it. The American military had to consistently learn and re-learn that it needed black manpower in order to achieve success in wartime and yet consistently placed the enforcement of ideas and beliefs about African Africans above military effectiveness and necessity.

These ideational factors and historical patterns of military behavior have also shared a remarkable similarity to the ideas and beliefs held by civilian and military elites about gay men

¹³ Barbeau, A. & Henri, F. (1974). *The Unknown Soldiers: Black American Troops in World War I*. Temple University Press.

and lesbians, granted they were more prominent during the second half of the nineteenth century. During World War II the American military struggled with policing sexual behavior it deemed deviant while it simultaneously struggled with manpower requirements and the retention of critically-needed personnel.¹⁴ Yet the lessons learned about manpower requirements never manifested into meaningful personnel policy reforms and these struggles consistently reemerged during every major American military conflict until the repeal of “Don’t Ask, Don’t Tell” (DADT) in 2011. DADT, an ideational construct that was a compromise in name only, was especially determinantal to American military effectiveness after the September 11th attacks and the subsequent American wars in Afghanistan and Iraq. DADT resulted in a greater loss of American military service members those killed in action during both wars. Those losses also included the loss of critical personnel that the American military experienced chronically severe shortages, including Arabic and Farsi linguists, intelligence analysts, doctors, and nurses.

The American military had repeatedly “been there and done that” with habitually persistent and stubborn discriminatory military personnel policies with African Americans and gay men and lesbians, and also struggled with internal ideationally induced battles over how to make the most effective use of American womanpower. Like gay military service members, women had been present in every major American military conflict since the Revolution. In earlier conflicts, some women disguised themselves as men and served in combat and others volunteered to serve in much more traditional, and often equally dangerous, occupations such as

¹⁴ Bérubé, A. (1991). *Coming Out Under Fire: The History of Gay Men and Women in World War Two*. University of North Carolina Press. Shilts, R. (1993). *Conduct Unbecoming: Lesbians and Gays in the U.S. Military Vietnam to the Persian Gulf*. St. Martin’s Press.

military nursing. During World War II, women's military roles expanded dramatically, and their essential service included flying every military aircraft type in the American wartime arsenal, working on the highly secret Manhattan Program, and following American soldiers ashore after storming the beaches of North Africa, Italy, and France. Yet after the war, policing gender norms became more important than military necessity, women's military roles and training became highly constrained, and would not adjust again until the end of conscription in 1973.¹⁵ Even within this new era though, difficult to define "combat" exclusion policies would remain and manifest in policies that made it extremely difficult for the American military to effectively interact and collect intelligence from more than half of the populations in Afghanistan and Iraq.¹⁶ Moreover, combat exclusion policies, in combination with broad societal gender norms, contributed to historically viewing women as second-class citizen service members and have been intimately related to the disproportionate rates of sexual harassment and sexual assault in the American military relative to civilian workplaces. Both gender-based discriminatory military personnel policies, and sexual harassment and sexual assault have been antithetical to military effectiveness.

Despite the extensive opportunities for learning and reform that we should expect to observe from an institution that possesses "the most important task imposed on the state by the

¹⁵ Holm, J. (1982). *Women in the Military: An Unfinished Revolution*. Presidio Press.

¹⁶ MacKenzie, M. (2015). *Beyond the Band of Brothers*. Cambridge University Press. Lemmon, G. (2015). *Ashley's War: The Untold Story of a Team of Women Soldiers on the Special Ops Battlefield*. HarperCollins Publishers.

international political system,"¹⁷ in more recent years the American military experienced the same type of ideationally induced constraints with respect to the status of transgender military service personnel.¹⁸ Their status changes have ranged from neglect during the 2011 repeat of DADT to accepted open service in 2016, to a ban in 2017, and then a return to open service in 2021. Transgender military service members had not intrinsically changed during those years, medical science had not changed, and if anything, government, and government-commissioned studies during that period found that there was no compelling medical or military reason to ban transgender individuals from military service. And with an estimated population of at least 15,000 transgender military service members, the cost of kicking them out would have far exceeded the marginal additional costs that their collective healthcare would have required.¹⁹ When these policies are viewed collectively alongside historical discriminatory military personnel policies that banned or restricted the service of African American men, gay men and lesbians, and women, it becomes even more apparent that often the enforcement of certain ideas, beliefs, and norms about certain groups of individuals in society often take precedence above a state's response to systemic pressures.

The totality of these four groups of discriminatory military personnel policies is central to my argument. Wartime military behavior is the least likely area where ideational factors should

¹⁷ Posen, B. (1984). *The Sources of Military Doctrine*. Cornell University Press, 61.

¹⁸ Embser-Herbet, M., & Fram, B. (2021). *With Honor and Integrity: Transgender Troops in Their Own Words*. New York University Press.

¹⁹ Belkin, A., Barrett, F., Eitelberg, M., & Ventresca, M. (2017). *Discharging Transgender Troops Would Cost \$960 Million*. Schaefer, A., Iyengar, R., Kadiyala, S., Kavanagh, J., Engle, C., Williams, K., & Kress, A. (2016). *Assessing the Implications of Allowing Transgender Personnel to Service Openly*, 6-8, 66-67.

trump systemic ones. Wars are within the realm of “high politics” and where the things that states hold most dear—security and survival—should be central in civilian and military elites’ decision-making process.²⁰ The American military has habitually “been there and done that” for nearly two hundred and fifty years. Discriminatory military personnel policies have not and do not serve the American military well. They limit viable manpower availability, constrain effective training, harm unit cohesion, and impede the retention of service members in critical and undermanned occupations.

Much work in the field of international relations that has been done on military doctrine focuses on broad or grand phenomena and on explaining “why” states behave in particular ways. The field has strong origins in studying the causes of war and there is a robust amount of literature that debates to what degrees factors such as culture, ideas, and beliefs matter relative to material or systemic ones. Less attention has been given to also explaining “how” elite preferences shape military force outside of a narrow focus on preferences for offensive or defensive doctrine and then to what degree culture, ideas, and beliefs matter in that behavior relative to material or systemic factors. I argue that the American state, in preparation for war and in the conduct of war, has frequently acted against material self-interest by placing the domestic enforcement of ideas and beliefs about race, sexual orientation, gender, and gender identity above military necessity and in doing so has made the American military less effective through discriminatory military personnel policies which have repeatedly squandered the effective use of available man and womanpower.

²⁰ Mearsheimer, (2014). Posen, (1984).

I also argue that the impacts that these policies have on individual service members are an important element in analyzing the full impact that these policies have upon military effectiveness. Discriminatory military personnel policies do not simply reduce the availability of manpower and limit the training and occupational opportunities available to certain groups of individuals. These policies also make it difficult for individual service members to focus completely on their jobs, trust their leadership, form healthy and productive working relationships with their peers, and diminish the desire for individuals to make the military a career. During DADT, gay and lesbian service members were forced to compartmentalize their lives, keep their private lives concealed from their peers, avoid talking about loved ones, their spouses were denied access to benefits afforded to heterosexuals and they often avoided seeking out medical care out of fear that medical practitioners would report them. The result was a policy that according to one army leader was “anxiety-producing” and “did not serve them well.”²¹

Women’s historical exclusion from combat and the prevalence of sexual harassment, sexual assault, and gender discrimination in the military have had similar effects. These dynamics have historically regulated women to a second class-status that made inappropriate and often criminal behavior normalized. One female Army staff sergeant noted that after a series of inappropriate comments and actions by a superior male officer during an overseas deployment, she did not want to be at work, was afraid to eat meals at her dining facility, and struggled with focusing during mission briefs because after those incidents she “wasn’t focused on what the

²¹ Anonymous (2020). Personal Interview, 12 March.

tasks for the day were.”²² Similarly, attitudes about motherhood and appropriate roles for women often forced highly trained and exceptional service members to throw up their arms and decide against career military service. One female Army captain after witnessing how one male military commander berated another female Army officer after becoming pregnant, decided the Army was not for her. She said, “I got out because I got pregnant, and I didn’t want to have to deal with an asshole telling me it was wrong for me to have a baby.”²³

When we direct our attention to discriminatory military personnel policies the interactive effects of certain ideas and beliefs held by civilian and military elites about women and minority groups can be observed and demonstrate the presence of behavior in the international arena that is much different than would have been otherwise predicted. Foundational work on military doctrine has argued that military organizations will tend to prefer offensive doctrines because they afford the military benefits such as greater autonomy, greater resources, and a potentially greater ability to shape the battlefield to its advantage. At times this organizational bias can have deleterious effects, but when systemic pressures are sufficient, civilian elites are expected to intervene to redirect military doctrine in an appropriate direction.²⁴ More recent work though has demonstrated that when there is internal contestation about the role of the military, civilian elites will address concerns about the domestic distribution of power first and systemic pressures

²² Anonymous (2021). Personal Interview, 16 November.

²³ Anonymous (2021). Personal Interview, 10 December.

²⁴ Posen, (1984).

second.²⁵ When it comes to discriminatory military personnel policies though, there is no similar discernable pattern. Sometimes civilian and military elites jointly allow prejudicial ideas and beliefs to constrain military effectiveness. At other times, civilian elites force the hand of military elites, and in other instances, military elites will nudge civilian elites for reform. Discriminatory military personnel policies are also difficult to operationalize. In some instances, they are formal doctrine, and in others, they are informal. In some cases, they are enacted by executive order and subject to repeal when key elites with different kinds of ideas and beliefs are in power. In others, they are formal acts of Congress, and such policies can persist long after ideas and beliefs have dramatically changed.

Similarly, changes in discriminatory military personnel policies do not solely respond to either systemic or ideational pressures. Both interact and produce varying degrees of discriminatory policies and policy implementation. In the United States, civilian and military elites have often refused to use or make effective use of a sizeable portion of its available manpower and womanpower, and instead, enact discriminatory personnel policies. When system pressures are sufficient though, civilian and military elites will weaken their enforcement of these policies. However, in each of those instances, some degree of discrimination nevertheless persists and becomes antithetical to military effectiveness. Furthermore, when peacetime resumes, often so does robust enforcement of discriminatory military personnel policies, and the cycle is repeated in future conflicts. When the totality of all the military's discriminatory military personnel policies is taken into consideration, this pattern becomes even more painfully evident.

²⁵ Kier, E. (2003). *Imaging War: French and British Doctrine Between the Wars*. Princeton University Press.

The American military was finally desegregated in 1947 but the same ideationally informed justifications for squandering black manpower and segregation were continuously employed to justify similar policies that barred and/or restricted the service of gay men and lesbians, women, and transgender individuals.²⁶ No matter how many times the systemic stovetop of conflict burned the hands of civilian and military elites, those elites kept deciding to believe the same stovetop heat would somehow be different, found themselves burned again, and chose to fight subsequent conflicts with self-inflicted wounds.

Simply put, both the international and the domestic distribution of power matter, but so does the domestic distribution of certain ideas and beliefs about race, sexual orientation, gender, and gender identity. And while systemic factors may at times lessen the effects of discrimination, the origins of civilian and military elite-driven discriminatory military personnel policies themselves are not functions of either systemic factors or military necessity; they are entirely ideational in nature. Such policies also make the American military less efficient and are antithetical to national security.

Ontological and Epistemological Concerns

Before proceeding to a discussion of case selection and methods, and an overview of the subsequent chapters, it is worth acknowledging some background aspects of my work as well as some potential criticisms about my analytical framework. It is not my intention to settle any grand epistemological or ontological debates. If anything, my work is shamelessly guilty of finding

²⁶ Frank, N. (2009). *Unfriendly Fire: How the Gay Ban Undermines the Military and Weakens America*. St. Martin's Press. Kier, E. (1998). Homosexuals in the Military: Open Integration and Combat Effectiveness. *International Security*, 23(2), 5–39.

utility in both positivist approaches as well as constructivist and reflectivist ones. Given the historically and socially contextual nature of factors such as race, sexual orientation, gender, and gender identity, I find it both impossible and inappropriate to operationalize the ideas and beliefs surrounding these factors as “variables.” This decision makes it difficult to adhere to the central rules of “causal inference” such as consistency, concreteness, and the full temporal and conceptual separability of causal conditions and their effects.²⁷ Nevertheless, not all scholars of international relations agree with this rigidity and there has often been contestation as to what precisely “science” actually means. Patrick Jackson has argued for a broader Weberian definition that associates science with any empirical endeavor which is designed to further systematic and sound knowledge about the world.²⁸ Even the most steadfast positivist scholars have afforded some room for ideational factors by acknowledging that certain individuals which hold particular ideas can be treated as “causal switchmen,” if we competently can track and trace other observable patterns of behavior.²⁹ Furthermore, if we relax our field’s typically rigid understanding of causality, the disagreement between these two philosophical camps becomes less germane.

My work is also not entirely irreconcilable with positivist views and practices. We can proceed in a generally traditional analytical framework if we extend our understanding of

²⁷ King, G., Keohane, R., & Verba, S. (1994). *Designing Social Inquiry: Scientific Inference in Qualitative Research*. Princeton University Press, 101-103.

²⁸ Jackson, P. (2011). *The Conduct of Inquiry in International Relations*. Routledge, 193.

²⁹ Goldstein, J., & Keohane, R. (1993). *Ideas and Foreign Policy: Beliefs, Institutions, and Political Change*. Cornell University Press, 105.

causation beyond classic Humean assumptions that tend to treat ideas, norms, and discourse as non-causal. A deeper understanding of causality outlined by Milja Kurki provides us with a “more complexity-sensitive social ontology involving the causal powers of complex ‘conditioning’ social forces.”³⁰ A deeper approach to causality allows us to escape the constraints of Humean assumptions and be able to take on a meaningful and more commonsensical causal analysis. Drawing from Aristotelian views on causality, Kukri directs our attention to four different types of causes—material, formal, efficient, and final.³¹ Transposing these to military force and military personnel policies, a causal analysis would then include:

- 1) Material causes, or the materialist components that we are traditionally directed towards which can provide form, such as population.
- 2) Formal causes, or ideas and images key elites internalize when they imagine a military force, ranging from the colors of uniforms to the racial or gendered composition of that force.
- 3) Efficient causes, or the act of mobilizing a force or how it is physically composed.
- 4) Final causes, or the purpose of forming a military, e.g., domestic stability, foreign threats, an employer of last resort, etc.

While we can neither directly nor regularly observe *all* these types of causes, however, it is difficult to deny the presence of a commonsensical causal relationship. When a sizeable portion of a state’s population is excluded from military service or when a given segment of the

³⁰ Kurki, M. (2008). *Causation in International Relations: Reclaiming Causal Analysis*. Cambridge University Press.

³¹ *Ibid*, 23-59.

population, once mobilized, for military service is denied things like training or equipment because of prejudicial beliefs, this effectively *causes* a decrease in military effectiveness. Given the chaos and uncertainty that accompany military conflicts and the “fog of war” that surrounds them, the deliberate choice to deny oneself an advantage in such environments always carries with it devastating potential. A deeper understanding of cause thus directs us to these commonsensical elements that tend to be neither regular nor directly observable.

My work will primarily make use of realist and constructivist perspectives in its analysis. I have made a conscious decision not to make feminist theory central for two reasons. First, in order to appropriately situate my work alongside existing scholarly debates about military doctrine and civil-military relations, I find it more useful to work within those already established frameworks. So long as the work is done with a genuine “feminist curiosity,”³² I believe my analytical framework is sufficiently equipped to analyze how ideas and beliefs about women and minority groups shape discriminatory military personnel policies and how those policies impact those groups differently than men and the majority group. Secondly, while my work focuses primarily upon certain ideas and beliefs held by civilian and military elites about African American men, gay men and lesbians, women, and transgender individuals, there is also an underlying ideational structure about the appropriate role of a state military force vis-à-vis society that I would like to further develop in future works. Broadly defined reflectivist and constructivist approaches are more flexible in their ability to tackle the role of ideas and beliefs in both realms. That said, subsequent case studies will make use of racial formation theory,

³² Enloe, C. (2014). *Bananas, Beaches and Bases: Making Feminist Sense of International Politics*. University of California Press.

theoretical literature about sexual orientation, feminist theory, and intersectionality in case-specific areas because I do find the literature to be incredibly helpful in key areas.

Different types of feminist theory in international relations tackle different types of questions. Some scholars direct us to areas of analysis that can be highly critical of the ontological and epistemological structure of traditional theories in international relations. Strong attention to systemic factors and key assumptions such as the decision to treat states as unitary actors can often make violence and discrimination against women invisible.³³ Furthermore, given the amoral approach to international politics that much of the field has inherited from classical realist scholars, some have also argued that given the “explicitly normative and often emancipatory” nature of feminist theory, it is difficult to reconcile work in that area with traditional scholarly work in international relations.³⁴ That said, scholars of feminist theory, including those within the field of international relations, are not a homogenous group of scholars. Some largely sidestep such philosophy of science debates and seek instead to better equip us to ask additional questions such as how do beliefs about women and minority groups shape state behavior and how does state behavior impact women and minority groups differently than men and majority groups.³⁵

I do not intend to muddy the waters and make the analysis in the subsequent case studies more difficult than necessary. I have briefly addressed these epistemological and ontological

³³ Tickner, J. (2014). *A Feminist Voyage Through International Relations*. Oxford University Press, 19-30, 73-91. Weber, C. (1993). Good girls, little girls and bad girls: male paranoia in Robert Keohane’s critique of feminist international relations. *Millennium*, 23(2), 337–349.

³⁴ Tickner (2014), 22.

³⁵ Enloe (2014).

debates because I want to acknowledge that while I am somewhat metaphorically straddling a philosophical fence in the work presented here, I also do not think that the metaphorical fence that divides these different perspectives in international relations is necessarily that tall. I neither find traditional theories in international relations to be irreconcilable with feminist theory nor do I find positivist and reflectivist approaches incompatible when analyzing how prejudicial ideas and beliefs produce discriminatory military personnel policies and how those policies make the military less effective. I leave the decision of which approaches are better suited in other areas of inquiry to the reader.

Case Selection

Given the diversity of the American population, the sheer size of the American military, and its extensive historical participation in major wars—the United States is an excellent state to conduct in-depth case studies of discriminatory military personnel policies.³⁶ My research includes four case studies that each cover similar types of informal and formal discriminatory military personnel policies. My first case study will analyze various informal and formal policies that were products of prejudicial ideas and beliefs about African American men as well as how those policies made the American military less effective during World War I. I have chosen World War I because it offers a unique opportunity to tersely and meaningfully incorporate an additional state into my analysis. During World War I the United States mobilized two segregated infantry

³⁶ Small-N sample sizes can be problematic when attempting to generalize across states (Goertz & Mahoney, 2012) but given the need to both historize my four cases studies as well as study them in-depth, a robust qualitative research project which analyzes and compares similar case studies within the United States is an appropriate place to start. Goertz, G., & Mahoney, J. (2012). *A Tale of Two Cultures: Qualitative and Quantitative Research in the Social Sciences*. Princeton University Press, 10-11.

divisions and one was retained under American command while another was transferred to French command. The different experiences of these two divisions are worth analyzing alongside my broader material.

The second case study will analyze the experiences of gay and lesbian service members, how prejudicial beliefs about gay men and lesbians held by civilian and military elites gave rise to various informal and formal policies that restricted or barred their service, and how those policies impacted military effectiveness. It will include a strong focus on the 1993 debates surrounding the policy of “Don’t Ask, Don’t” tell and its subsequent effects on the American military’s ability to effectively fight its wars in Afghanistan and Iraq.

The third case study will analyze the experiences of women in the American military, how certain logics of appropriateness shaped the nature of their service, and the impact those beliefs had upon military effectiveness. It will strongly concentrate on how combat exclusion rules were crafted and how they limited the American military’s ability to effectively fight in Afghanistan and Iraq after the September 11th attacks. Given the intimate relationship between combat exclusion and sexual assault, sexual harassment, and gender discrimination, this case study will also assess the impact that those issues also had on military effectiveness.

The final case study will focus on the more recent frequent changes in the status of transgender service members in the American military. It will analyze how certain ideas and beliefs about the transgender community shaped policy changes during the Obama, Trump, and Biden administrations. It does not have a corresponding conflict to measure effectiveness but will demonstrate a similar impact on the military that the previous studies will outline.

Methodology

Each of my case studies employs a combination of four methodologies. First, given that most of these case studies have been extensively studied by other scholars, albeit often in isolation, each will make extensive use of existing scholarly work on the experiences of African American men, gay men and lesbians, women, and transgender service members in the American military. The historical overview that these works make possible will help provide a rich context to each study and assist in further demonstrating the strength of ideational factors, especially given that the discriminatory personnel policies which will be analyzed in each case study are not functions of a narrow range of time—they are stubbornly persistent ideas and beliefs that share many similarities across almost two and half centuries. In many cases, one could easily replace “negros” with “women” or “homosexuals” in civilian and military elite discourse and find the ideas and beliefs that justified discriminatory military personnel policies bear a striking similarity across time. Given the dearth of existing scholarly work on transgender military service members, the final case study also makes use of evidence from the New York Times articles for context and to help outline the chronology of policy changes across the Obama, Trump, and Biden administrations.

Second, each of my case studies strongly augments existing scholarly works with archival evidence from the Congressional Record, official government reports, and primary source military publications. Evidence produced from these areas provides us with the ability to analyze elite discourse in greater depth, reinforce the validity and reliability of prior scholarly work, as well as further demonstrate the power of ideational factors. All too often what the American

government learned from the empirics in its own research ran contrary to elite preferences and military behavior.

Third, given the extent of the impact and the available evidence on DADT and sexual harassment, sexual assault, and gender discrimination, those associated case studies will also make extensive use of descriptive statistical data produced from an analysis of government records and reports generated by non-government organizations and activist groups. This data is particularly helpful in assessing on a macro-level how certain ideas and beliefs, held by civilian and military elites about sexual orientation and gender, impacted military effectiveness by virtue of the large-scale of individuals impacted.

Four, apart from the case study on race, my case studies also make extensive use of personal interviews of forty-five individuals which include senior Department of Defense officials, MCs, senior military officers, as well as mid and lower-level service members from the Army, Navy, Marine Corps, Air Force, and Space Force. Some of these interviews serve to reinforce claims made during policy debates but the bulk of the interviews serve to provide individual-level evidence that both humanizes the aggregate statistical data, as well as further demonstrates how discriminatory military personnel policies negatively impacted overall military effectiveness by analyzing individual-level experiences and policy effects.

“Variables” & Key Terminology

While I will not lean heavily on treating prejudicial ideas and beliefs, policy outcomes, or military effectiveness as variables, my treatment of these dynamics as “factors” works within two positivist analytical stages. At one stage, we are interested in how certain ideas and beliefs about certain groups of individuals (our independent variables) lead to discriminatory military

personnel policies (our dependent variables). At another stage, we are also interested in how discriminatory military personnel policies (our independent variables) impact military effectiveness (our dependent variable).

In that first stage, prejudicial ideas and beliefs are operationalized as ideas and beliefs that reflect commonly held stereotypes about certain groups of people, racism, homophobia, sexism, and transphobia. When making general references to these types of factors, especially when in comparison to rational-materialist or systemic factors, I will also frequently simply refer to them as “ideational factors.”

Discriminatory military personnel policies in the first and second stages are somewhat less obvious. I use the term “policy” very loosely at times because often these policies are informal and not codified by congressional legislation or executive order. Instead, they often take the form of norms that elites assume as given. For example, Revolutionary-era beliefs that same-sex attraction and behavior were sinful and violated biblical scripture³⁷ were not nearly as formal as the 1980 Carter-era executive order declaring that “homosexuality is incompatible with military service”³⁸ and the federal statutes that were put in place after Congress wrote DADT. Elites also never took seriously the prospect of women serving in frontline combat units in the Early American republic. It was not until the Women’s Armed Services Integration Act of 1948 that elites inserted formal restrictions in law and military regulations, nonetheless, certain logics of

³⁷ Shilts, (1993).

³⁸ Korb, L. (1994). Evolving Perspectives on the Military’s Policy on Homosexuals: A Personal Note. In W. Scott & S. C. Stanley (Eds.), *Guys and Lesbians in the Military: Issues Concerns and Contrasts* (1st ed., pp. 219–229). Routledge.

appropriateness barred women from combat even before the post-World War II era.³⁹ Informal and formal policies are constructed differently but their effects are very similar. Thus, whether policies are informal or formal, I categorize them as the same.

I acknowledge that “military effectiveness” is without a doubt the most fleeting and difficult term to operationalize. In the case of these, I make commonsensical casual, and counterfactually claims. In the case of the effects of racially-based discriminatory military personnel policies during World War I, ideational factors led to the American military squandering the potential of an entire division of African American soldiers by failing to adequately organize, train, equip, and lead them. It would have been two divisions had General John Pershing not released one of those segregated divisions to French command.⁴⁰ It is my contention that any time the American military self-inflicts ideational wounds during wartime and fights with one arm behind its back, this *is* harmful to military effectiveness. Most of the case studies follow similar logic and articulate the sheer scale of an impact on the military, whether it be discharges of critical service members in chronically undermanned occupations under DADT or the small-scale of the Lioness Teams used in Iraq to help American forces competently navigate the cultural gender constraints of Iraqi society and constructively engage with the previously invisible half of Iraq’s population.⁴¹

³⁹ Holm, (1982).

⁴⁰ Barbeau & Henri, (1974).

⁴¹ Pottinger, M., Jilani, H., & Russo, C. (2010). Half-Hearted: Trying to Win Afghanistan without Afghan Women. *Small Wars Journal*, 1–10. McLagan, M., & Sommers, D. (2008). *Lioness*. Docurama, Cinedigm.

I also operationalize military effectiveness at the individual level in three of my case studies. When evidence from a sampling of individuals in a sizeable demographic in the military uniformly demonstrates that discriminatory personnel policies negatively impact their ability to do their jobs, form strong working relationships and cohesive units, and harm retention—we can reasonably infer that a much larger problem exists in the military and that these dynamics are also antithetical to military effectiveness. For example, an exhaustive 2014 RAND Corporation study found that more than one of every five women in the American military reported being sexually harassed and of those that reported sexual harassment, more than one of four indicated it was “very unlikely” they would remain in the military.⁴² Data like this furthers our understanding of the extent of the problem of sexual harassment in the military but we are left to merely infer how this problem actually harms retention. Individual personal interviews of women service members fill this gap and also expand our understanding of how military effectiveness is harmed outside of retention. For example, Marine Staff Sergeant Jennifer Esparza, discussed how rampant sexual harassment over the course of her eleven years of military service not only eventually convinced her to leave the Marine Corps, but that while she was serving, it gave her panic attacks, made it impossible to form healthy working relationships with many of her male peers, made it difficult for her to trust her unit leadership, and made it extremely difficult to do her job.⁴³

⁴² National Defense Research Institute. (2014) *Sexual Assault and Sexual Harassment in the U.S. Military*. Santa Monica, CA: RAND Corporation.

⁴³ Staff Sergeant Jennifer Esparza (2021), *Personal Interview*, 8 December.

Plan of the Book

Chapter two will broadly situate the focus of my work within the field of international relations. At the heart of the foundation of my work is a fundamental analysis that draws from Kenneth Waltz's levels of analysis and theory testing between systemic and ideational factors, albeit I categorize ideas in this regard at both the domestic and individual levels. In this chapter, I will briefly review Waltz's levels of analysis as well as outline how my work somewhat departs from the traditional understanding of this framework. I argue that beliefs and ideas can both be understood either as the domestic distribution of ideas and beliefs within central domestic institutions such as Congress and the military and in terms of certain ideas and beliefs held by individual civilian and military elites who play central roles in shaping discriminatory military personnel policies.

The chapter will also provide a literature review on the most closely related scholarly debate closest to the topic of discriminatory military personnel policies—military doctrine. While this debate more broadly focuses on civil-military relations and their relationship with military doctrine and the causes of war, much of the theoretical foundations of this literature follow a similar logic that can be found in the narrower doctrinal topic of military personnel policies. I find that Posen's argument that state behavior during wartime, i.e., "high politics," should be the least likely area to find robust evidence for ideational factors, to be a useful starting point for theory testing. I will also argue that Kier's findings that the domestic distribution of power and the prospect of contestation about the role of a state military force, while providing important insights into the central role of ideas in military doctrine, should be extended beyond ideas about "the military." Given that military force is composed of a body of bodies, we must also examine

the role of ideas and beliefs about certain groups of individuals in society, how those ideas and beliefs shape military personnel policies, and how those policies impact military effectiveness. Furthermore, I will also argue that the existing scholarly debate about military doctrine all too frequently assumes that civilian and military elites have different preferences and act in opposition, when in fact elite preferences about discriminatory military policies often differ across time, and often they both act against state material self-interest and against systemic factors.

Chapters three and four will demonstrate how certain ideas and beliefs about African American men by civilian and military elites led to patterns of exclusion and segregation in the American military, and show how racial discrimination made the American Army less effective during World War I. The key patterns that will become evident in this historical review are that the civilian and military elites regularly entered wars with a deliberate decision not to make use of black manpower, would eventually make use of segregated units once systemic pressures were sufficient, and then would revert to discriminatory practices once peacetime resumed. This pattern occurred sufficiently often enough that elites should have eventually learned that neglecting the full and effective use of a tenth of the American population was not a tenable military option and likely made conflicts longer than costlier than need be.

Chapter four will provide an in-depth analysis specific to racially-based discriminatory military personnel policies during World War I. Segregation within the American military was one such formal policy that was entirely ideational in origin and made the American military less

effective,⁴⁴ however, this chapter will instead focus more narrowly on informal policies that were intimately related to segregation. It will argue that civilian and military elites were afraid to mobilize and arm large numbers of African American soldiers, especially in Jim Crow states, and beliefs that African American men were inherently, both physically and mentally, inferior to white men led to a large-scale failure to take preparations of the American Army's two segregated divisions for war in Europe seriously. Where African American soldiers were mobilized the Army organized them haphazardly, inadequately supplied and trained them relative to white soldiers, and struggled with taking black officer assignments and training seriously. This chapter will also show how one segregated division remained under American command and struggled immensely during the Argonne offensive, while another was assigned to French command and thrived. Both chapters demonstrate how the enforcement of prejudicial racial beliefs took precedent above systemic factors and military necessity. Put more concisely, prejudicial racial beliefs made the American Army less effective during World War I because it resulted in the Army not taking the organization, training, equipping, and leadership of two entire divisions seriously.

Chapters five and six will demonstrate how certain ideas and beliefs about heteronormativity, the appropriateness of certain types of sexual behavior, and sexual orientation led to numerous formulations of informal and formal discriminatory personnel policies that

⁴⁴ Prior scholarly work by Mershon and Schlossman does an excellent job demonstrating precisely how inefficient segregation was during World War II, e.g., inefficient allocation of manpower, unnecessary duplication of training and facilities, etc. Mershon, S., & Schlossman, S. (1998). *Foxholes & Colorlines: Desegregating the U.S. Armed Forces*. The Johns Hopkins University Press.

barred and restricted the open service of gay men and lesbians as well as how these policies made the military less effective.

The fifth chapter will first review the extensive history of gay and lesbian military service and will highlight three key patterns. First, gay and lesbian service members “have always been there.” Second, the justifications employed in discriminatory military personnel policies were neither a function of systemic factors nor military necessity, they were entirely ideational in origin and regularly changed throughout the years. Third, similar to racially informed discriminatory military personnel policies, historical restrictions on open gay and lesbian service were often somewhat relaxed during wartime and then would resume during peacetime.

The latter sections of the chapter will discuss how and why the formal 1980 Carter-era ban came to be and how it made replicating previous patterns of relaxing restrictions more difficult, even during wartime. I will also extensively cover the 1993 debate in Congress about the prospect of ending the Carter-era ban and permitting open gay and lesbian military service as well as the how and why DADT came to be. I will argue that DADT was entirely a function of ideational factors and not a function of either systemic factors or military necessity. The analysis of DADT will also provide context for the sixth chapter because the 1993 policy highly constrained the availability of talent that the military that would be needed after the September 11th attacks.

Chapter six will expand the scope of my analysis of military effectiveness in two areas. First, it will highlight the sheer number of gay and lesbian service members that were discharged during DADT, numbers that during wartime exceed the combined battlefield deaths in both the wars in Afghanistan and Iraq. The chapter will also dive much deeper into the individual level and present evidence from personal interviews, other scholarly work, and news outlets. It will

argue that not only were large numbers of gay and lesbian service members discharged but that they were also discharged from highly critical positions in which the military was already severely understrength, such as Arabic linguists and intelligence professionals. It will also argue that many of those gay and lesbian service members sometimes outed themselves. They did so because DADT made their working conditions often unbearable and effective cohesion within their units impossible. Individual gay and lesbian service members were forced to lie about their personal lives, often were in constant fear of being discovered, and regularly found it exceedingly difficult to fully commit their full mental energy to their individual duties. Furthermore, the painful fact of the matter was that by the time both these wars were being carried out, most of the military's uniformed leadership and other individual service members themselves simply did not care about their peers' sexual orientation so long as they were good at their jobs. In sum, DADT made the military less effective because it deprived the military of thousands of highly trained and essential service members and made already stressful and difficult jobs more nerve-racking than need be.

Chapters seven and eight will demonstrate how certain ideas and beliefs about masculinity and femininity, what is essential to women, and what are appropriate roles for women, led to policies that have severely limited the American military's ability to make effective use of its womanpower. The seventh chapter will demonstrate similar historical patterns in that women have "always been there" and present in every American military conflict, that historically women were reluctantly called into some form of gender-segregated auxiliary service during times of war and demobilized when peacetime resumed.

This chapter will also argue that prior to the introduction of robust military medical screening, numerous women often donned male attire and “performed” as men, demonstrating both the social constructiveness of gender roles as well as the empirical fact that women can perform well in combat. Throughout each of the chapter’s historical reviews from the American Revolution to the Korean War, the chapter will argue that women’s military roles were not limited by women’s inherent physical capacities, but rather limitations were functions of ideas and beliefs held by civilian and military elites. Furthermore, those ideational limits were not functions of systemic factors and were often antithetical to military necessity.

Chapter eight will focus on both various forms of the combat exclusion rule that barred women from combat occupations in the military and on sexual harassment, sexual assault, and gender discrimination in the American military. It will demonstrate the interactive effects of systemic and ideational factors and argue that gender-based discriminatory military personnel policies were ideational in origin, defied the empirical reality that arose after the American invasion of Panama and onward, and made the military less effective in its wars in Afghanistan and Iraq. It will principally do so with an analysis of Lioness, Female Engagement, and Cultural Support Teams. It will argue that while the military did eventually learn that it needed women in combat units in order to interact with local populations in Afghanistan and Iraq, these programs were never sufficient in scope and scale. Had gender-based military personnel policies been otherwise, the military would have had more women already in ground combat units with more combat training. It will also argue that sexual harassment, sexual assault, and gender discrimination in the military are intimately linked to certain beliefs about women and the historical practice of combat conclusion and that each of these issues has made the military less

effective. Sexual harassment, sexual assault, and gender discrimination are not only morally wrong and antithetical to the military's core values, but they also create similar individual-level problems that DADT created. They make already stressful and demanding occupations even more difficult by making it harder for women service members to focus on their jobs, diminish unit cohesion, and harm retention rates.

Chapter nine will provide a single chapter case study on the recent changes in the status of transgender service members since the Obama administration. The first half of the chapter will review how and why the repeal of DADT failed to address transgender service members and the role ideational factors had in the 2016 repeal of military discriminatory personnel policies that barred open transgender military service, their reinstatement in 2017, and their second repeal in 2021. I argue that each articulation of such discriminatory military personnel policies was a function of ideational factors and neither a function of systemic factors nor military necessity. Similar to the effects of the discriminatory personnel policies presented in the previous case studies, these policies made it difficult for transgender service members to completely commit themselves to their jobs, and their ability to form strong working relationships and cohesive military units. The Trump-era policy changes were an unnecessary and unwanted distraction—service members that knew and served with open transgender service members supported them and did not share the Trump administration's assumptions about their peers.

In the final concluding chapter, I will revisit and summarize the key findings presented in my four case studies. I will also discuss in more detail the benefits of diversity in the American military. Chapters five through nine progressively demonstrated, in increasing detail, that many service members have begun to appreciate that diversity, contrary to beliefs of those who

bemoaned the American military conducting “social experiments,” actually makes the military more efficient. It provides relevant decision-makers, from small teams on the ground to the Pentagon, with a wider range of perspectives, helps avoid groupthink, promotes positive command climates that make both individuals and units more efficient, incentivizes higher retention rates, and better equips the American military to navigate and work with diverse populations overseas when deployed. A diverse force is not only more effective, but when civilian and military elites denounce discriminatory personnel policies, they also allow military recruiters access to the entirety of the potential pool of talent from the entire American population. Future attempts to reverse any of the changes presented in my four case studies would only serve to undermine military effectiveness, both in numbers and individual and unit job performance.

CHAPTER II: MILITARY DOCTRINE

“The key to this success has been the skill and grit of the American Soldier, the quality of its leaders, the superiority of its equipment, and the ability of the Army . . . to adapt to and dominate a complex and continuously changing environment.”¹

-U.S. Army Doctrine Publication, 2019

“In today’s complex global security environment, victory goes to the rapid integrator of ideas. These ideas are driven by training and the distilled knowledge all Airmen bring to the fight.”

General Charles Brown, 2021
U.S. Air Force Chief of Staff

It should not come to the surprise of many that politics and war share an intimate relationship. In the first half of the nineteenth century, Prussian military theorist Carl Philipp Gottfried von Clausewitz famously stated that “War is a mere continuation of policy by other means.”² Over a century and a half later, American sociologist Charles Tilly famously argued that “War made the state, and state made the war.”³ Given the strong relationship between politics and war, an enormous volume of scholarly work has been produced throughout the years which has analyzed countless associated areas of interest. For political scientists, the world wars of the twentieth century and the Cold War which followed brought about many of the scholarly debates

¹ Headquarters Department of the Army. (2019). *Army Doctrine Publication 1: The Army*, 3:1.

² Headquarters Department of the Air Force. (2021). *Air Force Doctrine Publication 1: The Air Force*.

³ Tilly, C. (1975). Reflections on the History of European State Making. In C. Tilly (Ed.), *The Formation of National States in Western Europe*. Princeton University Press, 42.

we find ourselves immersed in today, including—what causes war among great powers? what is the United States’ role in a post-World War II world? what are the consequences of a large peacetime Army in American society?

American Civil-Military Relations

In the early years of World War II, Harold Lasswell predicted that the large-scale mobilization and professionalization of “managers of violence” would have negative implications for American society and foresaw the rise of a “garrison state.”⁴ Partly in response to Lasswell’s bleak predictions, Samuel Huntington wrote *The Soldier and the State*. He did the social sciences a great service by departing from the pre-Cold War-era literature’s tendency to focus on the study of great generals and major military battles. Huntington’s work was published nearly a decade after the desegregation of the American military and the Women’s Armed Services Integration Act of 1948 but gave no mention of the relationship between either race or gender and military service. Instead, the work largely argued that liberalism was ill-suited for the security of the United States and that America needed a “shift in basic American values from liberalism to conservatism” to ensure that the military had sufficient autonomy to protect the American state during the Cold War. Huntington was also shamelessly guilty of romanticizing commissioned officers and military life, having written that West Point embodied serenity, subordination to the whole, community, and security and that “Modern man may well find his monastery in the Army.”⁵

⁴ Lasswell, H. (1941) ‘The garrison state’, *American Journal of Sociology*, 46(4), pp. 455–468.

⁵ Huntington, S. (1957) *The Soldier and the State: The Theory and politics of civil-military relations*. Cambridge: Harvard University Press, 464-65.

Nonetheless, Huntington did provide the genesis of a theoretical structure that would lead to more robust research and lines of inquiry within the field of civil-military relations. He outlined how “functional” and “societal” demands as well as how “subjective” and “objective” types of civilian control shape military forces. This basic theoretical structure to some degree foreshadowed debates about the role of systemic and domestic factors on the nature of military force, i.e., aspects of the military that arose in response to national security considerations and those that arose because of independent domestic political demands from civilian elites.⁶

Shortly after Huntington’s work, Morris Janowitz embarked on a more qualitative approach to analyzing the relationship between social factors and how states wage war. Janowitz argued that military doctrines are not entirely functions of rational cost-benefit calculations in response to security concerns but are also, in large part, functions of individual ideologies and values. However, Janowitz’s research design largely centered on categorizing different types of generals and admirals within an “absolutist” or “pragmatic” typology.⁷ Like Huntington though, Janowitz also failed to incorporate either race or gender into his analysis.

Other subsequent scholarly work, largely by sociologists, did seek to remedy the neglect of race and gender within the scope of civil-military relations. Much of that work also analyzed the implications of the introduction of the All-Volunteer Force (AVF) in 1973 and its impact on the traditional relationship between American citizenship and military service.⁸ And it goes

⁶ Ibid

⁷ Janowitz, M. (1966) *The professional soldier: A social and political portrait*. New York: Simon & Schuster.

⁸ Segal, D. (1989) *Recruiting for Uncle Sam: Citizenship and Military Manpower Policy*. Lawrence: University Press of Kansas; Stiehm, J. (1989) *Arms and the Enlisted Woman*. Philadelphia: Temple University Press.

without saying that much work in a variety of other disciplines has helped to shed light on many similarly related issues, such as how African American military service in World War II shaped the Civil Rights movement,⁹ the relationship between the Civil Rights movement and American Cold War-era foreign policy,¹⁰ the relationship between gender and warfare,¹¹ and dynamics associated with feminist social movements and beliefs about women in the military¹²—just a name a few. A casual reading of the journal *Armed Forces and Society* will expose one to an extensive body of work across numerous disciplines that analyzes, criticizes, and prescribes military policies and behavior that relate to race, sexual orientation, gender, and gender identity. But unfortunately, the field of international relations, especially within security studies, has left many ideational stones unturned.

Security Students & Military Doctrine

Given the field of international relations' deep rational-materialist, and often, realist roots and its central focus on the causes of war, the evolution of the security studies literature has taken a much different direction than other fields. It has not as strongly benefited from others' focus on the

⁹ Parker, C. (2009). Klinker, P., & Smith, R. (1999). *The Unsteady March: The Rise and Decline of Racial Equality in America*. University of Chicago Press. *Fighting for Democracy: Black Veterans and the Struggle Against White Supremacy in the Postwar South*. Princeton University Press. Smith, R. (1997). *Civic Ideals: Conflicting Visions of Citizenship in US History*. Yale University Press.

¹⁰ Dudziak, M. (2011). *Cold War Civil Rights: Race and the Image of American Democracy*. Princeton University Press.

¹¹ Goldstein, J. (2001). *War and Gender*. Stringer US.

¹² Peach, L. (1997). Behind the Front Lines: Feminist Battles over Women in Combat. In L. Weinstein & C. C. White (Eds.), *Wives and Warriors. Women in the Military in the United States and Canada* (pp. 99–136). Greenwood Publishing Group, Inc.

relationship between factors such as race, sexual orientation, gender, gender identity and how they can shape the use of force. Research that has analyzed the causes of war, alliance formation, nuclear proliferation, and other related fields, tends to focus too heavily on broad cause and effect relationships and is often constrained by central realist assumptions about states and the international environment. War among the great powers, while a worthy field of research, tends to focus primarily upon *what* causes war and not so much on *how* states respond with force or what shape that force assumes outside of a broad doctrinal focus. Unlike structural theories, constructivism, where employed, has helped scholars relax the unitary actor assumption and investigate how ideas and beliefs have shaped a variety of security topics such as the formation of national interests in international politics,¹³ the purpose of intervention and the use of force,¹⁴ the taboo on the use of nuclear weapons,¹⁵ the classification of certain weapons as “weapons of mass destruction,”¹⁶ and interethnic conflict and cooperation during the Holocaust.¹⁷

Again though, within the scholarly realm of security studies, there remains a major research gap. When states engage in war—how do they respond, what shape does military force take, and to what degree do ideational constraints impact the effectiveness of that force? Although

¹³ Finnemore, M. (1996). *National Interests in International Society*. Cornell University Press.

¹⁴ Finnemore, M. (2013). *The Purpose of Intervention: Changing Beliefs about the Use of Force*. Cornell University Press.

¹⁵ Tannenwald, N. (2008) *The Nuclear Taboo: The United States and the Non-Use of Nuclear Weapons Since 1945*. Cambridge: Cambridge University Press.

¹⁶ Bentley, M. (2014) *Weapons of mass destruction and US foreign policy*. Philadelphia: Routledge.

¹⁷ Dumitru, D. and Johnson, C. (2011) ‘Constructing Interethnic Conflict & Cooperation: Why Some People Harmed Jews and Others Helped Them during the Holocaust in Romania’, *World Politics*, 63(1), pp. 1–42.

for the purposes of theoretical modeling states are often assumed to be unitary actors, the fact of the matter is that they are not. States are not simply singular individuals that sit behind chess boards moving non-corporeal pieces about or engage in duels at dawn with pistols at hand. When engaged in warfare or in preparation for warfare, states must recruit, arm, train, and deploy military forces which are composed of a literal body of bodies that provide the force and expertise needed to pursue international political goals. When states react to their international environment, especially when employing the use of force, or even when threatening to do so, it is tempting to simplify how we understand military force. After all, many of the theoretical approaches in international relations, including constructivism in some cases, for the sake of theoretical utility assume states to be unitary actors or merely “black boxes.” In that sense military force inherently becomes a part of the metaphorical unitary actor and its strength and composition but a mere extension of that metaphorical body—a limb that yields a sword or a plowshare with strength that is a function of that figurative actor’s strength. Such work is in keeping with the Waltzian tradition which posits that most international state behavior can be explained through systemic factors.¹⁸ Such modeling, while useful in a number of areas, does have analytical shortcomings.

The area of security studies which is perhaps best suited to expanding its scope of inquiry to investigate the role of ideas and beliefs about race, sexual orientation, gender, and gender identity’s relationship with military force can be found within its debates concerning the formation of military doctrine. Groundbreaking work done by Robert Jervis, articulated the

¹⁸ Waltz, K. (2018) *Man, the State, and War*. Columbia University Press.

impact that the dominance of either the offense or defense has on cooperation under the security dilemma and the role of misperception¹⁹ and led to robust research that analyzed the role of military doctrine in the causes of war. Some of the earliest work to contribute to this area of analysis was Stephen Van Evera's application of this line of inquiry to the great powers during the First World War. Germany, France, Great Britain, and Russia each exacerbated the effects of the security dilemma because of assumptions about the dominance of the offensive, or as Van Evera argued, a "cult of the offensive."²⁰

Barry Posen, in *The Sources of Military Doctrine*, agreed with Jervis' argument concerning the security dilemma but not with Van Evera's findings. Posen argued that militaries in general will prefer offensive doctrines to reduce uncertainty and to increase organizational resources and autonomy relative to civilians. He also posited that an absence of civilian oversight and intervention could leave the military free to shape doctrine which might not be consistent with a state's grand strategy. During times of relative peace, this sort of behavior is more likely, but when systemic pressures are sufficient, civilians are likely to intervene. Posen also identified an appropriate realist prediction within the realm of military affairs, noting that state resources are scarce, and the military must be a good steward of those resources to achieve a state's international political ends. Military doctrine thus has an important role in the security of the state and if doctrine is not aligned with international political goals, it can in fact diminish a state's

¹⁹ Jervis, R. (1976) *Perception and Misperception in International Politics*. Princeton: Princeton University Press, Jervis, R. (1978) 'Cooperation Under the Security Dilemma', *World Politics*, 30(2), pp. 167–214.

²⁰ Van Evera, S. (1984) 'The Cult of the Offensive and the Origins of the First World War', *International Security*, 9(1), pp. 58–107; Van Evera, S. (1999) *Causes of War*. Ithaca: Cornell University Press.

security.²¹ The implications of the potential mismatch between grand strategy and military doctrine can be enormous since “. . . the ultimate purpose of a military doctrine is the continued survival of the state that holds it. Disintegrated grand strategies, in which political objectives and military doctrine are poorly reconciled, can lead to both war and defeat—jeopardizing the state’s survival.”²²

Jack Snyder also observed similar issues and implications with military doctrine but argued that the underlining causes of particular types of doctrines were more so a function of cognitive biases. Snyder agreed that military institutions do possess preferences for offensive doctrines, but also argued that military doctrine is at its core, “a set of beliefs, about the nature of war for the military planner.” Those beliefs could profoundly be shaped by biases which included dogmatization, the need to simplify complicated tasks like large-scale military planning, and a desire to reduce uncertainty. These biases in turn can often be exacerbated by poor civil-military relations which can permit them to either grow unchecked or strengthened when “civil-military conflict” heightens “the need for a self-protective ideology.”²³ This line of thinking did not share the same assessment about the role of systemic pressures on civilian and military elites, it instead outlined how weak civilian control of the military could lead to doctrine outcomes that did not match a state’s strategic goals.

²¹ Posen, B. (1984) *The Sources of Military Doctrine*. Ithaca: Cornell University Press.

²² *Ibid*, 24-25.

²³ Snyder, J. (1984) ‘Civil-Military Relations and the Cult of the Offensive, 1914 and 1984’, *International Security*, 9(1), pp. 108–146; Snyder, J. (1984) *The Ideology of the Offensive*. Ithaca: Cornell University Press.

Elizabeth Kier's *Imaging War* brought a robust constructivist perspective and analysis to the debate on the formation of military doctrine. Kier agreed with much of the implications sketched out in prior work, but she disagreed with previous arguments on the origins of military doctrine. Kier argued that their origins are best understood through a cultural perspective and that variation in doctrine is often a function of beliefs about the role of the military and the domestic distribution of power in a given state. When civilian elites agree about the role of the military, civilian intervention in military doctrine which aligns it appropriately to systemic factors can be expected. However, when there is disagreement, civilians will first address concerns about the domestic distribution of power before they address systemic concerns.²⁴ In other words, if the role of the military is contested, civilians will address domestic concerns such as protecting liberty or republican ideals first, and those decisions, in turn, will constrain and shape the options available to military elites in how they respond to the international environment.

Nonetheless, much oversimplification remains. A casual reading of military doctrine quickly demonstrates that a mere focus on offensive versus defensive doctrines leaves many areas of military doctrine simply untouched. For example, the American Army's principal doctrinal publication includes very central and extensive references to the importance of individual soldiers.²⁵ The American Air Force's same publication focuses strongly on the role that individual

²⁴ Kier, E. (2003) *Imaging War: French and British Doctrine Between the Wars*. Princeton: Princeton University Press.

²⁵ Headquarters Department of the Army, (2019).

airmen play and even places the mention of airmen before discussing the role of airpower itself.²⁶ American Naval doctrine similarly articulates the role of sailors and marines, stating that the American Navy's "tremendous duty falls not on institutions, but on individuals."²⁷

Granted, doctrine in its fullest definition includes everything from broad understandings of how military organizations fight and operate to standard operating procedures for basic infantry tasks such as squad battle drills or how to conduct maintenance of a battle tank. Therefore, some degree of simplification is indeed necessary, and fortunately and all too often the exact line which separates over-complexity from over-simplification can be as clear as mud on a battlefield.

Nevertheless, the existing debate within security studies on the formation and implications of military doctrine does provide us with a useful and robust starting point. More than six decades after its initial publication, Kenneth Waltz's *Man, the State, and War* remains an influential and analytically useful work.²⁸ Previous debates in the field of international relations, especially within security studies, have generally focused on analyzing the relative strength of systemic-level explanations versus domestic and individual-level ones. I find no reason to depart from the use of Waltz's levels of analysis but I do contend none of the levels inherently offers greater explanatory power or a greater analytical punch. Researchers should strongly analyze factors relevant to each, even if only to exhaust alternatives.

²⁶ Headquarters Department of the Air Force, (2021).

²⁷ Headquarters Department of the Navy. (2020). *Naval Doctrine Publication 1: Naval Warfare*, 4.

²⁸ Waltz, K. (2018). *Man, the State, and War*. Columbia University Press.

Military Doctrine: A Move Beyond Offense & Defense Doctrine

As mentioned previously, military doctrine is considerably much more than whether or not a state's military operates with an offensive or defensive doctrine. Modern military doctrine is both extensive and complicated. Within the American Army, its contemporary doctrine is first guided by the Department of Defense's "Joint Doctrine" and then its own doctrine includes fifteen publications which include a broad introduction covering what the Army is and how it operates, intelligence, operations, special operations, support for civil authorities, etc. Army Doctrine Publication 3-90 covers "Offense and Defense" and in essence accounts for less than seven percent of the Army's primary doctrinal publications.²⁹

That said, attempting to account for how *all* these aspects of doctrine matter in state security behavior would be an exceedingly insurmountable task for researchers and some simplification is necessary. My work will only depart from the existing literature on doctrine by adding to the debate on military doctrine a focus on military personnel policies, which I broadly operationalize as encompassing individual service member qualifications and disqualifications, recruitment, training, and retention. If indeed the individuals within the body of bodies that constitutes the military force do indeed matter, then these are both necessary and appropriate areas to analyze in-depth.

²⁹ Office of the Administrative Assistant to the Secretary of the Army. (2022). *Army Publishing Directorate*. Army Doctrine Publications. <https://armypubs.army.mil/>

Levels of Analysis: Incorporating Ideational Factors

The works of Posen, Snyder, and Kier each make extensive use Waltz's levels of analysis. Posen's work on doctrine tested systemic factors against domestic ones, specifically the organizational culture of the military, and found that when systemic factors were sufficient that civilians intervened and adjusted military doctrine accordingly.³⁰ Snyder employed the same framework but found that in some instances, despite systemic pressures, civilians do not always effectively intervene and the results can be disastrous for state security.³¹ Kier's work on military doctrine largely kept this analytical framework intact, but refined the domestic level of analysis to include considerations of the domestic distribution of power and argued that when there is disagreement among civilian elites about the role of the military in state and society that civilian elites will first address domestic issues before responding to systemic pressures. In other words, domestic considerations shape and constrain what type of military force is available to address systemic concerns.³²

Within the field of security studies sometimes systemic factors often do seem to matter more,³³ and this is especially true within the narrow scope of the study of military doctrine.³⁴ That

³⁰ Posen, B. (1984).

³¹ Snyder, J. (1984).

³² Kier, E. (2003).

³³ Waltz, K. (1979). *Theory of International Relations*. Waveland Press.

³⁴ Posen, B. R. (1984). *The Sources of Military Doctrine*. Cornell University Press. Mearsheimer, J. (2004). Hitler and the Blitzkrieg Strategy. In R. Art & K. Waltz (Eds.), *Use of Force: Military Power and International Politics* (pp. 130–144). Rowman & Littlefield Publishers Inc.

said, it is difficult not to acknowledge that this is not always the case. Years of work by others within and outside of the field have often demonstrated that domestic factors, such as the role of military organizations, sometimes matter more ranging from issue areas in the Cuban Missile Crisis,³⁵ limits to the effectiveness of how military organizations manage nuclear weapons,³⁶ how and why states purchase the weapon systems they do,³⁷ and the inability of senior American defense officials to construct a rational and cost-effective joint-fighter program.³⁸ Research within the area of military doctrine has also demonstrated that military organizations' preferences are not always in alignment with civilians' systemically-driven preferences during World War I,³⁹ and that the American military was very much unable to meaningfully construct and implement a wide-scale counterinsurgency doctrine, despite the availability of strong existing evidence, during the Vietnam War.⁴⁰

In sum, while the literature presented thus far is exhaustive by no means, it does demonstrate in many instances that domestic-level factors clearly matter more than systemic-level ones. Some of those domestic-level explanations, including Kier's, also demonstrate that

³⁵ Allison, G., & Zelikow, P. (1999). *Essence of Decision: Explaining the Cuban Missile Crisis*. Longman.

³⁶ Sagan, S. (2020). *The Limits of Safety*. Princeton University Press.

³⁷ Kurth, J. (1973). Why We Buy the Weapons We Do. *Foreign Policy*, 11, 33–56.

³⁸ Coulam, R. (1977). *Illusions of Choice: The F-111 and the Problem of Weapons Acquisition Reform*. Princeton University Press.

³⁹ Legro, J. (1996). Culture and Preferences in the International Cooperation Two-Step. *American Political Science Review*, 90(1), 118–137. Snyder, J. (1984). Civil-Military Relations and the Cult of the Offensive, 1914 and 1984. *International Security*, 9(1), 108–146. Snyder, J. (1984). *The Ideology of the Offensive*. Cornell University Press.

⁴⁰ Krepinevich, A. (1986). *The Army and Vietnam*. Johns Hopkins University Press.

ideational factors matter as well. Sometimes those factors are operationalized as “norms” and in other works as “culture.” While there is considerable overlap with both, my work will contend that ideas and beliefs at the domestic, as well as individual-level also matter. Like Kier’s notion of the “domestic distribution of power,” it is my contention that *the domestic distribution of ideas and beliefs* also shapes military doctrine. For example, military personnel policies that determined the status of open gay and lesbian service members before, during, and after the repeal of “Don’t Ask, Don’t Tell,” while at times tempered by systemic factors, were very much functions of the domestic distribution of ideas and beliefs about gay men and lesbians within Congress and not functions of systemic pressures or military necessity. Furthermore, that policy’s main debates and its outcome would not have occurred as they had in absence of certain ideas and beliefs held by the 1993 policy debate’s main catalyst—President Bill Clinton.

Much work has also demonstrated, contra to prevailing systemic-level theoretical expectations, that domestic politics often shapes both military structures as well as broader national security policy. American post-Civil War military planning saw a strong need for a better organized and federally-controlled military reserve system to replace the then existing state militia system but domestic policies and the United States’ federal structure instead shaped the quasi-state and federal system that became the National Guard.⁴¹ A combination of a brilliant marketing strategy along with carefully-cultivated relationships within Congress during the first half of the twentieth century resulted in an American Marine Corps that became much larger than it had historically been and with significant duplication of efforts across other service

⁴¹ Skowronek, S. (1983). *Building a New American State: The Expansion of National Administrative Capacities, 1877-1920*. Cambridge University Press, 85-120.

components.⁴² American security considerations during the Cold War concerning conscription, the location of defense industrial locations, and whether to make use of federal arsenals or civilian-contracted ones were a function of congressional preferences and domestic politics, not systemic pressures.⁴³ Even American defense spending, a highly debated topic in the field of American politics, has found that program types, locations, and spending levels are often functions of spending norms in Congress⁴⁴ as well as degrees of economic diversity in congressional districts⁴⁵ and not entirely functions of systemic-pressures.

Civilian and Military Elite Preferences

What follows is a useful theoretical starting point about realist expectations and predictions about state behavior in the international arena when survival and security are on the line. The debate within these works also directs our analytical attention to the dynamics between civilian and military elite preferences when attempting to understand state security behavior in the international arena. Kier correctly criticized earlier literature by pointing out that the “argument about the role of civilians and the international system exaggerates the most of systemic imperatives, and misses what civilian policymakers care most about” and that “civilian

⁴² O’Connel, A. (2012). *Underdogs: the making of the modern Marines Corps*. Harvard University Press.

⁴³ Friedberg, A. (2012). *In the Shadow of the Garrison State*. Princeton University Press.

⁴⁴ Rundquist, B., & Carsey, T. (2002). *Congress and Defense Spending: The Distributive Politics of Military Procurement*. University of Oklahoma Press.

⁴⁵ Thorpe, R. (2014). *The American Warfare State: The Domestic Politics of Military Spending*. Chicago University Press.

intervention is often a response to domestic concerns, not the distribution of power in the international system.”

Often neglected though, even after Kier’s insightful additions to this debate, is that domestic concerns just as often revolve around certain prejudicial ideas and beliefs about groups of people within society. Kier did address this dynamic to some degree in subsequent work about military cohesion and the faulty logic that “Don’t Ask, Don’t Tell” rested upon,⁴⁶ but the work did not robustly apply this logic to state security behavior in the international arena. If we expand both our narrow understanding of what military doctrine is—outside of offensive or defensive doctrine—and include in our analysis a concentration on the domestic distribution of ideas and beliefs about groups of people, other strong examples of states acting contrary to realist expectations and material self-interest comes to light. Elite discourse during World War I on the use of black manpower and post-Gulf War era debates on women in combat, among others, frequently shows broad debates between those who wished to frame military personal policy changes within a civil rights framework and opponents who decried the prospect of the American military becoming a “social experiment.” But to infer that civilian and military elites were debating the role of the military in state and society would be grossly incomplete. At the heart of those debates were debates about certain ideas and beliefs about gay men and lesbians and the prospect of allowing them to serve openly in the military and whether or not combat occupations were appropriate for women.

⁴⁶ Kier, E. (1998). Homosexuals in the Military: Open Integration and Combat Effectiveness. *International Security*, 23(2), 5–39.

Conclusion

Post-World War II American security requirements rightfully were accompanied by scholarly debates about civil-military relations as well as robust research on the causes of war. Many scholarly fields and approaches, especially after the establishment of the AVF, made important efforts to incorporate factors such as race and gender into their analysis but the field of security studies has generally not done so on a large scale.

Debates on military doctrine are ripe in security studies for this line of inquiry. Debates in this field do offer a robust analytical framework that draws from Waltz's levels of analysis—how do systemic, domestic, and individual-level factors shape state behavior in the international arena? By refining our understanding of domestic-level factors to include a domestic distribution of beliefs and ideas in central domestic political institutions as well as understanding the role of beliefs and ideas held by key civilian and military elites, we open new and important possibilities for scholarly work.

These possibilities also require us to construct less rigid theoretical models that assume military doctrine to be defined solely by offensive versus defensive preferences. These elements are less than seven percent of modern American military doctrine and common sense directs us to appreciate that many more factors will shape how military forces are composed and whether or not the nature of that composition reflects systemic factors or ideational factors which could be against state material self-interest. We need not incorporate *every* aspect of military doctrine, but when we acknowledge that military force is a literal body of bodies, then military personnel policies are very much worthy of being an additional factor that ought to be analyzed by scholars interested in military doctrine and state behavior in the international arena.

Furthermore, we need to somewhat abandon the assumption that civilian and military elites have different preferences. They often do and, in some cases, one group's preferences might reflect systemic pressures, while the other's does not. But it is equally possible that the converse can be true and/or that both share preferences which are neither a function of systemic pressures nor military necessity.

The subsequent chapters' case studies will demonstrate that the domestic distribution of certain ideas and beliefs, as well as certain ideas and beliefs held by individual civilian and military elites, about race, sexual orientation, gender, and gender identity matter. Such ideational factors are stubborn and persist throughout American history. They limit the availability of the state's manpower resources in times of war, squander the potential of existing manpower resources, and result in the loss of countless highly skilled and essential military service members. They also make it difficult for individual service members who are the target of discriminatory military personnel policies to completely focus on their jobs, form cohesive units, and harm retention rates. In the era of modern all-volunteer military forces, where talent and experience are highly valued, discriminatory military personnel policies defy existing rational-materialist systemic-level predictions. Research that furthers our understanding of what causes war is very much worth doing, but so is research that seeks to understand *how* states construct military force and how they behave in the international arena.

CHAPTER III: BLACK MANPOWER – ALWAYS NEEDED

“. . . superiority at the decisive point is a matter of capital importance, and that this subject, in the generality of cases, is decidedly the most important of all. The strength at the decisive point depends on the absolute strength of the army, and on the skill in making use of it.”¹

Carl Von Clausewitz, 1831

“The assault force must be sufficient in size to seize the point of penetration. Combat power is allocated to the assault force to achieve a minimum of 3:1 ratio on the point of penetration.”²

Headquarters, Department of the Army, 2016
Army Training Publication 3-21.8

Military thinkers and planners from the distant past to the present have consistently identified a number of factors that are worthy of consideration to help commanders achieve success on the battlefield—leadership, intelligence, the element of surprise, morale, technology, terrain, weather, etc.—but the most critical factor, with few historical exceptions, has been superiority in numbers. There is more to a successful campaign than having greater numbers but without those numbers, success can be far from certain. By logical extension, during wartime states should desire to make the most effective use of their manpower resources and not needlessly squander the organization, training, and equipment of any element of the forces it

¹ Von Clausewitz, C. (1982) *On War*. Edited by A. Rapoport. Penguin.

² Headquarters Department of the Army (2016) *Army Training Publication 3-21.8: Infantry Rifle Platoon and Squad*, H:10.

mobilized. Given that wars are messy, chaotic, and perfectly complete information is never possible, it is logical to have more reserve forces than needed than to have too few. Furthermore, prospective battlefield victories based upon superior numbers make possible the victories in wars that states seek to ensure their survival and enable them to further their interests abroad.³ In other words, numbers matter.

Classical military thinkers like Sun Tzu have viewed wars as “a matter of vital importance to the state; the providence of life or death; the road to survival.”⁴ Contemporary neorealist scholars have not deviated much from this line of thinking. Kenneth Waltz argued that “Survival is a prerequisite to achieving any goals that states may have. . .” and that the “survival motive is taken as the ground of action in a world where the security of states is not assured”⁵ Mearsheimer’s subsequent revision to neorealist logic, posit that “survival is the primary goal of great powers . . . [they] can and do pursue other goals . . . but security is the most important,”⁶ deviate little from Tzu or Waltz’s assumptions in this regard. Discriminatory military personnel policies are, therefore, something of an anomaly in the study of international relations and worthy of our time to study in greater detail. Perhaps during peacetime, when the demands of a given military’s battlefield performance are latent and demands for military manpower are low, a state could be inefficient in its offensive capabilities and entertain racist ideologies that limit its ability

³ This claim is made in this chapter with respect to conventional wars. In subsequent chapters, I will relax this assumption during the post September 11th American wars in Afghanistan and Iraq.

⁴ Tzu, S. (1963) *The Art of War*. Edited by S. B. Griffith. Oxford University Press, 63.

⁵ Waltz, K. (1979) *Theory of International Relations*. Waveland Press, 91-92.

⁶ Mearsheimer, J. (2014) *The Tragedy of Great Power Politics*. WW Norton & Company, 31.

to assemble a maximumly effective force. During times of war, however, when questions of life and death are immediately present and so much that states hold dear is suddenly subjected to risk, such misplaced beliefs are inherently an unnecessary risk that threatens a state's ability to maximize the effectiveness of its military forces,⁷ i.e., the means to its security ends.

The segregation of African American male service members in the American military during wartime is the most glaring example of discriminatory personnel military policies that reduced the American military's ability to maximize force during wartime. The primary focus of this first case study will be the effects that discriminatory military personnel policies, which targeted African American men, had upon American forces during World War I. However, these policies were not unique to World War I. Given that there is a lengthy and well-documented history of the segregation of American forces that preceded this era, it is worth reviewing the historical patterns of these informal and formal discriminatory military personnel policies from the American Revolution to the Spanish American War. They will provide context for the next chapter and further demonstrate the power of ideational factors.

This chapter will outline a theoretical foundation by drawing from arguments made by Omi and Winant's *Racial Formation in the United States*. Doing so will provide readers of this work with the benefit of understanding how race is socially constructed and race's relationship with the American state. The empirical evidence provided will primarily be drawn from existing historical literature but will also bolster some of the ideational specific claims made here from additional primary source material published by the War Department. This chapter will begin

⁷ Posen, B. R. (1984). *The Sources of Military Doctrine*. Cornell University Press.

with a brief discussion concerning the theoretical foundations concerning how ideas and beliefs about race are formed in the United States as well as how those ideas and beliefs have broadly shaped American military elites' preferences.

The second section of this chapter will provide an overview of policies by both American and British forces during the Revolutionary War. It will outline decisions made by American military and civilian elites to enact discriminatory military personnel policies within American forces when manpower needs were at their greatest, the manner in which British forces exploited those decisions, and how American forces eventually adjusted those policies to help win the war.

The third section will cover similar policies during the War of 1812. It will outline how the reversion to discriminatory military personnel policies after the Revolution deprived the American military of much-needed manpower, how British forces again exploited that weakness, and how American elites had to eventually again reverse course. It will also demonstrate that black service members⁸ again proved that they were not only effective in combat but could fight alongside white service members to help bring the war to a conclusion, and how, again, after the conclusion of the war the American military reverted to discriminatory military personnel policies.

The fourth section will demonstrate how these same patterns played out during the American Civil War and broadly how they operated with respect to the Union and the Confederacy. It will show how the same ideational constraints about race kept Union civilian and

⁸ The term "service member" will be used throughout this work when referencing some combination of soldiers, sailors, marines, and airmen unless the reference is specific to a particular military branch's service members.

military elites from drawing from the belated successful personnel policies of the previous wars and how they opted to unwisely keep Union forces predominately white at the onset of the war. It will show that only after a year and a half of bloody stalemate did Union civilian and military elites choose to change course, but also did so in a manner that still managed to undermine military effectiveness through a new method of discrimination—differentiated pay for black and white service members. It will also show a repeat of the past British strategy of using emancipation in an adversary's territory to increase manpower and disrupt the local economy, but this time by Union forces in Louisiana. The section's historical comparison will close with a brief analysis of Confederate decision-making and beliefs by civilian and military elites and argue that the Confederacy's ideas and beliefs about race were so strong that they mattered more than state survival.

The fifth section will cover a limited exception to the patterns outlined in this chapter. It will outline how the influence of the Radical Republicans in the United States Congress carried over briefly into the post-war years and in addition to the three hallmark reconstruction amendments to the American Constitution, Congress put into law requirements that the American Army had to maintain four black regiments. It will also highlight that American civilian and military elites had mixed views on these troops, but that they nonetheless remained a permanent part of the American military up to the Spanish American War. This meant that, unlike in previous wars, African American men were not the manpower pool of last resort once defeat loomed overhead. This section will also highlight that, unlike previous wars, the American military also mobilized additional black regiments prior to deploying its forces in the Caribbean and the Pacific against the Spanish, albeit largely because American civilian and military elites

believed that African Americans were immune to tropical diseases. It will also briefly cover the record of African American performance during the war, the initial high amount of praise that both civilian and military elites bestowed upon black service members during the war, and the one immensely important area where history managed to repeat itself—civilian and military elites forgot what they learned.

This chapter will conclude with a brief overview of the key patterns that occurred throughout each of the wars and the formation of various informal and formal discriminatory military personnel policies outlined in this chapter. It will show that while the American state was eventually able to break from some of its discriminatory military personnel policies from the earlier wars, it was nonetheless still unable to break the most import of all the patterns outlined in this chapter—the inability to recall and learn from the past. Despite the presence of some changes, mostly from the post-Civil War Radical Republican-controlled Congress, civilian and military elites were severely constrained by their habitual inability to meaningfully learn from past mistakes and allowed certain ideas and beliefs about race to constrain their ability to maximize the effectiveness of the American military. The effects of these ideas would become painfully obvious during World War I, which will be covered in-depth in the next chapter.

Certain Ideas & Beliefs about Race

The central claim outlined in this chapter is that certain ideas about race, as they manifested within the minds of American civilian and military elites, had profoundly negative effects on the American state's ability to maximize the effectiveness of its military forces during warfare. American civilian and military elites repeatedly allowed beliefs that African American men were

fundamentally inferior service members, compared to their white counterparts, to diminish their ability to muster the most effective force possible and in doing so, unnecessarily prolonged conflicts, squandered precious resources, and risked losing key battles. Before preceding through the history of African American male military service prior to World War I, this section will briefly address Omi and Winant's theory of racial formation.

The two chapters of this work that address the role that certain ideas and beliefs about race had upon military effectiveness will be guilty of simplification. Race is not merely another variable that can neatly be observed, quantified, and coded with its effects measured over time. It cannot because racial categories and the meanings associated with those categories are social constructions and their meaning changes over time. Meanings about blackness in America have had a variety of influences, including religion and pseudo-science, and have been employed to justify numerous types of hierarchies and forms of discrimination.⁹ Meanings about blackness similarity are also a function of the meaning of whiteness, which is also a social construction that changes over time.¹⁰ It is also worth noting that ideas and beliefs about race are extremely difficult to separate from domestic politics and debates about citizenship.¹¹ Despite the analytical usefulness of focusing solely on African American men, this type of approach will unfortunately

⁹ Omi, M., & Winant, H. (2014). *Racial Formation in the United States: Third edition*. In *Racial Formation in the United States: Third Edition*. Routledge.

¹⁰ Lopez, I. (1997) *White by law: The legal construction of race*. NYU Press.

¹¹ Smith, R. (1997) *Civil Ideas: Conflicting visions of citizenship in US history*. Yale University Press. Klinker, P. and Smith, R. (1999) *The Unsteady March: The Rise and Decline of Racial Equality in America*. University of Chicago Press. Parker, C. (2009) *Fighting for Democracy: Black Veterans and the Struggle Against White Supremacy in the Postwar South*. Princeton University Press.

also not be able to address the complexity and interactive effects of the experience of other groups of individuals that were discriminated against in the American military during this same time period—the Latinx community, Asian Americans, Native Americans, etc. Another area that these chapters will also not be able to address is important ideational factors associated with gender, especially as they pertain to the relationship between military masculinity and femininity. However, many of these areas will be covered in depth in subsequent chapters in this work.¹² Despite these limitations, this chapter will nonetheless broadly argue that across time, certain ideas and beliefs about race held by civilian and military elites have led to discriminatory military personnel policies. Those policies were entirely ideational in origin and neither function of systemic factors nor military necessity, and they were antithetical to military effectiveness and national security.

Race, while having some corporeal origins, is largely a social construction that is continuously forming and reforming as a function of individual and collective beliefs about particular subsets of individuals, institutionalized state practices, and even how those certain subsets of individuals view themselves. With respect to the United States, Omi and Winant have argued that the “distribution of economic resources, the patterns of cultural consumption, and the organization of residential space are all social processes in which race operates as a fundamental organizing principle of inequality and difference.” Their work further outlines how such belief systems reflect the political needs of dominant groups to further their domestic power

¹² See chapter five for scholarly work in this area.

interests.¹³ While physical differences such as skin color do exist, meanings for those differences are assigned to “justify subordinate status, unequal treatment, structure oppression and exploitation in numerous ways.”¹⁴ Those meanings are in effect, certain ideas about race. Such ideas are held by elites at given points in time *and* have become deeply woven into the very fabric of the state itself.

Additionally, the social construction of race is also a function of the construction of an “other” which can also serve to justify subordinate status and conflict, e.g., European colonization of the Americas and the institution of slavery to support the economic goals of those colonies. This dynamic is hardly limited to race as the process of othering is also found with gender, class, sexual orientation, etc. Othering draws from physical and/or social differences and then identities are imposed from above by a dominant group, as well as constituted from below as a means of self-identification and even resistance.¹⁵ Othering is also inherently a means which makes warfare possible. Joshua Goldstein has argued that killing does not come naturally to either men or women and that it must be imposed upon men through a variety of manhood-making rituals. In other words, for men to be masculine and *not* women or *not* feminine, they must perform masculine soldiering roles.¹⁶ The work of scholars such as Omi and Winant and Goldstein help us understand how profound the effects of ideas about race and other social distinctions are. They

¹³ Omi & Winant (2014).

¹⁴ *Ibid*, 12.

¹⁵ *Ibid*, 105-132.

¹⁶ Goldstein, J. (2001) *War and Gender*. Stringer US, 253-331.

are not merely ideas held by individuals at a given moment of time, they shape the politics of the state and specific state institutions such as the military in powerful ways. The American military in this sense, like the American state, is a racial project.

The process of othering is also like that of dehumanization. Not only is it required that individuals be socially tricked into the nasty business of war itself but that a state's enemies must also be otherized and dehumanized in order for soldiers to be able to overcome a natural repulsion to killing other human beings.¹⁷ Simply put, killing other human beings is already an inherently difficult business and requires a variety of mechanisms in which to enable soldiers to overcome a natural aversion to the task. Very similar mechanisms also play out domestically to justify hierarchy and the distribution of resources.

In some ways, the first processing of "othering" outlined above approximates the logic of Elizabeth Kier's argument that the "domestic distribution of power" often shapes military thinking prior to considerations of the international structure.¹⁸ That said, beliefs about race within American military thinking go beyond a mere reflection of domestic distributions of power because the othering of African American men is also required for elites to also justify white superiority and, more specifically, the military superiority of a largely white military force. This summary and discussion of racial formation theory do not do justice to the rich scholarly work done on race and racism in America, or even the role that race plays in larger debates about

¹⁷ Kteily, N. *et al.* (2015) 'The Ascent of Man: Theoretical and Empirical Evidence for Blatant Dehumanization', *Journal of Personality and Social Psychology*, 109(5), pp. 901–931. Smith, D. L. (2001) *Less than human: Why we demean, enslave, and exterminate others*. St. Martin's Press.

¹⁸ Kier, E. (2003) *Imaging War: French and British Doctrine Between the Wars*. Princeton University Press.

citizenship and military service for that matter. However, for the purposes of this study, it is sufficient to articulate that certain ideas and beliefs, held by civilian and military elites, about African American men's ability to be effective soldiers were not merely a function of misguided notions of race by virtue of difference. The ideas they held were not only failures of individual elites to properly learn from military history, but they were simultaneously a function of institutionalized practices embedded into American society to justify beliefs about whites themselves and enforce white privilege, as well as a related process required in order to make warfighting possible. Again, these meanings and beliefs, are the certain ideas about race that this and the next chapter will frequently reference.

World War I veteran Army Sergeant Henry Johnson is an excellent example that illustrates the complexities of socially constructed ideas about race in the American military. Johnson, an African American serving in a segregated unit that was later assigned to French command was, prior to his unit's transfer, poorly trained and equipped because American military elites simply refused to train and equip white and black regiments equally. During fighting in the Argonne Forest in 1918 Johnson was isolated from the main body of his unit at an observation post and successfully held off an attack by an overwhelming German force. He was wounded twenty-one times in the engagement, including two head wounds, and single-handedly killed four German soldiers and wounded twenty others. During the brutal engagement, he also successfully saved another soldier from capture. The French military, which had a more benign view of race than their American counterparts, awarded Johnson one of France's highest military honors, the Croix de Guerre. Upon his return to American forces though, Johnson's heroics were not recognized

with any military commendations.¹⁹ Not even his numerous combat injuries received recognition in the form of a Purple Heart. Furthermore, Johnson, unlike other white veterans, was denied a pension despite his injuries.²⁰

Why would the French government in 1917 recognize Johnson differently? The US Army War College's 1925 report, *The Use of Negro Manpower in War*, which was tasked by the War Department with assessing the performance of African American soldiers vividly demonstrates what ideas American military elites held about African American service members. It described "Negro soldiers" as physically inferior, lazy, "inferior to our white population in mental capacity," unmoral, unable to fight at night, and overly observant of "signs and omens." Virtually all these claims were regularly made in comparison to presumably superior white soldiers.²¹

In 1996, President Bill Clinton posthumously awarded Johnson the Purple Heart and in 2002 the Army posthumously awarded him the Distinguished Service Cross.²² In 2015 Johnson was recognized again with an even higher honor, the Medal of Honor by President Barak Obama. The official citation included language that described his actions as gallant, courageous, heroic, selfless, and "above and beyond the call of duty."²³ Johnson's initial differentiated recognition

¹⁹ Barbeau, A. and Henri, F. (1974) *The Unknown Soldiers: Black American Troops in World War I*. Temple University Press.

²⁰ King, G. (2011) *Remembering Henry Johnson, the Soldier Called 'Black Death'*, *Smithsonian Magazine*. Available at: <https://www.smithsonianmag.com/history/remembering-henry-johnson-the-soldier-called-black-death-117386701> (Accessed: 12 March 2021).

²¹ Major General Ely, H. (1925) *Employment of negro man power in war*. United States Army War College.

²² King (2011).

²³ United States Army (no date) *Medal of Honor: Sergeant Henry Johnson*. Available at: <https://www.army.mil/medalofhonor/johnson/> (Accessed: 12 March 2021).

between the American and French military was not a function of there being two separate persons or two separate accounts of his actions. In 1918, Johnson was recognized differently by French military elites because their beliefs about race were markedly different than American ones, as demonstrated by attitudes in the 1925 War College report. American military elites at the time held disparagingly dim views of African Americans and could not imagine them as equals to their white counterparts. In 2015 nothing materialistically about Johnson or his actions changed. What changed were ideas and beliefs about race, and with a disassociation from a need to understand American military might with whiteness and othering with other American racial groups.

The historical treatment of Henry Johnson clearly articulates the social and ideational nature of race, how those ideas had constrained civilian and military elites' ability to mentally absorb the realities of American military history, turn that knowledge into appropriate military personal policies, and maximize the effectiveness of American military forces when they were most need during war. In other words, ideas and beliefs about many of the very people that states require for military manpower have a profound effect on the manner in which states respond with force.

Eighteenth & Nineteenth-Century Use of Black Manpower

Given the immense degree of economic, political, and military mobilization required for the United States to fight a winnable war in World War I, it serves as an excellent analytical example to examine the relative weights of materialist and ideational factors in discriminatory military personnel policies. That said, to neglect the much longer and significant history of African

American military service and the policies that either forbid or limited their service would be a great oversight.

In the following subsections, I will briefly outline the numerous discriminatory military personnel policies which targeted African American men from the early colonial period to the Spanish American War. Three general patterns will become apparent in this brief overview. First, American civilian and military elites consistently allowed racist beliefs to limit their ability to effectively mobilize military forces in every major American military conflict. Second, when systemic pressures were great enough, military elites temporarily eased restrictions. Third, once peacetime resumed, elites reverted to discriminatory military personnel policies. While African Americans themselves did not forget their military contributions, most civilian and military elites certainly did and did so at their own peril. In subsequent wars, those same elites had to painfully re-learn that African Americans not only were skillful and effective fighters but that their service was necessary to win the war at hand.

THE AMERICAN REVOLUTION

At the onset of the American Revolution, various state militias composed the vast majority of the American military, and variations existed in several areas, which included permitting or restricting African American men from militia service. This decentralized and varied structure for mobilization plans under the Continental Congress which depended heavily on those state militias eventually gave way to a greater reliance on the use of regulars associated with the Continental Army. With this trend towards nationalization and centralization came a higher degree of scrutiny of who could and could not serve. In other words, variation in local government personnel policies across the thirteen colonies would lessen as control of the

American forces shifted more towards the preferences of the Continental Congress and its appointed military commanders.

General George Washington, a slave-owning Virginian, brought with his command of the newly established Continental Army his own beliefs concerning race. Despite the difficulty in securing new recruits and the history of enlisting both freed black men and slaves in some of the states' militias, Washington initially forbid any effort to include African American men in Continental Army. He thought both black freedmen and slaves alike to be "inferior" and "cowardly sub-humans" not fit for military service.

Washington was not solely responsible for this narrow view of the appropriateness of black military service. Even the more supposedly egalitarian of the states, Massachusetts—where the first American casualty of the revolution, Crispus Attucks, died during the Boston Massacre and from where black militia members performed admirably during military engagements at Lexington, Concord, and Bunker Hill—eventually aligned with Washington's views. Massachusetts members of the Continental Congress expressed strongly that enlistment of black soldiers would be "inconsistent with the principles that are to be supported and reflect dishonor on [Massachusetts]." ²⁴ Despite the fact that black soldiers in New England had fought admirably and heroically alongside their white brothers in arms, Massachusetts elites believed that the revolution itself ought to be a free white men's fight. ²⁵

²⁴ Lanning, M. (2016) 'African Americans and the American Revolution', in Jensen, G. (ed.) *The Routledge Handbook of the History of Race and the American Military*. Routledge.

²⁵ Nalty, B. (1986). *Strength for the Fight: A History of Black Americans in the Military*. New York, 10-11.

Not all military and civilian elites agreed with Washington. Aide de camp to Washington, Colonel Alexander Hamilton had a more practical view. Hamilton felt that “. . . if we don't make use of them, the enemy will I have not the least doubt, that Negroes will make excellent soldiers.”²⁶ Hamilton's perspective was spot on. British forces would eventually exploit this weakness would offer slaves in the Chesapeake Bay area freedom in exchange for military service.

In 1775 Lord Dunmore, the last royal governor of Virginia declared that “all indentured servants, Negroes, or others free, that are able to bear arms [should join] His Majesty's troops as soon as may be . . .” Dunmore expected not only an increase in British military manpower but that depriving the southern colonies of slave labor would also cripple their economies. Shortly after the British began to successfully recruit a significant force of black manpower using this practice, Washington reversed his decision, declaring that “Numbers of Free Negroes [sic] are desirous of enlistment.”²⁷

Hamilton was not alone in his ideas about the use of black troops. Allied Spanish forces were far more pragmatic in their use. For Spanish Louisiana Governor Bernardo de Galvez, the question was not a matter of whether to use them or not, but how many could be mobilized into service. Among the forces that Galvez assembled to defeat British forces from Baton Rouge to Pensacola in 1781, were several companies of black militia, some even under the command of black officers. Spanish commanders, unlike their American counterparts, took stock of history and held different, albeit rather complex, beliefs and ideas about race. Under the previous French colonial regime in Louisiana, shortages in manpower (and European women) meant that French

²⁶ Lanning (2016).

²⁷ Nalty (1986), 12-13.

colonists had little objections to recruiting and maintaining black militia units and awarding commissions to black soldiers to wage military campaigns against neighboring Natchez and Chickasaw nations and frequently intermarried with non-whites. When Spain took possession of Louisiana neither practice changed, and Spain maintained black militia forces. Upon completion of the Florida campaign, Galvez remarked that the black militia under his command “conducted themselves with as much valor and generosity as the whites.”²⁸

After Washington’s reversal, American military forces for the remainder of the Revolution were bolstered by African American service members. At first glance, their numbers might seem somewhat token at a mere two percent of enlistments. But as Michael Manning has observed, their enlistments were often longer than those of white service members, and at any given time in the latter years of the war, black manpower may have accounted for ten percent of all American forces.²⁹ Their numbers were no small contribution to the eventual American military victory.

Additionally—while perhaps less historically celebrated and certainly less debated about by American civilian and military elites during the revolution—American naval forces during the war had continuously practiced the very behavior that Washington only would belatedly acquiesce to. Naval forces were chronically undermanned during the entire duration of the war and refused to adopt the same discriminatory military personnel policies as the Army. Especially problematic for the navy was that skilled seamanship drew from a much smaller pool of the

²⁸ McConnell, R. (1968) *Negro Troops of Antebellum Louisiana: A History of the Battalion of Free Men of Color*. University of Louisiana Press, 3-32.

²⁹ Lanning (2016).

population and the navy was also in competition for manpower against better-paying merchant services and privateers.³⁰

Free black men and slaves alike both had a history of service in the various colonial militias prior to the American Revolutionary War and many future American civilian and military elites had experience in those very militias. Free black men and slaves alike had also served in some of the early engagements of the Revolution such as the opening of hostilities with British forces at Concord, Lexington, and Bunker Hill.³¹ That black military manpower could be utilized both skillfully and effectively was hardly a theoretical and untested policy proposition. Immediate first-hand knowledge of their service, their ability to be effective soldiers, and their ability to fight alongside white soldiers existed among civilian and military elites. America's Spanish allies knew this as well and had no qualms about making effective use of them to dislodge the British from the American southeast. Key Washington aides like Hamilton not only thought it possible but also expected that *not* making use of black military manpower would only increase the relative military manpower of British forces who would.

With this knowledge and experience in hand, Washington opted to block the service of African American men in his chronically understrength Continental Army and his racial prejudices were quickly exploited. Civilian elites, even the least expected of places like the Massachusetts delegation to the Continental Congress followed suit and supported Washington's decision. That same year, Dunmore undertook a campaign to simultaneously bolster British

³⁰ Klinker & Smith (1999). Lanning (2016). Nalty (1986).

³¹ Lanning (2016). Klinker & Smith (1999).

military manpower and weaken the economic power of the southern states by recruiting the very men Washington decreed were unfit for service by virtue of their race.

In response to Dunmore's successful strategy, Washington would eventually follow the Spanish example and heed Hamilton's advice to permit the enlistment of African American men in the Continental Army. Given the vast amount of uncertainty during the war, the recent successful use of black manpower, and the Continental Navy's continuous use of black manpower, it made little military sense *not* to continue using African American men in the pursuit of defeating the British Army in North America. Washington's refusal to initially maximize manpower in the American military can only be understood in terms of racially-based ideational factors and neither systemic pressures nor military necessity.

Had civilian and military elites sincerely learned understood from their experience with black manpower during the war and given greater priority to systemic factors over racially-based ideational ones, they might have made some provisions for retaining black soldiers or even at least only permitting their enlistments during times of crisis. Instead, what occurred after the war was continuity in ideas and beliefs about white superiority and a return to strict discriminatory military personnel policies that barred African American men from both the federal army as well as service in the various states' militias. The return of these policies in many ways demonstrates the inherent tension of, what Omi and Winant refer to as, the "racial project" which is inherently part of the American state.³² Such a racial project operates in a co-constitutive manner that transmutes ideas about race into social structures and institutions themselves. In other words, we

³² Omi and Winant (2014), 124-127.

see evidence of a state founded upon certain ideas about race changing discriminatory military personnel policies to win a conflict with another state, as realists might predict, but that racial project makes retention of these changes an exceptionally difficult task. Be that as it may, what structure theories have difficulty explaining is why these patterns would astoundingly repeat themselves in America's next major military confrontation, the War of 1812, as well as in subsequent conflicts.

THE WAR OF 1812

The short duration of the War of 1812 did not produce the same degree of manpower shortages in the American Army that it had experienced during the Revolution, but nevertheless, many of the same patterns arose during the conflict. As more and more time passed since the Revolution and complacency overtook the state militias, they began to approximate social clubs which, with few exceptions, also universally forbid the service of black militiamen. At the outbreak of the war the American Army and the Marines, being both relatively small peacetime institutions could perhaps afford the misguided luxury of discriminatory military personnel policies. The Navy though, just as in the Revolution, could not afford to be as exclusive because "So unattractive was the combination of harsh discipline, dangerous work aloft, long cruises, wormy biscuits, and bad beef that the Navy had to accept anyone willing to serve, black or white."³³ The unique requirements and structural limits associated with service in the Navy thus meant that at the outbreak of the war, it had black sailors serving alongside white sailors on naval and privateer vessels alike.

³³ Nalty (1986), 20.

As had occurred during the early years of the Revolution, the Army's discriminatory military personnel policies again created opportunities for foreign adversaries. When British Admiral John Borlase Warren sailed into Chesapeake Bay in 1813, he found—as Dunmore before him—a population of slaves eager to enlist in the British Army in exchange for freedom. The following year Vice Admiral Sir Alexander Cochrane took advantage of Warren's findings, returned to the area, and began recruiting and arming slaves in an effort to both increase British manpower in North America and harm the slave-dependent economies of the southern American states.

Cochrane's black British marines fought in a number of engagements during the war, including one battle that has been unsurprisingly absent from American military history. In 1814 that engagement involved Cochrane's black British marines fighting a combination of American forces that composed of an all-white militia unit and a mixed-race onshore naval battalion of marines and sailors. The mixed racial unit held its own until the black British marines defeated the white American militia and forced it and the mixed-race battalion to withdraw. As Washington had done, later that year, perhaps partly out of fear from Cochrane's success, the New York State Assembly authorized the formation of all-black units, but the war was over before recruitment could begin.³⁴

The single largest example of the formation and use of black manpower was under American forces in the Battle of New Orleans. After nearly two and a half years of uncertainty and stalemate between American and British forces in North America, the State of Louisiana

³⁴ Ibid, 21-23.

authorized the recruitment of black freedmen who had “paid taxes and for the previous two years had owned property worth \$300.” This threshold for military service was not placed on whites in Louisiana though. Hundreds of black men, including black officers, were raised and fought alongside white units during the battle. General Andrew Jackson, the commander of American forces during the battle, proclaimed after the battle that “the two corps of colored veterans have not disappointed the hopes that were formed for their courage and perseverance in the performance of their duty.”³⁵

Prior to Jackson’s arrival in Louisiana though, preparations for their use were already underway. Then Louisiana Governor William Claiborne—who had wrestled often with deciding what to do with the black militia units America inherited from the French government after America took possession of the territory from France—was unequivocal about the lessons of history. The Louisiana territory had only been recently admitted to the United States and American territorial administrators struggled with how to reconcile the promises made to its black and mixed-race citizens by the previous Spanish and French governments with broader implications associated with the federal government affording rights not afforded to other African American men in the American south. Claiborne, who was responsible for mustering the forces in Louisiana that Jackson requested, believed that if the United States did not make use of these men, which included veterans from Galvez’s campaigns during the Revolution, then the British would. Just as in the Spanish campaign against the British, their ranks included commissioned officers—including the first black field grade officer in service of the American

³⁵ Ibid, 24-25.

Army—and fought very effectively alongside white soldiers.³⁶ It is rather remarkable that black militia, fighting with white militia and regulars, helped defeat a seasoned British force that included veterans of European campaigns against Napoleon and that this lesson would be so quickly forgotten among American civilian and military elites in subsequent wars.³⁷

As in the Revolutionary War, there was a history of African American men not only serving but serving effectively in combat and alongside white service members. The previous war had demonstrated that not only was their service possible but that it would be required to achieve success on the battlefield. Again, the experience of the previous war meant that the knowledge about the effectiveness of African American service members was there for the taking. Past experience had also presumably taught civilian and military elites that *not* making use of black manpower could be an economic and military liability that a foreign adversary could take advantage of. Yet civilian and military elites chose to allow their certain ideas and beliefs about white racial superiority and black racial inferiority to compromise their ability to effectively respond to systemic pressures.

There was an abundance of evidence of the demonstrated effective use of African American service members, the repeated vulnerability proven first by Dunmore and then again by Cochrane, and the evidence that black marines with professional military training could beat

³⁶ McConnel (1968), 56-90.

³⁷ The brief history of the use of African American men in integrated units in Louisiana at first glance might seem to be evidence that confirms realist expectations, but it is worth noting that the conditions that made such units possible were also functions inherited from military institutions from French and Spanish colonial official with very different ideas about race than the United States. A closer analysis of this unique piece of history is unfortunately outside of the scope of this work

a white militia unit—only to meet their match after facing off with mixed-racial American naval shore unit. And yet, American federal and state civilian and military elites, even in Louisiana, quickly reverted back to their discriminatory military personnel policies shortly after the war.³⁸ The American Navy again, albeit out of material necessity, continued to be somewhat more inclusive. But even the Navy had its limits though. In 1839 after a series of complaints from other government officials, Acting Secretary of the Navy Isaac Chauncey, who had commanded black sailors during the war, imposed an arbitrary five-percent cap on the number of black sailors allowed to serve in the American Navy.³⁹

THE AMERICAN CIVIL WAR

Prior to the American Civil War, black manpower was required during the Mexican-American War, but the exact numbers and the details of their service have been somewhat elusive to scholars due to the fact that American military at the time did not explicitly use black manpower, i.e., the use of identifiable segregated units, and because where black soldiers did likely serve no racial data was collected. They only appear as names on rosters. What has been inferred, though, is that prior to the outbreak of the war, civilian and military elites viewed African Americans as incapable of performing the duties associated with republican citizenship,

³⁸This interesting piece of American military history—an all-black unit of freed slaves under British command defeating a white American unit and later being held off by an American mixed-racial unit—does not appear to be something that civilian and military elites felt had to be addressed. A War College report on the performance of black soldiers during World War I had a historical overview of prior service by black soldiers. The section which summarized their performance in the War of 1812 only mentioned that black soldiers were present during the Battle of New Orleans, that “all of the officers were white, and their service was apparently satisfactory.” Carlisle, 1925.

³⁹ Ibid, 27.

including military service but that the manpower shortages that were experienced in the latter phases of the war would have made their use necessary.⁴⁰

Unlike the Mexican American War, evidence from the American Civil War goes well beyond inference and provides us with clear and abundant evidence of the problematic relationship between discriminatory military personnel policies and military necessity, and does so on two strong accounts. First, the United States,⁴¹ as it had in the past, ignored the past contributions of African American service members, put in place discriminatory military personnel policies at the onset of the war that excluded such soldiers and possibly made the war longer, more brutal, and less certain by waiting so long until it made use of all its available manpower. Second, this war provides us with a rather fascinating historical example of a state, the Confederate States of America (CSA),⁴² violating the most sacrosanct of all realist assumptions—the primacy of state survival as a state interest—when it made conscious decisions to forgo various potential strategies to obtain badly needed manpower, such as offering slaves freedom in exchange for military service or ending slavery in order to attract foreign allies that remained neutral because of the CSA’s stance on slavery.

⁴⁰ Winders, R. (2016). Race and Republicanism: Understanding the Mindset of the Mexican War Soldier. In G. Jensen, *The Routledge Handbook of the History of Race, and the American Military*. Routledge.

⁴¹ United States, meaning the states that remained in the Union during the war. Throughout this section, I make more extensive use of “Union” as opposed to “United States” to avoid confusion.

⁴² In the case of the Confederate States of America (CSA), the claim of “state” can be a bit more problematic, especially given that no foreign states recognized the CSA as a “state.” Nonetheless, employing realist theories to examine internal state conflicts is not inherently problematic, e.g., Christia (2012), Posen (1993).

This section will outline the same historical patterns that arose from the Revolutionary War and the War of 1812. It will outline how civilian and military elites, apart from the Union Navy, made a conscious decision to ignore military history and forgo the mobilization of black manpower because of pessimistic, albeit historically unfounded, beliefs about their ability to fight relative to white soldiers. It will then outline a reappearance of the Dunmore and Cochrane strategies by Union forces in Louisiana and how civilian and military elites opted not to formally change course with military personnel policies until almost a year and a half into the war after the Battle of Antietam. Following this change in policy, Union forces still managed to allow certain ideas and beliefs about race to constrain and compromise its forces by paying black soldiers less than whites of equal rank. Finally, this section will also cover how similar, albeit far more intensive ideas and beliefs about race also constrained CSA elites' ability to mobilize forces and even at the expense of state survival.

Initially, Union military forces believed that suppressing southern secessionist forces would be a rather quick and easy task, one accomplished with a single decisive battle. President Lincoln and the head of the newly formed Army of the Potomac, General George McClellan, felt that the volunteers they had at hand were sufficient, that there was no need to make use of black manpower, and that using such additional forces might even give incentive for some of the Union border states to join the CSA. Lincoln, who would eventually embrace black volunteers, had initially feared that if the Union armed black soldiers, those units would fail in battle and their arms would subsequently wind up in CSA soldiers' hands. Major General Henry Halleck, the General-in-Chief of the Union Army and later Chief of Staff bemoaned the possibility of unsettling American racial beliefs and thought that it was not the Army's role "to decide upon

the relation of master to man.”⁴³ As will become evident in subsequent chapters, General Halleck’s remarks were in a manner a foreshadowing of the never-ending and continuous “not a social laboratory” discourse employed by future American civilian and military elites whenever issues of race, sexuality, gender, and gender identity arose in subsequent major debates about American military personnel policies.

Black northern elites questioned these unfounded assumptions about the courage and competency of black soldiers and the probability of border state defections and pressed Lincoln to allow black volunteers into the Union Army. Unlike white civilian and military elites, who had forgotten the historic contributions of African American service members, men like Frederick Douglass questioned why precisely black soldiers were “good enough to serve under George Washington . . . [but] not bear arms in George Brinton McClellan’s Army.”⁴⁴

Little had changed since the Revolution for the Union Navy. Unlike the Army, it did not feel that it had the luxury of enough able-bodied white men and continued the practice of accepting any competent sailors who were willing to tolerate the lengthy hardships associated with duty at sea, be they black or white. The Union Navy was also finding itself under increasing pressure to find sailors to fill not only positions in its regular service but also in its expanding fleet of river gunboats and mortar boats, both of which required extensive periods of service in hot and humid southern environments that frequently made its sailors ill and unable to serve while on convalescence. The Union Navy was in such dire straits for manpower that it often

⁴³ Williams, D. (2016). *We Did Our Duty as Men Should: African Americans in the Civil War*. In G. Jensen, *The Routledge Handbook of the History of Race and the American Military*. Routledge.

⁴⁴ Nalty (1986), 30-34.

recruited former slaves from the shores of the southern rivers they were patrolling to serve aboard these boats.⁴⁵

Of all places where the Union Army enjoyed some early battlefield success, it was where the forgotten histories of Dunmore and Cochran could be repeated. In mid-1862 Union Admiral David Farragut and Major General Benjamin Butler not only managed to capture the City of New Orleans and freed captured slaves by instituting a “contraband of war policy,” but his forces also managed to raise infantry regiments consisting of both African American freedmen—many with lineage back to free black units that fought under Jackson in the War of 1812—and former slaves in the city. The men in these units clothed themselves in Union blue uniforms and were unique in that, like their predecessors in the Battle of New Orleans, they also had some black officers. Butler successfully used these regiments alongside his main force in battles against CSA forces in other parts of Louisiana.⁴⁶

Unique areas of success that involved black regiments and mixed units in the field in Louisiana were not in themselves sufficient evidence for Union civilian and military elites to change their minds and re-discover the effectiveness of black manpower. That change of mind would take the overall lackluster and often the near-disastrous performance of the Union Army in the early years of the war, along with General Robert E. Lee’s invasion of the north in 1863. Once Lincoln could claim a victory, like the costly one at Antietam, he and his generals began to heed the advice of northern governors and northern African American civilian elites like

⁴⁵ Ibid, 33.

⁴⁶ Ibid, 36.

Douglass and authorized the formation of volunteer black regiments.⁴⁷ These forces, along with black regiments formed from freed slaves after victorious Union campaigns in CSA territory, are often credited by scholars with helping turn the tide of the war for the Union, having eventually composed even percent of all Union Army forces. As in the Revolution, given that many of those African American volunteers enlisted later than their white counterparts, by the end of the Civil War, they constituted thirty-six percent of the Union Army and much of what would become Reconstruction-era occupation forces.⁴⁸

While many of the black regiments fought and performed well in battles, the Union Army was not a force primed for egalitarianism, much less rational cost-benefit decision-making in the realm of military personnel policies. In some cases, forces were confined to performing only manual labor, virtually all the black regiments' officers were white, and both Congress and the Army opted to pay African American soldiers ten dollars less each month than white soldiers, meaning the highest-ranking black non-commissioned officers made less than the lowest-ranking white privates. The normative implications of lower pay aside, it was an ill-conceived policy by Union elites because reduced pay also meant that those badly needed black soldiers also periodically protested and mutinied over their pay.⁴⁹ This may have been part of the reason why

⁴⁷ Ibid, 36-37

⁴⁸ Shaffer, D. (2016). Bottom Rail on Top: Black Union Soldiers in the Army of Occupation. In G. Jensen, *The Routledge Handbook of the History of Race and the American Military*. Routledge.

⁴⁹ Nalty (1986), 37-41.

Jackson, unlike his Civil War-era peers, was so adamant about giving equal pay to his forces that served during the Battle of New Orleans, whether they be black or white.⁵⁰

Union elites began the war having forgotten the historical necessity of black manpower and certain ideas and beliefs about race initially constrained their ability to make use of all such manpower but eventually, systemic pressures were sufficient that they relaxed existing discriminatory military personnel policies. The CSA though was never able to escape its self-imposed ideational constraints. Southern civilian and military elites had access to the same historical information demonstrating the combat effectiveness of African American service members in the American Revolution and the War of 1812. They also had access to information from those same wars that demonstrated the vulnerability that the institution of slavery could create for the security of the state. It was only a matter of time until northern military commanders repeated the successful strategies of Dunmore and Cochrane—which was precisely what northern commanders successfully began doing in 1862 in Louisiana.

Confederate elites made some use of black manpower, but not to fill shortages in its combat forces. The CSA did not emancipate the African Americans it used and those that were employed were limited to manual labor, e.g., construction of fortifications and musicians. In 1864, after years of conflict, some Confederate generals, like Major General Pat Cleburne believed an alternative course of action was possible and proposed both offering slaves freedom in return for military service and eventually ending slavery to make alliances with the CSA more likely among European powers like Britain and France, both of which had for years sat on the sidelines.

⁵⁰ McConnel (1968), 63.

Cleburne's proposal was promptly rejected by CSA President Jefferson Davis. In 1865 though, Davis reevaluated that proposal and, along with Lee, now agreed to the plan. Davis' decision was too little, too late, and the last of the southern military forces surrendered before the plan could be put into action.⁵¹ It is important to note that slavery as an institution went to the very core of what the CSA stood for. The American racial project as it was manifested in the CSA was perhaps insufficiently inflexible to even allow for a temporary or gradual change in the institution of slavery. CSA civilian and military elites may have had rational reasons to believe that newly freed and armed slaves could have easily killed their officers and marched north and that their emancipation could have also crippled the southern economy. That CSA civilian and military elites could not even have paid lip service to gradual emancipation for the sake of foreign alliances is more difficult to reconcile though. Nonetheless, the path the CSA marched upon was one to an ideational statehood graveyard.

The utility and effectiveness of African American service members were neither unknown to Union nor CSA civilian and military elites. In both Revolutionary War and the War of 1812 elites decided upon discriminatory military personnel policies because of beliefs in white racial superiority and black racial inferiority. In both wars, at varying moments those policies had to be adjusted to compensate for shortages in white manpower. Additionally, in both wars, British commanders exploited the institution of slavery and identified a prospective pool of black manpower it could use if the Americans were not willing to. In both wars, not only were black soldiers eventually used but they were just as brave and effective as their white counterparts and

⁵¹ Ibid, 44-46.

helped win the wars. At the outbreak of the Civil War, while northern African American civilian elites had not forgotten these lessons of the past—both northern and southern white civilian and military elites had. Union civilian and military elites subjected themselves to a painful re-learning process and *eventually* raised black regiments and enlisted former slaves and African American freedmen into service when campaigning in southern states. The CSA, on the other hand, remained impervious to re-absorbing the lessons of the past, and remained committed to slavery and assumptions about white racial superiority even at the cost of the demise of the CSA itself. Doing so deprived it of maximizing its full potential of military manpower, securing alliances that the institution of slavery disqualified them from in Europe, and gave Union military commanders the ability to exploit the same type of weakness that Dunmore and Cochrane had in past. Despite some structural changes to the American military, mostly from the efforts of the Radical Republicans, the American racial project would largely re-assert itself in the next major American war.

THE SPANISH AMERICAN WAR

The Spanish American War stands apart from prior American wars because most of the same patterns outlined in the previous sections did not re-occur. Three key differences stand out. First, during the brief Reconstruction period following the Civil War, Congress mandated that the Army permanently retain four black regiments and used those regiments in combat during the war. Second, additional black regiments were mobilized for use during the early phases of the war as opposed to waiting for adversarial forces to exploit a manpower weakness or until the possibility of losing the war loomed heavily over the heads of civilian and military elites. Third, black units received unprecedented praise from civilian and military elites. That said, the one

historical pattern that did manage to reoccur was that shortly after the war, most civilian and military elites, even those with direct experience, quickly forgot the manpower lessons of the war.

That last fact was perhaps the most important because it would have dramatically negative effects on the American military's ability to fight effectively in the Argonne Forest during World War I, which will be discussed in detail in the next chapter. Examined in isolation, one would be tempted to surmise that the American military appeared to finally have somewhat transcended its prejudicial ideas about race (aside from segregation itself), that they were finally open to giving African American service members greater opportunities given the praise and accolades they gave them at the end of the war. Unfortunately, this was not the case. American civilian and military elites had evidence from another military conflict that contradicted their long-held ideas and beliefs about race and then forgot it.

One of the most important differences was that prior to the outbreak of war the Army had retained four black regiments and raised additional ones during the initial phases of military mobilization as opposed to doing so once white military manpower was exhausted and the prospect of defeat hung over the heads of civilian and military elites. Part of this change can be explained by path dependency. The same Radical Republicans that wholeheartedly opposed slavery in the decades prior to the Civil War, pushed for thirteenth, fourteenth, and fifteenth amendments to the Constitution, and other, less permanent Reconstruction-era legislation such as the Freeman's Bureau, also altered the composition of the Army. The Radical Republican-controlled Congress did not want black soldiers to be excluded from what would remain of the United States' peacetime army. Initially, Congress had mandated that the Army maintain at least six black regiments but later these were reduced to four—the 24th and 25th Infantry Regiments and

the 9th and 10th Cavalry Regiments, totaling roughly a tenth of the active federal Army force after reconstruction.

Civilian and military elites were not always keen on those mandated black regiments. Some military elites like General Ulysses Grant were indifferent at best. Grant had no major objections to the use of black troops, but he viewed the use of black troops as a temporary measure to be used during a national emergency. Others, like General William Sherman, who served as General of the Army for almost two decades after the Civil War, held more complicated beliefs. Sherman thought that the word “Black” should be removed from statute books and army regulations and that black soldiers should be assigned to regular units with whites based on merit. Nonetheless, he also believed that white soldiers were on average better than black soldiers. Some members of Congress, like Senator William Saulsberry (D-DE), thought black soldiers were “lazy, undisciplined, lacking in initiative, [and] incapable of doing routine paperwork.” Secretary of War, and son of President Lincoln, Robert Todd Lincoln, unlike Saulsberry, had a higher opinion and during his time in the War Office forced a reluctant Army to also expand roles for black soldiers in service and support positions, such as quartermaster sergeants. In sum, civilian and military elites at any given time could be sympathetic and supportive, indifferent, or even outright hostile. Once Congress put into law that the Army *had* to have black regiments, it became difficult to demobilize them even when the political climate was less than supportive.⁵²

⁵² Ibid, 49-59.

The second difference, albeit with less impressive motivations, was that civilian and military elites called for the mobilization of ten additional black regiments. This additional mobilization at the outbreak of the war was not based upon an assessment of Spanish forces but rather was based upon the erroneous and somewhat racist assumption that all African American men had some biological predisposition to be immune to tropical diseases. The resulting regiments were referred to as “immunes.”⁵³ Whereas racist assumptions in the past largely restricted the role and employment of black soldiers during times of war, the War Department and Congress called for more black soldiers, because they assumed African American men would be immune to tropical diseases in Cuba and the Philippines.

While many of the “immunes” did not see combat, all of the regular congressionally mandated black infantry and cavalry regiments did, including combat actions that rescued future President and then Colonel Theodore Roosevelt’s famous “Rough Riders” during their charge up San Juan Hill. From that battle, five soldiers from the 10th Cavalry Regiment were awarded the Medal of Honor⁵⁴ and a considerable amount of praise was bestowed upon these soldiers from white commanders. Future World War II Secretary of the Navy and then Major Frank Knox of the Rough Riders became separated from his unit during the battle and after being rescued by 10th Cavalry troops, declared them as “the bravest men he had ever seen.” Roosevelt declared, “no better man besides me in battle than these colored troops showed themselves to be.” Army Captain H.A. Leonhauser, who commanded black soldiers in the Philippines declared his soldiers

⁵³ Ibid, 66.

⁵⁴ A sixth African American was also awarded the Medal of Honor during the Spanish-American War, Fireman First Class Robert Penn, who risked his life to save the U.S.S. Iowa from a boiler explosion.

to be “cool, able and eager” and able to conduct themselves with “no wavering or disorder.” Major General Breckinridge, said in reference to men like then Major Charles Young—a regular Army officer placed in charge of the 9th Ohio Colored Infantry—that, “Certainly we should have the best obtainable officers for our volunteers and therefore some such men as [Charles Young] . . . whether black or white, must be should [sic] for.”⁵⁵

In hindsight, however, the Spanish-American War was an exception rather than a turning point. It was brief, regular black regiments existed because they were previously mandated by Congress during Reconstruction and were difficult to disband even during years were civilian and military elites were less than receptive or at best would have preferred to have white soldiers during peacetime. Whereas past discriminatory military personnel policies restricted African Americans from service because of racist assumptions, during this war, similar types of assumptions strangely enough prodded civilian and military elites to target African Americans for “immune” regiments. The Army and Navy presumably were gaining additional direct experience with black soldiers and sailors performing as heroically as their white peers. Senior civilian and military elites praised them on record. Sadly, though the main reemergent pattern from this conflict would be that of the loss of institutional memory. Shortly after the war, many of those elites began to rescind their praise. Roosevelt’s narrative in *Alone in Cuba* [sic] by Finley Dunne, for example, showed a change in Roosevelt’s previous high praise to a belief that whatever courage black soldiers had was largely a reflection of their white commanders.⁵⁶

⁵⁵ Nalty (1986), 65-77.

⁵⁶ Ibid, 77.

Despite the ability of the American state to achieve some progress in limiting the extent of its discriminatory military personnel policies, the inability to remember African American men's service contributions, which even befell elites like Roosevelt, would continue to have profound effects on the American military in future conflicts. Thus, even when military institutions had changed in response to racial issues, the more broadly embedded nature of the racial project that was pervasive in other American institutions simply reasserted itself. The effects of these certain ideas about race would become painfully evident in the next major American conflict—World War I.

Conclusion

That “ideas matter” is hardly a novel or a bold claim. Yet realist logic often dominates in the realm of security studies because the stakes of national security are so high. States are expected and often do exhibit rational-materialist behavior in response to systemic pressures. Yet when states do react to their external environment, the very composition of the literal body of bodies that they thrust into conflict is not entirely shaped by systemic pressures. Racially based discriminatory military personnel policies are entirely ideational in origin and are neither functions of systemic factors nor military necessity. Furthermore, such policies have served only to make the military less effective and diminish national security.

The history of the use of black manpower by the American military is replete with evidence of the power of certain ideas and beliefs about race. The explanatory power of those ideas cannot be cast aside into the realm of “low politics,” miscalculation, or some form of general military inefficiency. This chapter has laid out evidence that those ideas and beliefs have very

much structured military forces even at the expense of the ability of the American state to maximize the effectiveness of its offensive power when it mattered most.

In the American Revolutionary War, despite the successful and effective use of black manpower in America's earliest military engagements, American civilian and military elites acted upon certain ideas and beliefs about the inferiority of African American men relative to white American men. They created a weakness that British forces exploited and only reversed course when Dunsmore forced their hands. The American military's plan of action concerning its military personnel policies could have been written off as an oversight, a lack of complete information, or a mere miscalculation but as soon as the war ended, American civilian and military elites re-committed themselves to the practice of discriminatory military personnel policies structured on ideas about race and at the expense of national security.

During the War of 1812, history repeated itself, and those same elites, despite the historical military experience of the prior war, opted not to make the most effective use of the state's manpower until Cochrane, like Dunsmore before him, again exploited that same weakness. In other words, civilian and military elites again only reversed course when they found themselves in dire straits. The War of 1812 also demonstrated a number of clear instances where even integrated black and white combat units not only made a difference on the battlefield but sometimes bested all-white ones.

The power of ideas about race became even more evident during the American Civil War. Despite two wars of record that required black manpower, civilian and military elites again opted to not mobilize black soldiers until their initial assumptions about a quick victory over the CSA did not materialize. During this war, even the CSA, at the expense of state survival, elected to

value beliefs about white racial superiority over all else. Fortunately for those African American men that were evidentially allowed to serve, their posterity, and the American state, some degree of access to military service for African American men would become a permanent part of the American military. The Radical Republicans put into federal law a permanent place for them in the American Army which had some effect on the American state's ability to maximize its projection of an effective fighting force again Spain in the next major war.

The record of the Spanish American War though was unfortunately mixed. The four Regular Army regiments mandated by the Radical Republican-era controlled Congress meant that black manpower was already in place to be used. Civilian and military elites also sought to mobilize black manpower prior to deploying American units to the Caribbean and the Pacific, but only under the belief that African American men had an inherent immunity to tropic diseases. The "immune" black regiments saw little action, but their black Regular Army peers did. Those black regular units performed remarkably well, were decorated for their service, and won, at least initially, the praise of a future American president and Navy secretary. That praise would be short-lived though, and despite the institutional gains African American men gained in access to military service, American civilian and military elites would again subject themselves to forgetting history and limit their ability to project the most effective force possible in the next major war, World War I.

It took three major wars, but American civilian and military elites did eventually commit the military to have a permanent presence for black service members and finally saw fit to mobilize additional black manpower in preparation for a major armed conflict, albeit for rather unusual reasons. That this occurred after emancipation is probably indicative of the power of the

institution of slavery in the United States. What cannot be as easily explained away is the continuous pattern of the neglect of what should have been substantial military experience. Not only was black manpower eventually needed in every major conflict, but African American service members fought effectively and, in some cases, fought in mixed-race units that did equally well if not better than their white-only unit counterparts. The fact that an institution that prides itself on history, heraldry, and lineage would have to relearn, again and again, that African American men were not only central to a given war effort but were effective fighters, can only be explained by the ideational constraints associated with civilian and military elites' ideas and beliefs about white racial superiority and black racial inferiority, as well as the deeply embedded nature of the American racial project.

The history of black manpower in Louisiana during the Revolution and the War of 1812 provided us with a foreshadowing of just how strong the explanatory power of these ideas can be. When black soldiers were under the command of those without the same degree of racial prejudice, like the Spanish or the French, they did phenomenally well on the battlefield, were trusted with commissions, and no re-learning was needed. As the next chapter will demonstrate, two separate segregated American black infantry divisions during World War I were given similarly poor training, equipment, and treatment prior to leaving the United States for Europe. One of those divisions was retained under American command and struggled during the initial phases of the Argonne Forest offensive. The other division was transferred to French command and did such a phenomenal job that French War Minister Andre Tardieu requested that his

generals ask the American commander, General John J. Pershing to send him “all his black troops.”⁵⁷

⁵⁷ Morrow, J. (2016) ‘Only American Left Her Negro Troops Behind’, in *The Routledge Handbook of the History of Race and the American Military*. Routledge, 153.

CHAPTER IV: AMERICAN SEGREGATED ARMY DIVISIONS DURING WORLD WAR I

"The 370th R.I.U.S. has contributed largely to the success of the 59th Division and has taken in bitter strife both canon and machine guns. Its units fire by a noble ardor, got at times even beyond the objectives given by the higher command; they have always wished to be in the front line, for the place of honor is the leading rank. They have shown in our advance that they are worthy of being there."¹

-General Joseph Vincendon,
French 59th Div. Commander, Nov. 1918

"Poor negroes! They are hopelessly inferior!"²

-Major General Charles Ballou
American 92nd Infantry Div. Commander, 1925

"They have in fact been dangerous to no one except themselves and women . . . it is an undoubted fact, shown by our experience in the war, and well known to all people familiar with negroes, that the average negro is naturally cowardly."³

-Colonel Allen Greer
American 92nd Infantry Div. Chief of Staff, Dec.

1918⁴

¹ Barbeau & Henri, 1974, 126.

² Ibid, 138.

³ Ibid, 160.

⁴ Ibid, 160.

The United States entered World War I as a latecomer. Both the Central and the Allied Powers were exhausted and the stakes for successful performance for the United States were much lower than that of its allies. There was no territory to reclaim and no territory to maintain in Europe. Nevertheless, the United States' ability to credibly demonstrate its ability to project military force abroad and obtain a meaningful negotiating position at the end of the war was still on the line. In other words, a successful American contribution, and a timely end of the war in the Allied Power's favor was desirable for the United States, yet also far from certain. America's first total war was the Civil War and some of the painfully learned lessons from that war—e.g., the need for a permanent general staff, more efficient mobilization plans, a rationalized and centralized reserve system as opposed to its archaic state militia system, plans for the ability to nationally coordinate civilian wartime production, etc., were still far from reality.⁵ While the Spanish American War offered the American state and military something of a test of its modern force, it was simply too brief to incentivize more extensive and much-needed reforms. In sum, the United States entered World War I with a weak national army—relative to other great powers in Europe—, disorderly mobilization plans, and much uncertainty.

Given such uncertainty, realist logic would suggest that the United States would have sought to obtain as many advantages over its opponents as possible. The United States should have also strived to make the most of the resources it was able to mobilize, especially its manpower. Making the most of its manpower, by logical extension, would have also meant *not*

⁵ Skowronek, S. (1983) *Building a New American State: The Expansion of National Administrative Capacities, 1877-1920*. Cambridge University Press. Koistinen, P. (1997) *Mobilizing for Modern War: The Political Economy of American Warfare, 1865-1919*. University Press of Kansas.

neglecting the potential of African Americans who constituted about ten percent of the United States population at the time. If systemic factors were the main driving force for American civilian and military elites once the United States declared war on Germany, not squandering the potential of a tenth of its manpower should have been a rather straightforward and common-sense task. In other words, the United States ought to have drawn from its entire available population of military-aged males and trained and equipped all soldiers with equal vigor. Instead, certain ideas about race— notions of white supremacy and racist assumptions about African American men—thwarted civilian and military elites’ ability to not only recall the past performance of black manpower in combat but that making use of that resource had often been a decisive factor in America’s past wars. Prejudicial ideas and beliefs about race and the inability to draw from lessons of the past led to yet another iteration of discriminatory military personnel policies that limited the United States’ ability to make effective use of black manpower and severely compromised combat effectiveness.

While the larger history of African American military contributions during the First World War is certainly also worthy of our attention, for the purpose of being able to demonstrate the role of certain ideas about race and how they limited the combat effectiveness of the American Army, this section will primarily focus on the American Army’s 92nd and 93rd Infantry Divisions during the war. These two divisions constituted the bulk of America’s black combat soldiers in Europe and by historical chance, are also ideal for providing us with an interesting, controlled comparison. Both divisions were trained, equipped, and prepared significantly less than their white counterparts by the American Army. Both were hampered by civilian and military elites’ beliefs and ideas about race. Only one division, the 92nd, remained under the American command.

In an unusual compromise between the United States and its allies that were in desperate need of fresh troops, the 93rd was placed completely under French command. While France, with its numerous African colonial possessions, was hardly a paragon of racial equality, French civilian and military elites nonetheless did not share the same extensive degree of racist assumptions about black manpower that their American allies held. As a result, the French military enjoyed having additional and very effective infantry troops, while the American military unnecessarily squandered the full potential of an entire infantry division. Furthermore, the act of wasting such precious manpower nearly compromised the success of America's principal contribution during the war, the Meuse–Argonne offensive.

This chapter, like the preceding one, will draw its empirical evidence primarily from existing historical literature and will augment its ideational claims with additional archival material from the United States Congressional Record and records from the War Department. Additionally, in order to strengthen the comparisons and claims made here, it will also include some primary historical records concerning a similarly composed white infantry regiment during the war. The analysis of this chapter's case study will examine the role of ideational factors ideas—before, during, and after—and their impact on the effectiveness of black manpower in the Meuse-Argonne offensive

The first section will outline certain ideas and beliefs about race that both military and civilian elites held about African American service members. It will argue that while there was a near consensus that black manpower was needed to win the war, the majority's belief in black racial inferiority hampered the ability of the American military to organize and train segregated

black units with effectiveness equal to white divisions. Racist beliefs themselves fostered the conditions of a self-fulfilling prophecy.

The second section will discuss the first stage of the American Army's solution using black manpower—organization, officer selection, and training for its two segregated infantry divisions. It will demonstrate that neither the 92nd nor the 93rd Infantry Divisions were intended to be successful. From the onset of their structuring, they were denied the service of the Army's existing combat-experienced black regiments, officer selection was rarely based on prior experience and was haphazardly carried out, black draftees were assessed repeatedly until the Army got rest results that matched pre-existing beliefs about black racial inferiority, undereducation by virtue of unequal civilian educational opportunities inherently problematized these divisions, and the divisions were insufficiently structured. Even before these men were to be trained, they were deeply disadvantaged. The Army committed itself to have tens of thousands of black soldiers but also consciously underprepared them for combat.

The third section will demonstrate the reality of the American Army's refusal to take the state-side training of the 92nd and 93rd Divisions seriously. It will focus on four critical areas where training fell short of the same extensive and quality provided to its white divisions. The Army refused to allow these divisions to train as divisions, provided deficient quality of training, refused to give black units proper equipment to train with, refused to allow divisional commanders and staff to visit the European western front, and failed to provide remedial literacy education. Collectively, this evidence will further demonstrate the impact that civilian and military elites' ideas and beliefs about racial inferiority had on the ability of these divisions to be effective fighting forces.

The fourth section will analyze the performance of the 92nd and 93rd Divisions in combat. It will show how the poorly structured, staffed, trained, and equipped 92nd Division was thrust into a critical position during the Argonne-Meuse offensive and the difficulties it encountered were directly a result of military elites' refusal to take seriously this division's preparedness both in the United States and in Europe. It will also demonstrate how the 93rd, which was even less prepared than the 92nd in many respects, performed substantially better under French command. Both examples will also highlight an unusual paradox—despite all these ideationally imposed constraints, and the near-disastrous performance of the 92nd in the Argonne, black soldiers regularly demonstrated extreme acts of heroism and their units were among some of the American Army's most decorated during the war. One could have only imagined what the 92nd and the 93rd would have been capable of had they been prepared as well as the American Army's white soldiers.

Certain Ideas About Race: Debates About the Use of Black Manpower

That racism existed within the American military during World War I and that it did in some way effect civilian and military elites' decision-making should be no surprise to many. Segregation within the American military presented several inherent problems. Even if this problematic institutional practice were taken as a given it was entirely possible for American civilian and military elites to have potentially worked within that framework more effectively. Those elites had knowledge of the lengthy history of the effective and necessary use of black manpower, they discussed it in military decision-making circles and on the floors of Congress. African American men's historical contributions to American wars, whether in racially mixed units like Jackson's forces at the Battle of New Orleans or the segregated colored regiments that performed valiantly

in the American Civil War and the Spanish American War, was very much a part of the Army's history and tradition. Their contributions were not written and then lost like tomes of ancient wisdom in the Great Library at Alexandria. The knowledge and the military history particular to the service of African American service members was still recent and readily available to civilian and military elites.

Nevertheless, certain deep-rooted ideas and beliefs held by many civilian and military elites about white racial superiority and black inferiority blinded those even with first-hand experience with black soldiers. That knowledge could have been used in a manner to maximize the effectiveness of all available manpower. Instead, civilian and military elites came to a paradoxical collective conviction that essentially acknowledged, on one hand, that the United States needed black soldiers and understood that they were essential and effective in the past. But on the other hand, also believed black soldiers were inherently inferior, must remain in segregated units, and that those units were to be substandardly trained in scattered locations across the country. Before the first American military boots were to set foot on European soil, and even before those boots were to be issued to new recruits—American civilian and military elites selected a path that constrained their ability to maximize the effectiveness of the American Expeditionary Forces (AEF) that would fight in Europe.

MILITARY ELITES – MIXED BUT MOSTLY NEGATIVE RACIAL IDEAS AND BELIEFS

While there was some degree of pragmatic and liberal dissent about the utility of black soldiers, American civilian and military elites predominately believed that black soldiers were physically and mentally inferior to white soldiers. The War Department generally understood that it would need black manpower and some senior Army officials even expressed that black manpower

would be invaluable. However, most senior military officials espoused language that would foreshadow identical language used against women and other minority groups—while they needed them, they were physically and mentally inferior, and it was not the Army’s job to solve America’s race problems. The War Department’s position, exemplified by senior Army officers like Colonel W.F. Clark of the General Staff, was that the Army firmly believed that “social distinctions did exist in the United States [were] a condition, not a theory” and that it was the job of the Army to win wars not to solve America’s race problems.⁶ As the American Army mobilized, AEF commander General John Pershing on the topic of black soldiers stated, “Yes of course I want colored men . . . Aren’t they American citizens? Can’t they do as much in the line of fighting and as much work as any other American Citizen?”⁷ As liberal as Pershing’s initial rhetoric seemed, it was neither matched by actions nor present in his subsequent statements on race. Another, rather typical view of the Army’s senior officers was made by Pershing’s inspector general, Colonel H.K. Taylor, who expressed that black soldiers could contribute little to the American war effort because they had “. . . all the vices peculiar to the Ethiopian race [and their] average mentality is that of a child of ten.”⁸

One of the more sympathetic dissenting voices was that of Major General Tasker Bliss, assistant to the Army Chief of Staff. Bliss believed that “negroes seem to take naturally to military service and at this moment at the snap of a finger we could recruit all our colored regiments to

⁶ Barbeau & Henri, 64.

⁷ Barbeau & Henri, 101-102.

⁸ Ibid, 107.

war strength and plenty more.” Bliss, while still rather paternalistic in his view of black soldiers had at least viewed them as a pool of competent soldiers to add to the AEF bound for Europe. He had initially envisioned taking many of the newly enlisted black troops and forming them into sixteen infantry regiments, but other military elites were fearful of training large bodies of black soldiers for war, especially when concentrated in locations in the American south. Brigadier General Joseph Kuhn and Colonel P.D Lochridge, of the Army War College, thought large concentrations of armed black men anywhere would result in an outright national calamity of riots and violence. They advocated for far fewer regiments, trained in multiple locations, and that the black soldiers in those units should be commanded by white officers.⁹

In a report conducted near the end of the war, the Army War College interviewed numerous commanders as part of a larger study about the use of black soldiers. Generally, most commanders believed what they believed at the beginning of the war—that black soldiers were inherently inferior, physically weaker, more prone to cowardly behavior, and morally deficient.¹⁰ “Morally deficient” according to these commanders largely reflected their fears about the prospect of black soldiers intermingling with local white women stateside and abroad, and beliefs that African American men had a “general inability . . . to control their sexual desires.”¹¹ Commanders closer to black soldiers, such as the 92nd’s divisional commander, Major General Charles Ballou held views that ranged from somewhat benign and mixed to outright hostile.

⁹ Nalty, 108-109.

¹⁰ Henri & Barbeau, 42.

¹¹ Ibid, 53.

While Ballou thought that black soldiers were “obedient, content, and able to endure hardships” as well as entitled to equal opportunity on the same terms as whites, including promotions to senior ranks, he also thought that black soldiers were “lacking in initiative and easily panicked” and unable to fight well under night conditions. Ballou’s superior, III Corps commander Lieutenant General Robert Bullard at the end of the war stated succinctly, “If you need combat soldiers . . . and especially if you need them in a hurry, don’t put your time upon Negroes.”¹²

American military elites were divided. Some took the lessons of the past seriously and knew that black soldiers could be used with great effectiveness. Albeit, of those, there was a number that either would not put rhetoric into action or put conditions on their seemingly egalitarian views. Others held beliefs that African American men generally were categorically both mentally and physically inferior, training and arming large bodies of black men would lead to race riots, and that was not the Army’s place to have to deal with American racial issues in the first place. Dissent among military elites meant that beliefs in the Congress were bound to have additional weight in deciding the ideational nature of the Army’s personnel policies and how the United States would project power abroad.

CIVILIAN ELITES – MIXED BUT ALSO FEARFUL OF ARMED BLACK SOLDIERS

Military elites in many respects have a great deal of autonomy and capacity, especially during wartime, yet the ultimate authority for the American military’s force structure and its personnel policies rests with Congress. Congress may often defer to the judgment of military elites, but just like with peacetime procurement politics, even seemingly mundane details like military

¹² Nalty, 115-117.

personnel policies during wartime cannot be divorced from domestic political considerations. So long as it has both constitutional authority and especially the power of the purse, Congress' beliefs and preferences cannot be ignored with respect to an analysis of discriminatory military personnel policies.

After the United States formally declared war and began mobilization in 1917, MCs largely were concerned about broader issues such as the use of volunteers versus draftees and federal versus state powers. Once the issue of race was addressed by Congress during debates about conscription, there were four broad categories of discourse that tended to occur. First, southern MCs echoed some military elites' concerns about the concentration of armed black soldiers in the south. Second, southern MCs also pressed military elites to ensure that segregation would be maintained in the AEF. Third, some MCs mixed paternalism with fears about what would happen if African American men were *not* mobilized. Fourth, some MCs, typically from the northeast and Midwest, reminded their peers—often without dissent—of the history of effective use of black manpower.

Similar to the War College's concerns, some MCs were fearful of arming and training large bodies of black soldiers in the south. Senator James Vardaman's (D-MS) beliefs were characteristic. Harkening back to southern fears from the Haitian Revolution and John Brown's raid on Harper's Ferry to much more recent events such as the Huston Mutiny, he thought that there would be "no greater menace to the south than this."¹³ Others like Representative Thetus Sims (D-TN) were somewhat mixed. While Sims expressed that he and others were "not blind to

¹³ Ibid, 34-35.

the fact that [black soldiers] are patriotic and have made good soldiers in the past," he was particularly fearful that upon their return home that "An apple of discord might thus be thrown in our midst and scenes like those during [R]econstruction days follow."¹⁴

What military elites had not made explicit, southern and some western MCs did, namely, that segregation should be maintained in the newly expanding federal army. Representative James Byrnes was worried about the social implications of mixing young white men from South Carolina with black soldiers from Indiana.¹⁵ Representative Charles Nicholls (R-MI) expressed that if southern white soldiers were mixed with northern black soldiers that the United States "would not have to go to Germany to have a war, for [the United States] would get war right at home."¹⁶ During a hearing of the House Committee on Military Affairs Concerns, California Representative Julius Kahn (R-CA) added weight to southern concerns and pressed Secretary of War Baker to assure the committee that black soldiers would remain segregated.¹⁷ Concerns such as these collectively were expressed in a House resolution that declared white and black troops

¹⁴ Rep. Thetus Sims, speaking on H.R. 3545, 65th Cong., 1st sess., Congressional Record (April 25, 1917), 1112.

¹⁵ Rep. James Bryce, speaking on H.R. 3545, 65th Cong., 1st sess., Congressional Record (April 25, 1917), 1101.

¹⁶ Rep. Charles Nicholls, speaking on H.R. 3545, 65th Cong., 1st sess., Congressional Record (April 23, 1917), 973.

¹⁷ . U.S. Congress, House, Committee on Military Affairs: Hearings before the Committee on the Bill Authorizing the President to Increase Temporarily the Military Establishment of the United States, 65th Cong., 1st sess., (April 7, 1917), 27-28.

should be trained separately.¹⁸ As subsequent sections will demonstrate though, separate training would mean, separate but vastly unequal.

One of the more unabashed assumptions from southern MCs was that *not* conscripting southern black men would be dangerous. According to Representative James Heflin (D-AL), if the federal government only recruited white men in the south and failed to also conscript African American men—white communities would then be at the mercy of African American men. Moreover, Heflin thought that military service would “promote good conduct on the part of the criminally inclined” elements of the African American population.¹⁹ Heflin’s rhetoric and assumptions about the pacifying qualities of military service did not extend to problematic southern white men.

Among those in Congress that advocated for the use of black manpower were Senators William Smith (R-MI) and Jacob Gallinger (R-NH). They offered noteworthy additions to the Congressional Record which reminded MCs about the past and future potential effectiveness of black manpower. Smith was critical of the past practice of allowing private citizens to raise volunteer regiments, especially as was done by Theodore Roosevelt in the Spanish American War. He reminded his fellow MCs that Roosevelt placed his unit at unnecessarily great risk and had to be rescued by the better trained black troops of 10th Cavalry.²⁰ Surprisingly, Smith was not

¹⁸ U.S. Congress, House, Proposing that each State train its own negro soldiers and in separate camps from the white soldiers. H.Res. 142, 65th Cong., 1st sess., introduced in House (September 17, 1917).

¹⁹ Rep. J. Thomas Heflin, speaking on H.R. 3545, 65th Cong., 1st sess., Congressional Record (April 26, 1917), 1227-28.

²⁰ Senator William Smith, speaking on H.R. 3545, 65th Cong., 1st sess., Congressional Record (April 23, 1917), 973.

met with resistance concerning his claims about Roosevelt needing to be rescued by black cavalymen, he was criticized by other MCs for doubting the quality of volunteer officers. Gallinger, like Smith, articulated the effectiveness of black troops as well as their eagerness to serve. He read a letter out loud before the committee that came from students at Howard University concerning the prospect of black officers. The letter outlined that they had identified a thousand college students and graduates who were ready and willing to serve as officers in black units for the AEF. The letter also mentioned the desire of African American medical professionals to obtain commissions.²¹ Remarks like these are reminders, albeit small ones, that the historical contributions of black soldiers and sailors were still accessible to civilian elites

Collectively, civilian elites' ideas and beliefs about the effectiveness of black manpower, while somewhat more nuanced than military elites' concerns, were similar. MCs did not necessarily question the physical or mental attributes of black soldiers, as military elites had, but they did clearly share concerns that black soldiers could not be armed and trained in large numbers in the south and believed that units should be segregated by race. These beliefs were in effect just as constraining and contributed to limiting the United States' ability to maximize the effectiveness of the AEF bound for Europe. The institutional practice of segregation in the armed forces was already problematic, it meant unnecessary duplication and additional costs. The already impractical practice was made worse because the civilian and military elites also held negative ideas and beliefs about the capacity of African American men and would not afford

²¹ Senator Jacob Gallinger, speaking on H.R. 3545, 65th Cong., 1st sess., Congressional Record (May 7, 1917), 1896.

them full military preparation, prior to their arrival in Europe, equal to their white counterparts. “Separate but equal” in the military was inherently unequal.

Organizing the Force: Unwanted, Carelessly Structured & Undertrained

This section will explore in four parts precisely how problematic segregation was when forming and preparing the Army’s two black infantry divisions for combat on the European western front. Throughout those four parts, this section will demonstrate that the Army’s actions deliberately made the 92nd a less effective division. It will also demonstrate how the provisional 93rd Infantry Division was a one-of-a-kind patchwork division of units denied a place by their home units, draftees rejected by southern states, and how it became the “dumping grounds” for southern white Army officers rejected by other white Army units. Nowhere else in the AEF was there such an irregularly crafted hodgepodge division of undesirable soldiers and officers. Put another way, even though military elites like Pershing notionally expressed a belief that black soldiers were desirable, military elites that oversaw the formation of these divisions seemed to believe that tens of thousands of such men were not worthy of being equipped for success, even before their first day of training.

The first part will begin by briefly outlining how American forces were organized during World War I and outline the most optimistic mobilization plans that some Army elites had for black manpower. The second part will demonstrate how the American Army deliberately denied itself the benefit of the existing veterans of the four congressionally mandated black regiments by forcibly retiring high-ranking combat-experienced black officers out of fear that they might outrank white junior officers in the AEF and by denying commissions to black professionals the

Army desperately needed. The third part will demonstrate the clearest instance of the need for the Army to maintain beliefs about race and highlight how the Army ignored draftee testing data that did not conform to those pre-existing beliefs and frantically sought testing that could provide the results that conformed to its beliefs. The final part will cover how the 92nd Infantry and the 93rd Infantry Divisions were formed and staffed relative to similar white divisions.

WORLD WAR I ERA ARMY ORGANIZATION – EXPECTATIONS VERSUS REALITY

The United States Army has periodically restructured how its units are organized but it is worth making clear that the regimental system used during the First World War was somewhat different than as it exists today. The AEF that went to Europe consisted of roughly two million men organized into three armies. The armies were organized into three corps each, sometimes augmented with one or two French corps. Within a corps, were anywhere from two to six divisions—the division being the heart of western military organization since the Napoleonic era.

An American division during World War I typically had about 28,000 soldiers and officers in it, which usually was broken down into three brigades—two infantry brigades and one field artillery brigade. Within those infantry brigades were had two infantry regiments each and a machine gun battalion. Within the field artillery brigade were three field artillery regiments and a trench mortar battery. There are also battalion organizations across infantry regiments, company-level organizations within regiments, and a variety of formations below company-level organization (e.g. platoons, squad, etc.) However, for the sake of simplicity and readability, this chapter will mostly make reference to the two black infantry divisions and the eight infantry regiments across those divisions. Nonetheless, it is important to note that a full and effective division *should* have supporting machine gun, artillery, and mortar elements.

Had the optimistic recommendations of General Bliss become reality, the sixteen regiments of black soldiers he envisioned would have translated into four infantry divisions plus the supporting machine gun, artillery, and mortar units. A combination of certain ideas and beliefs held by civilian and military elites about black racial inferiority, the average educational attainment of the African American population at the time, and the inherent impracticality of segregated forces made Bliss' optimism virtually impossible by practice. In the end, army elites formed only two divisions. The 92nd was formed deliberately and the 93rd was an untended consequence of racist beliefs within various state National Guard divisions.

DENIED TALENT

During the formation of the first of these two divisions, the 92nd, the Army had veteran black Regular Army regiments to draw from—the four black regular army regiments mandated by Congress—which included officers and soldiers who had served in the Spanish American War and the Mexican Expedition. However, it chose not to make use of these experienced soldiers overseas. The 24th and 25th Infantry Regiments and the 9th and 10th Cavalry Regiments were instead regulated to garrisons along the US-Mexico border and in the Philippines where they could be used free up existing white manpower in those garrisons to fight in Europe.²² There was some justification for keeping some forces in these locations, especially along the Mexican border in order to deter future raids like the ones conducted by Mexican revolutionaries in New Mexico in 1916 and because of American concerns about potential German activity in Mexico.

²² Barbeau & Henri, 26-28.

Nevertheless, the American Army's failure to devote this manpower to the greater security consideration in Europe is difficult to reconcile without accounting for ideational factors.

In addition to forgoing the use of veteran black Regular Army regiments, the Army also decided to forego the use of its most experienced black senior ranking officers. Men like Colonel Charles Young, a veteran of the Spanish American War and the Mexican Expedition would have been at least a regimental commander within the AEF—and could have been America's first African American general—but was instead, prematurely placed on the Army's officer retirement list because of the prospect that Young would outrank some white officers as a regimental commander.²³ Other veteran black army leaders, mostly non-commissioned officers, were removed from their Regular Army units, given hasty and incomplete officers' training, and were then scattered into the newly emerging regiments of the 92nd division.²⁴

The 92nd looked great on paper. It had all the necessary components namely four infantry regiments, two machine gun battalions, three field artillery regiments, and a trench mortar battery but given certain ideas and beliefs held by military elites about black racial inferiority, it was denied the ability to be successful from the date of inception. Those assumptions resulted in informal discriminatory military personnel policies which denied the 92nd competent leadership, gave it a disproportionately large share of undereducated men relative to the rest of the AEF, barred it from having sufficient training equal to white divisions, and denied it sufficient and timely familiarization with the sectors of the European battlespace it would be assigned to.

²³ Colonel Young in an attempt to demonstrate the absurdity of his early medical retirement rode his horse from Ohio to Washington, D.C. in protest. However, the Army remained unmoved. Nalty, 111.

²⁴ Ibid, 110-112.

The American Army's methods for recruiting black manpower were from the beginning inherently flawed and demonstrated unambiguously that military necessity came second to beliefs about white racial superiority. In addition to neglecting the expertise of black veterans, the Army's discriminatory military personnel

policies even targeted those with critical skills. The very men Senator Gallinger made both Congress and the Army aware of— professional African American men with advanced training in areas such as medicine and dentistry—were turned down for commissions and instead drafted as privates into vocations where their skills would not be utilized.

Similarly, albeit outside of the Army, African American women nurses were

blocked by Surgeon General William Gorgas from serving in the Red Cross.²⁵ Even the newly emerging Army Air Service, which was desperate for trained pilots, turned down trained black pilots including Eugene Jacques Bullard who had already been serving as a pilot in the French Air Service.²⁶

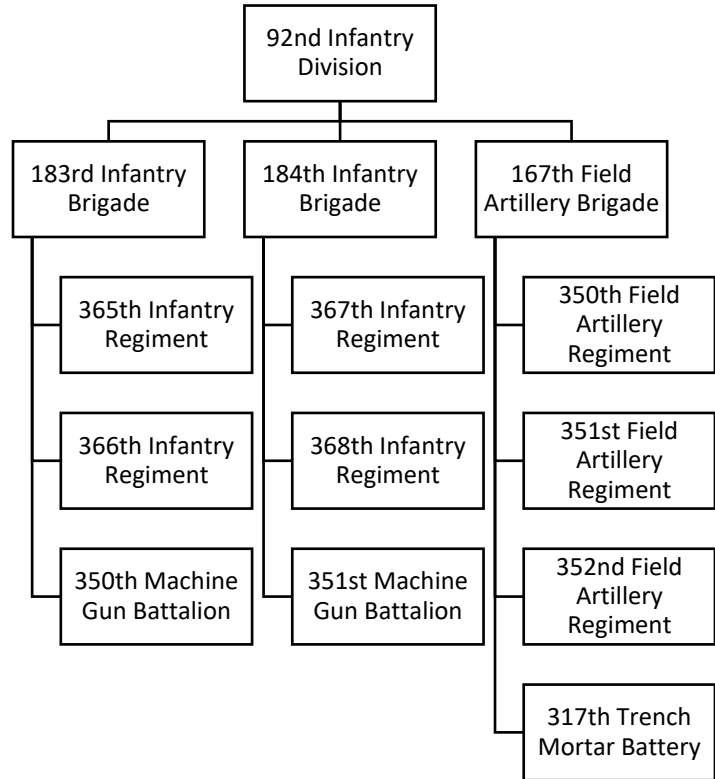


Figure 4.1: 92nd Infantry Division Organization

²⁵ Barbeau & Henri, 37-41.

²⁶ Nalty, 123-124.

ASSESSMENT & RACIAL PREJUDICE

Newly drafted African American recruits were also assessed and assigned in unusual and inefficient methods. The American state during the First World War was still in a sense crafting a modern bureaucratic state and was learning to count, classify, administer, and discipline individuals for military service.²⁷ Despite this ongoing process, civilian and military elites ignored data that did not conform to their ideas and beliefs about race and waited for alternative data that would conform to their existing beliefs. Princeton psychologist Carl Brigham was recruited by the War Department to develop a test for inductees that would help the Army determine where to assign prospective soldiers. His earlier tests were specifically designed to test for general task competency and potential placement for illiterate men. However initial testing discovered that the median scores between black and white recruits showed no significant difference. The Army then insisted that other testing metrics be used that would demonstrate the proper differences between races. Even more disturbing to the Army were data in other testing groups that demonstrated that scores of northern African American men in many instances outperformed southern white men.²⁸ Army elites opted to commit themselves to data that would reflect their beliefs about white racial superiority, justified segregation and justified assigning highly qualified black draftees into other military professions for which they were sometimes exceedingly overqualified. The overall result of practices like these meant that the Army refused

²⁷ Canaday, M. (2009). *The Straight State: Sexuality and Citizenship in Twentieth-Century America*. Princeton University Press.

²⁸ Barbeau & Henri, 45-47; Nalty, 108-111. Barbeau and Henri also pointed out that Brigham himself recanted the validity of the exams the Army ended up using, stating they were scientifically “without foundation.” Ibid, 47.

to make use of highly qualified black recruits where they would have been of greatest use to the Army and deliberately made assignments for black recruits a function of race instead of testing performance.

OFFICER ASSIGNMENTS & DIVISION FORMATIONS

The assignment of competent commissioned officers was another task wrought with inefficiencies and informed by certain ideas and beliefs about race. When selecting officers for the 92nd Division, the Army made three types of faulty decisions. First, the Army forced early retirement upon senior and combat-experienced black veteran officers like Colonel Young. Second, when the Army did recruit black officers, it largely sought out older candidates. With the exception of men who had “risen though the ranks,” the Army had a preference for recruiting younger junior officers that were believed to be more daring and less cautious than older men. It was committed to this practice for white officer candidates but not for black officer candidates. Of the older candidates the Army did select, including some with prior enlisted experience, it failed to provide those officers with the same extensive training it gave to white officers. Third, in what junior officer positions the Army did not fill with black officers, and in virtually all ranks above captain, it assigned white officers. Most Army elites believed that black soldiers would function better under white officers, especially those from the American south who presumably best “understood negroes.”²⁹

The American Army believed that good black officers were “rare and difficult to discover” but made some attempts nonetheless, mainly because of the belief that they had an obligation to

²⁹ Ibid, 66.

obey the instructions of Secretary of War Baker, who they believed was burdening them with a political problem to satisfy certain elements of society for President Wilson. The Army set up a separate officer training school for black officers in Iowa, yet it also avoided recruiting younger college-aged men and those that did graduate from the Iowa school were often assigned to jobs they had not received specialized training for. Artillery officers, for example, had some training, but not nearly as extensive as their white counterparts.³⁰ Black Army officers were also limited in their ability to obtain access to recreational facilities, limited in their ability to interact with their white officer peers, and once released to French command, senior Army commanders did not provide any sense of a morale-boosting endorsement. General Pershing sent a communication to French commanders that stated:

“We must . . . prevent any pronounced degree of intimacy between French officers and black officers. We may be courteous and amiable with these last, but we cannot deal with them on the same plane as the white American officers without deeply wounding the latter . . . French officers should moderate their praise of black soldiers, especially in presence of white officers, local communities should avoid spoiling them, and black soldiers should not be intimate with local white women.”³¹

Dreadfully inefficient officer selection, insufficient training, and attitudes like Pershing’s resulted in substantial shortcomings that meant that the typical black Army officer coming to Europe was, as Barbeau and Henri noted:

“. . . past the stage of youthful daring and initiative, short on education, without self-confidence or any reason for it, poorly selected and inadequately trained for his army job, ridiculed by whites, uneasy with his men and perhaps not entirely trusted by them; and convinced by all his experience that the way to survive in the army was to avoid ‘causing trouble,’ to agree with the white man and not try to

³⁰ Nalty, 58-62.

³¹ Ibid, 113.

make any decisions on his own, and to employ whatever devices would protect him from the unjust, illogical, and irrational hostility of the white army.”³²

While the Army was somewhat accepting of black officers by virtue of Baker’s instructions, senior commanders also went out of their way to assign white officers whenever possible and in many cases after the unjust removal of black officers from their assignments. One of the major problems with the assignment of these white officers was that the Army also informally assigned the best and the brightest to white divisions and then made the black divisions the

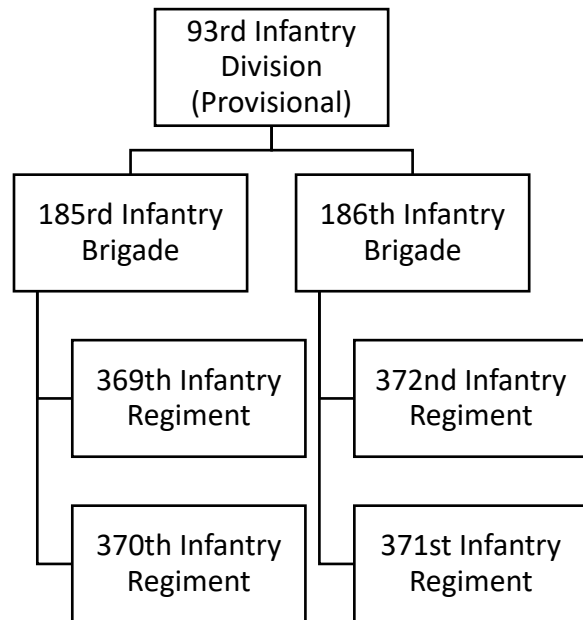


Figure 4.2: 93rd Infantry Division Organization

“dumping grounds” for incompetent white officers.³³ Such officers were also often southern white officers that brought their prejudicial upbringings and beliefs with them. Military elites had believed that southern white officers were best equipped to know “how to handle black men” and most of these officers resented their appointments.³⁴ Finally, another problematic practice was the Army’s informal policy of putting surplus white national guard officers that were neither needed nor wanted elsewhere into the 92nd Division.³⁵ In sum, the 92nd Division had the

³² Barbeau & Henri, 69.

³³ Morrow, J. (2016). Only American Left Her Negro Troops Behind: The African American Experience in the First World War. In *The Routledge Handbook of the History of Race and the American Military*. Routledge

³⁴ Barbeau & Henri, 66.

³⁵ Ibid, 82.

misfortune of being forced to saturate itself with men who were drawn from one of America's least educated demographics and then led by either black officers who were undertrained, underqualified, and constantly subjected to ridicule or by prejudicial southern white officers and by officers who had been largely rejected by the rest of the Army.

The 93rd Division, by comparison, fared better in some and worse in others. Unlike the 92nd Division—which was largely composed of draftees, undertrained black officers, and intolerant and incompetent white officers—the 93rd Division had some benefit of having been drawn from existing National Guard regiments with at least some, albeit very limited, experience. The 14th New York became the 369th Infantry Regiment and was assigned to the 93rd Division, not the New York-based 42nd Infantry “Rainbow” Division³⁶ because its leaders felt that “black was not one of the colors of the rainbow.” The 8th Illinois became the 370th Infantry Regiment, and it too was rejected by its home division, the 33rd Infantry Division. A handful of other states including Ohio, Maryland, Massachusetts, Connecticut, and Tennessee as well as the District of Columbia each had smaller company-sized black units which were also rejected by home. These units were cobbled together into what became the 372nd Infantry Regiment. Army elites, unable to properly account for all these newly formed and reformed regiments opted to form them into a second provisional black infantry division. Furthermore, in order to round out the 93rd, Army elites also assigned black draftees that were rejected from South Carolina, Georgia, Alabama, and

³⁶ While based in New York, the Division drew from 26 states and got its “Rainbow” moniker from remarks made by then Major Douglas MacArthur that the division would “stretch over the whole country like a rainbow.”

Florida into the newly formed 371st Infantry Regiment and placed it within the 93rd.³⁷ A major problem unique to the 93rd though, was that it was not assigned any support units like the 92nd was—i.e., no machine gun, artillery, or mortar units.

Mobilization of black manpower was problematic from the outset. Ideas and beliefs held by military elites about white racial superiority and black inferiority meant that those elites immediately discounted making effective use of black manpower that it already had. It relegated veteran black Regular Army units to border and colonial protection duties, and existing black Army officers were either retired early or were not sufficiently trained for the greater responsibility that was hastily thrust upon them. Racism also constrained the Army's ability to assign men according to merit for work which they were qualified for, including the severely understrength Medical Corps and Air Service. Additionally, given that the African American population was already subjected to institutionalized racism meant, black draftees were disproportionately undereducated relative to white draftees. Instead of spreading such men around the larger Army, military elites concentrated them within segregated divisions. The Army, while making one attempt at forming a complete division, also found itself with a variety of units that were rejected because of racist ideas and beliefs held by state-level National Guard military commanders. Lastly, this final product, the 93rd Infantry Division, was then assembled without appropriate support elements.

Counterfactually had racially-based ideational factors not constrained the American Army, highly skilled men would have been employed where they were most needed,

³⁷ Barbeau & Henri, 70-79.

undereducated black men—like undereducated white men—would have been evenly distributed across Army units, officer selection for black candidates would have been no different than for white candidates, and there would have been no need to form a “provisional division”. In many respects, these shortcomings demonstrate how systemic factors can often take a second seat to ideational ones. These were not divisions formed in response to systemic pressures or to meet specific combat needs abroad, they were formed as they were because of certain ideas and beliefs held by military and civilian elites that viewed African American men as physical and mentally inferior to whites.

Training and Equipment: Broomsticks for Rifles

The regiments of the 92nd and 93rd Divisions were trained far less extensively and effectively than white regiments elsewhere. This section will review how the American Army refused to train these regiments with equal intensity as it did with white regiments and will focus attention on four areas: the inability of these units to train collectively as divisions, the Army’s decision not to provide them with the same amount of and quality training with small arms, artillery and combat engineering equipment they would be expected to use in Europe, the Army’s refusal to allow division commanders and staff to visit the European front prior to their departure, and the Army’s refusal to provide any remedial literacy training to black soldiers.

In addition to these areas of discussion, direct comparison with a white regiment is required to fully appreciate how differently the 92nd and 93rd Divisions were treated prior to their arrival in Europe. While claims made by military elites, such as General Kuhn and Colonel Lochridge of the Army General Staff, stating that they “would allow [black regiments to] train as

little as possible with weapons before shipping [them] overseas,"³⁸ demonstrate the Army's intent not to fully train the 92nd and 93rd Divisions, such outright claims by military elites are generally not found in the historical literature that has been used in this chapter. It can be all too easy for contemporary scholars to erroneously make assumptions about the quality of training for World War I-era American soldiers by virtue of our contemporary expectations about the modern American military. Thus, it is worth also considering the possibility that both white and black troops were *both* poorly prepared for combat in Europe. If this possibility is exhausted, it then lends additional validity to the conclusions we can make when asking *why* black soldiers were trained less extensively and effectively than white soldiers. In addition to the use of the existing historical literature, this section—and subsequent sections in this chapter—will be augmented with primary source material—Captain Frank Tiebout's historical record of 305th Infantry Regiment. The 305th was chosen because this regiment was under the 77th Infantry Division, which like the two black divisions, was also newly formed in response to the United States' entry into World War I. The division was also composed of draftees and, like the segregated divisions, also saw combat in the Meuse-Argonne offensive. Within American Army, the 77th and the two black divisions roughly should have had the same mobilization, structure, training, and equipment needs. If race were not a factor, we should see similar treatment.

DIVIDED DIVISIONAL TRAINING

One of the largest impediments to the effective training of the 92nd and the 93rd Divisions was that they were never allowed to train as divisions. Army divisions are the heart of a modern western

³⁸ Nalty, 109.

army's organizational structure, and not having the ability to train collectively, even if only periodically, severely hampers a division's ability to maneuver on the battlefield. Division-wide training provides opportunities for commanders and staff across the division's brigades, regiments, and battalions to develop effective working relationships. Civilian and military elites' highly exaggerated fears about the domestic formation of large bodies of armed African American men and overall unwillingness to take the 92nd and 93rd Divisions' training seriously meant that both were not afforded the same quality training as white divisions.

The 92nd Division was trained at seven different locations in various northern camps, which also limited their ability to train because of extreme cold weather conditions.³⁹ The 93rd Division, with its three National Guard units, should have fared somewhat better, but in some ways, its training was worse. The 369th had no armory to train in and had to literally train with broomsticks in the streets of New York prior to its follow-up federally instituted training.⁴⁰ By comparison, all elements of the white 77th Division trained together and all stages of their training were at Camp Upton, New York.⁴¹

EQUIPMENT – MINIMAL EXPOSURE AND SMALL ARMS TRAINING

A second aspect that severely limited both divisions' capability to train effectively was their access to weapons and opportunities to train with them. Kuhn and Lochridge's belief that black soldiers should be allowed to train as little as possible prior to arriving in Europe was not merely

³⁹ Nalty 113, Barbeau & Henri 111, 141.

⁴⁰ Barbeau & Henri, 71.

⁴¹ Tiebout, F. (1919). *A History of the 305th Infantry*. The 305th Infantry Auxiliary, 11-38.

the individual beliefs of those two General Staff officers, it became reality for the men of the 92nd and 93rd. When the 92nd Division, at its various locations, was trained in small arms, it was minimal and wildly insufficient in quality. Small arms weapons training was brief, and their instructors were themselves inexperienced.⁴² The 92nd, with its critical artillery, mortar, and machine-gun units was particularly emblematic of differential training between black and white units. Its artillery units were barely trained, had scarce training equipment, and what it had was obsolete. One of its machine gun battalions consisted of mostly illiterate men from South Carolina and the few qualified men that were in the unit were reassigned to labor units. The other machine gun battalion was given obsolete guns and no training whatsoever.⁴³ Supporting engineer units in the 92nd also received no formal training while stateside. Once overseas the engineers either lacked equipment to train with when they had the opportunity to train or were used for manual labor instead of training.⁴⁴ The 93rd, with some of its units conducting training in city streets instead of army camps, did not fare any better. Prior to leaving for Europe, the 369th regimental commander, Colonel Hayworth, complained that his men “never saw their rifles except by candlelight.”⁴⁵

By comparison, the white 305th regiment did not experience any of these training issues while at Camp Upton. Nowhere in Tiebout’s account is there mention of insufficient training or

⁴² Nalty 113, Barbeau & Henri 82.

⁴³ Barbeau & Henri, 70-85.

⁴⁴ Nalty 151.

⁴⁵ Barbeau & Henri, 111.

a lack of equipment. They had training from experienced instructors who had been in Europe and received a wide range of training including hand-to-hand combat, advanced marksmanship, reconnaissance, and combat engineering. Soldiers complained about “long days” at the rifle ranges and having “everything but the kitchen sink” or what felt like too much equipment at times.⁴⁶

LEADERS RECONNAISSANCE

A third important limitation to 92nd and 93rd Divisions’ training was the inability of elements of its senior leadership to visit the frontlines in Europe prior to the division’s arrival. Advance party trips or “leaders’ reconnaissance” are critical tasks for army units. They make it much easier for incoming units to settle into sectors as leaders will know where their units can billet, locations of depots, availability of fresh water, etc. They also help commanders assess current conditions on the battlespace and immediately identify what training shortcomings need to be immediately addressed once a unit arrives in the combat theatre. The 92nd divisional commander, General Ballou, was not given that opportunity.⁴⁷ By comparison, the 305th’s senior leadership, including the 77th divisional commander, General Bell, were in Europe visiting the front while their division trained in New York.⁴⁸

⁴⁶ Tiebout, 20-28.

⁴⁷ Barbeau & Henri, 83.

⁴⁸ Tiebout, 27.

WHITES ONLY - REMEDIAL LITERACY TRAINING

A final area of comparison between black and white Army divisions is English literacy. The 92nd and 93rd Divisions largely drew from a demographic in the United States that was disproportionately undereducated. Literacy and language competencies are critical in modern militaries and when faced with large numbers of undereducated men the American Army has generally had two solutions—spread the undereducated out among units so that they are never concentrated in any given organization or provide remedial training. Segregation made the former option impossible. With respect to the latter, existing historical literature makes no mention of the American Army during World War I having made any attempt to provide remedial literacy education for black soldiers.⁴⁹ By comparison though, Tiebout's account of the 305th's basic training for its white soldiers mentions that it included remedial education in English language competency for immigrants not proficient in English.⁵⁰

Just as with divisional organization and staffing, systemic-level explanations fall dramatically short in explaining why the American Army decided not to provide the same, if not similar, degree of training to the officers and men of the 92nd and 93rd Division. The American Army was weak relative to other great powers, but when compared with a comparable white unit, there was a very clear difference in the quantity and quality of training given to black soldiers and officers. W.E.B DuBois was highly critical of these shortcomings, prior to the 92nd

⁴⁹ The War Department and the Army did not make any serious attempt at addressing undereducation for non-white recruits or the effects of institutionalized racism until after World War 2 (see Mershon & Schlossman 1998) and then not again until after the Vietnam War (see Westheider 2016).

⁵⁰ Tiebout, 19.

Division's departure for Europe. He aptly summarized the division's collective training experience when he wrote in the May 1918 edition of *The Crisis*, "the Ninety-second division is bound to be a failure. It is possible that persons in the War Department wish this division to be a failure."⁵¹

Combat: "I'd take my chance of going anywhere with these black soldiers at my back."

States squander resources all the time. Domestic political factors might dictate the continued production of obsolete military hardware, bureaucratic politics can create unnecessary duplication and competition across services, and in general, states often lack complete information, they misperceive threats, and they miscalculate. Of all the activities that states undertake though, war should be the most visible case where deviations from rational-material informed decision-making occur least often and where realist predictions bear the most analytical fruit. American civilian and military elites during World War I should have preferred military personnel policies that made the United States better off relative to its adversaries. It also should have preferred a force structure that provided it with all the advantages possible to aid in the allied victory. That said, racially-based discriminatory military personnel policies that guided the structuring, selection of leadership, equipping, and training of the 92nd and 93rd Divisions defy realist expectations. The experiences of these divisions in World War I are clear examples of how ideational factors, such as certain ideas and beliefs about white racial superiority and black

⁵¹ Quoted in Barbeau & Henri, 70.

inferiority, can cause states to act against their self-interest and shape the composition of the body of bodies that states project abroad in response to threats in the international environment.

This section will review the battlefield performance of the 92nd and 93rd Divisions. It will avoid unnecessary historical discussion of the particulars of battles and instead broadly describe outcomes, beliefs expressed by American and French elites on the performance of the black soldiers of both divisions, compare those expressed beliefs with those made against white officers and white units when faced with similar misfortune, and quantify awards given for valor as a measure of their performance. The first area will review these elements These tasks first for regiments of the 92nd Division and, since it was kept intact, will be discussed as a whole. The second area will review these same elements but for the 93rd Division and, since its regiments were spread throughout the French Army, those units will be discussed individually.

UNDER AMERICAN COMMAND - THE 92ND DIVISION IN ACTION

The 92nd Division arrived in France and was immediately thrust into battle. The division was part of the principal American military engagement and contribution to the war—the Meuse Argonne offensive. Pershing’s plans for this battle had a small, albeit significant flaw. Once the combined American and French forces advanced, a kilometer-wide gap would form between the last American division and the nearest French unit. The 368th Regiment of the 92nd was tasked with filling that critical gap while other more experienced, better-trained, and better-equipped regiments were held in reserve. The first elements of the 368th had just arrived in France two days prior and some had just arrived only two hours prior. Their officers did not have time to study the terrain, they were not supplied with maps, most soldiers did not have enough food, they were not given critical equipment for their mission, e.g., wire cutters, signal flares, grenade launchers,

etc., and they would not have the support of their own artillery. The result was a tragedy. The soldiers were often lost, unable to breach wire, communication between units was nearly impossible, and it was a miracle that many were able to retreat and reform back at their old lines.⁵²

Instead of assessing the military situation for what it was—a slapdashly organized division that was saddled with less-than-ideal leaders, undertrained, poorly-equipped, and hastily thrown in the fray when other units were available—the Army used the event to further reinforce what they already believed about black soldiers. Bullard claimed the division “. . . failed in all their missions, laid down and sneaked to the rear.” Colonel Fred Brown, the 368th regimental commander thought his men disintegrated for “no reason” and that his “colored officers as a class [were] unfit to command troops.” Major J.N. Merrill, one of the battalion commanders thought his men had “no real interest in war” and were “rank cowards.” Colonel Greer, the 92nd Division’s Chief of Staff proclaimed that the soldiers were a danger to “no one except themselves and women.” Greer’s reports, which were later submitted to the War College, claimed their problems on that battlefield were primarily because “the average negro is naturally cowardly.” The black officers of the 368th were tried by courts-martial and five were found guilty and sentenced to death⁵³ while white officers in the division were not subjected to the same treatment. One battalion commander, Major Max Else, had a nervous breakdown during the battle, and as a result communication within and outside of his battalion was nearly impossible. Else, who had

⁵² Barbeau & Henri, 149-152.

⁵³ The War Department conducted its own investigation and exonerated these officers after the war. It found that their units were severely undertrained, lacking proper equipment, and confirmed the accounts of those officers.

to be relieved of his command, but not court-martialed, for “health reasons” declared that his men were simply “yellow and afraid of death.”⁵⁴ Else’s performance, attitude, and treatment were particularly telling. Barbeau and Henri appropriately summarized the difference in treatment between black and white officers:

“Of all the ironies that pepper the history of black troops in the First World War, this is the sharpest: that because of the weakness of a white officer, a weakness which for the sake of white supremacy had to be covered up, black soldiers and officers were made scapegoats, their reputation for character and ability so injured in the cover-up process that it has not yet completely healed.”⁵⁵

Not all the white officers shared such overtly hostile beliefs about the performance of black troops. Major Charles Appleton of the 367th Regiment felt that their performance was still worthy of praise:

“When the public realizes how meager these men’s training was—regulars, guardsmen, and national army—the cause for wonder will not be that there were so many officers relieved but there were enough fit for this kind of combat to make the thing a success. If some troops retreated three kilometers in the face of a Prussian guard counter attack, if other troops got disorganized in a rapid advance that they had to be taken to the rear to reform, the wonder is not that this happened but that it did not happen more. . .”⁵⁶

Appleton was right, even if men like Bullard and Pershing could not see it. There were various acts of bravery by soldiers of the 92nd during the Meuse Argonne offensive and other minor engagements that ran counter to civilian and military elite ideas and beliefs about black soldiers. Most telling of all was that even though Pershing regularly refused to issue awards to black

⁵⁴ Ibid, 149-162.

⁵⁵ Ibid, 157.

⁵⁶ Ibid, 162.

soldiers,⁵⁷ twenty-one men from the division were awarded the American Army's second-highest award for valor, the Distinguished Service Cross—a greater number than in any of the other white divisions in Bullard's III Corps.⁵⁸

It is worth noting that white divisions themselves did not escape the horrors associated with the ill-planned Meuse Argonne offensive, even though they were more competently structured, staffed, trained, and better equipped. The 305th's history makes a brief mention of their preparation prior to the offensive. Unlike the 92nd, Tiebout notes that the men of the 305th were given time to prepare, issued extra ammunition, provided plenty of hand and rifle grenades, and given wire cutters.⁵⁹ Furthermore, Army history made note of three divisions that similarly could not achieve their objectives during the same offensive. The 35th Division, like the 92nd faltered in the early phases of the battle but its shortcomings were described differently. An official description of their performance was much more forgiving:

“Under galling fire from the Germans, reinforced in their line of resistance, the forward units of these three divisions had retreated. Some sort of battle line was formed, but the morale of these troops was too badly shattered to permit reorganization on the field . . . liaison and headquarters organization proved inefficient; food and supplies were delivered with great difficulty; so morale disintegrated, and when the lead elements began to retreat the entire division fell back. . .”⁶⁰

⁵⁷ Nalty, 119.

⁵⁸ Barbeau & Henri, 162.

⁵⁹ Tiebout, 143.

⁶⁰ Barbeau & Henri, 152-153

Descriptions of the 35th Division's performance, when compared to descriptions of the 92nd's make it very clear that the Army was far more forgiving of white units that failed to accomplish their mission than black units. Likewise, when white units failed Army leaders assumed by default that the reasons must have been outside of the soldiers' control—that given their circumstances and given the strength of German forces, no unit could have succeeded. When black units failed the Army did not extend the same benefit of the doubt. Failure to achieve mission success could not be attributed to the same circumstances or the Army's own failure in providing black soldiers with proper structure, leadership, training, and equipment—it must be a function of qualities inherent to their race. White officers were also not regularly removed or subjected to competency boards like black officers. The 305th had one officer which was subjected to disciplinary action during the Meuse–Argonne offensive. Captain Henry Eaton was relieved of command because he and some of his men were accused of hiding in a ravine during an intense attack. Eaton, unlike many black officers, was very quickly exonerated and returned to his command.⁶¹

It is impossible to predict whether the American initial phases of the Meuse-Argonne would have transpired differently had the regiments of the 92nd Division been properly organized, trained, staffed, equipped, and prepared. Nonetheless, given the stakes of the offensive, it is difficult to reconcile why the American Army squandered the training of an entire infantry division that was central in that engagement through systemic-level factors alone.

⁶¹ Tiebout, 157-159.

Ideational factors, not military necessity, are needed to understand why the American Army thrust itself into this offensive with one arm tied behind its back.

UNDER FRENCH COMMAND: THE 93RD DIVISION IN ACTION

The 93rd Division's creation was an unanticipated construct borne out of prejudice and poor planning, but their experience and performance provide us with a fascinating comparison. The 93rd, like the 92nd was gravely undertrained for combat, as exemplified by the experiences of the 369th Infantry which had to train without weapons in the streets of New York. This provisional division of four regiments, largely rejected by the states and units they came from were initially envisioned by Pershing and other military planners to be used for manual labor, but French military elites had been pressing Pershing for troops to fill their own depleted ranks. Pershing obliged and gave France the regiments of the 93rd.

The division's soldiers were given some additional and hurried training by French troops, French weapons and ammunition, French rations, French helmets, and were assigned to French units.⁶² Following their new assignments, Pershing's shocking communications to French military leaders, concerning his expectations of the treatment of black soldiers relative to whites, were not well received and were forwarded to the French National Assembly. The document was met with condemnation and the Assembly responded with a resolution that declared "loyalty to the immortal principles of the rights of man . . . [and] condemning prejudice on religion, class or race."⁶³ Thus began the 93rd's experience under French command.

⁶² Barbeau & Henri, 111-114.

⁶³ Barbeau & Henri, 115.

The 369th Regiment was assigned to the French 16th Infantry Division for much of the remaining duration of the war. Like the 92nd, they also were put into action during the Meuse-Argonne offensive, but their experience was dramatically different. The 369th during the offensive never lost a foot of ground and succeeded in all but one offensive during the battle. Its only weaknesses rested in the fact that French artillery was not available to support the attack and that these soldiers were among the most exhausted American troops in Europe. The regiment was subjected to three times the average exposure for any unit to be subjected to sustain continuous attacks. Colonel Hayward noted at the conclusion of their assignment that his regiment had spent 191 continuous days in combat, more than any other regiment in the entire AEF and after the shortest amount of training. One of the battalion commanders, Major Little remarked, "I can testify that the impression so frequently expressed to the effect that the colored man cannot or will not stand physical hardship is just buncombe [insincere speech]." The entire regiment was awarded a unit Croix de Guerre for heroism and 170 soldiers were awarded individual Croix de Guerres for individual acts of exceptional bravery.⁶⁴ Three soldiers from the regiment were also awarded the American Army's second-highest award for heroism—the Distinguished Service Cross.⁶⁵ The men of this regiment were so grateful for the treatment they received from their French hosts that many even learned to speak French while assigned to the 16th Division.⁶⁶ In addition to praise from commanders and the numerous awards given to soldiers of the 369th, this

⁶⁴ Ibid, 120-121

⁶⁵ Scott, E. (1919). *Scott's Official History of the American Negro in the World War*. Homewood Press, 197-213.

⁶⁶ Barbeau & Henri, 121.

was the regiment where Sergeant Henry Johnson served. In 2015 pressure from a far more racially tolerant Congress amounted to convincing the Army to conduct a series of records reviews on World War I awards for some units. For Johnson, that review process resulted in being posthumously awarded the Medal of Honor.⁶⁷

The 370th Regiment also participated in the Meuse Argonne offensive but as part of the French 59th Infantry Division. The 59th's divisional commander, General Vincendon proclaimed that the regiment's actions during engagement "contributed largely to the success of the 59th Division . . . they have always wished to be in the front line, for the place of honor is the leading rank. They have shown in our advance that they are worthy of being there." Where there was criticism by French military elites, there was also an acknowledgment of the regiment's numerous shifts in organization, how little training it had received, and that many of the men did not trust some of its white officers. Seventy-one individuals in the regiment were awarded Croix de Guerre and twenty-one were also awarded American Distinguished Service Crosses.⁶⁸

The 372nd Regiment, the third of the black National Guard units and the one that was composed of smaller units from five states and the District of Columbia, faced more challenges than its black New York and Illinois brothers in arms. The 372nd suffered from numerous issues with its regimental leadership. Colonel Glendie Young, the regiment's first commander was not a racially tolerant leader and was quickly replaced by Colonel Herschel Tupes, who was considerably worse. Tupes upon assuming command requested the transfer of all his black

⁶⁷ Shear, M. (June 2, 2015) "Two World War I Soldiers Posthumously Receive Medal of Honor." *The New York Times*.

⁶⁸ Barbeau & Henri, 126-127.

officers because he believed that black officers were “lacking in initiative” and required “constant supervision and attention to petty details.” The blanket dismissal of black officers was devastating to the unit’s morale. Nonetheless, after being assigned to the French 157th Infantry Division, the men did phenomenally well on the battlefield. They suffered high losses during their early engagements in the Champagne-Marne region and had to be reorganized into a smaller unit. Some of the white officers assigned to the regiment suggested that their initial casualties were so high because their men refused to surrender or retreat.

The 372nd Regiment also participated in the Meuse Argonne offensive and performed well.⁶⁹ Divisional commander General Mariano Goybet often spoke highly of the 372nd, as exemplified in his published remarks to the regiment just before the war ended, “During these nine days of hard fighting you have progressed nine kilometers through powerfully organized defenses, taken nearly 600 prisoners, 15 guns of different calibers, 20 minenwerfers [German short-range mortars], and nearly 150 machine guns, secured an enormous amount of engineering material, an important supply of artillery ammunition, [and] brought down by your fire three enemy aeroplanes.”⁷⁰ One of the regiment’s soldiers, Corporal Clarence Van Allen was awarded a Croix de Guerre with palm and the Médaille Militaire—the highest French military award that can be awarded to an enlisted soldier. The unit itself was awarded a Croix de Guerre with palm,

⁶⁹ Ibid, 128-30.

⁷⁰ Scott, 244-245.

152 individuals were awarded Croix de Guerre, and twenty-one were awarded the Distinguished Service Cross.⁷¹

The 371st Regiment is perhaps the most analytically interesting of these four regiments. To some extent, the differences between the three National Guard regiments from the 93rd and 92nd Division can be problematic because of the differences between guardsmen and draftees. There is also a difference in education between the two because many of the 93rd's men came from the states in the American northeast. The 371st though helps us resolve this issue because it presents us with a regiment, under French command, composed of draftees from four southern states. The regiment, like the 372nd, took part in the Champagne-Marne and Meuse Argonne offensives, and like the other regiments, it performed remarkably well.

Regimental commander, Colonel Miles, claimed to have been very satisfied with his men. A battalion commander in the 371st poignantly stated, "I'd take my chance of going anywhere with these black soldiers at my back. So would any of the rest of the officers." Another stated, "We were a little dubious about them. We did not know whether they would stand fire or not. But they did . . . and they were splendid fighters."⁷² What especially stood out for this regiment was that 184 soldiers were either awarded the Distinguished Service Cross or Croix de Guerre, more than any other regiment from the 93rd. French commanders, as with the other regiments, regularly offered praise and what criticism they had was often of the performance of some of the

⁷¹ Barbeau & Henri, 130.

⁷² Ibid, 132-136.

regiment's white officers.⁷³ Much like the re-evaluation of awards that resulted in the posthumous awarding of the Medal of Honor to Sergeant Johnson, similar pressure on the military from Congress in the early 1990s resulted in another black soldier's award being upgraded in 2015. Due to such pressure, service records review resulted in Corporal Freddie Stowers also being posthumously awarded the Medal of Honor.⁷⁴ Had the American Army held ideas about race like their French allies and given these soldiers a fair shake from day one, one could only imagine what else these men could have pulled off.

Conclusion: American & French Ideas About Race & Black Manpower

When states mobilize and project military force, they are literally projecting a physical body of bodies. Discriminatory military personnel policies that limit who can serve and the nature of that service, produce inherently problematic force structures, limit the quality of training those service members receive, and squander their potential on the battlefield. Such policies are powerful demonstrations of how ideas and beliefs can limit a state's projection of its power abroad. In other words, state behavior in the international environment may indeed partly reflect systemic factors, but it is also a function of certain ideas and beliefs which in some cases shape conduct that is contrary to state material self-interest.

American civilian and military elites during World War I had access to the history of the contributions and effectiveness of African American service members from the Revolutionary War to the Spanish American War. However, deep-rooted ideas and beliefs about white racial

⁷³ Ibid, 134.

⁷⁴ "A Medal of Honor For Black Soldier From World War I." (April 6, 1991) *The New York Times*.

superiority and black inferiority resulted in the American Army failing to maximize the effectiveness of the AEF it sent to Europe. It refused to train black soldiers as comprehensively and as competently as white soldiers, it denied black officers the ability to be as successful as their white peers, and when the AEF was sent abroad, it failed to make effective use of the black soldiers that remained under American command. The United States placed its security needs and military necessity second to enforcing certain ideas and beliefs about race.

The experience of the 92nd Division painfully demonstrates how America's principal contribution to the war effort in the Argonne forest was nearly compromised because of the shortcomings that the Army had deliberately allowed to materialize in the division. Yet despite the American Army's recalcitrance to maximize combat effectiveness of the men of the 92nd, those men performed remarkably well despite the Army's discriminatory military personnel policies, as evidenced by the fact that the division had so many highly decorated men doing precisely what the Congress and the Army claimed they could not do well—warfighting. Their performance on the battlefield, despite it being riddled with ideationally imposed obstacles put in place by their civilian and military leaders demonstrated how far from reality those ideas about race were. The soldiers of the 92nd were good, but they could have been even better, if only given the opportunity. Nonetheless, the presence of those obstacles and the War College report that would make contrary claims in order to justify that segregation and other discriminatory military personnel policies remain in place for future conflicts. Such policies are neither functions of systemic factors, they are entirely ideational in origin and are antithetical to national security and military effectiveness.

Evidence from the experiences of the 93rd Division's four black regiments further exemplifies and validates the strength of ideational factors. Once the division was placed under French command, the soldiers of the 93rd flourished. The largest difference between the two divisions was the ideas and beliefs held by French and American elites. French military elites simply held different ideas and beliefs which translated into greater respect and faith, and better treatment of America's black soldiers. Lieutenant John Smith of the 372nd put it best:

"The colored men were given different treatment by the French people from what they had been accustomed to receive from white people at home The French people could not grasp the idea of social discrimination on account of color. They said the colored men were soldiers, wearing the American uniform, and fighting in the common cause, and they could not see why they should be discriminated against socially. They received the men in their churches and homes and places of entertainment. The men accepted this, and it did not seem to appear strange to them."⁷⁵

The soldiers in the 93rd's regiments, like their brothers in arms in the 92nd, performed valiantly in spite of how poorly the American Army prepared them. Despite unequal treatment prior to the departure for Europe, they too were highly decorated for their performance in combat and received awards for heroism that should have made their effectiveness evident again to American military elites. French War Minister Andre Tardieu was so impressed with the men of the 369th that he pressed French military commanders to implore Pershing to transfer all American black soldiers to French command, including the men of the 92nd Division.⁷⁶

Ideas and beliefs are stubborn things. Neither the performance of the soldiers of the 92nd and the 93rd, nor the entreats of French civilian and military elites could change American beliefs

⁷⁵ Scott, 238.

⁷⁶ Morrow, 153.

about the effectiveness of black manpower. Despite having information from yet another war, American civilian and military elites re-committed to narratives and certain ideas about race contrary to historical reality. The United States would have to experience a much larger and longer war, with far greater manpower requirements, before the overall structure and faulty logic of its discriminatory military personnel policies against African American men would begin to crumble and eventually be undone through Executive Order 9981 by President Truman in 1948. The chapters that follow will painfully demonstrate that even though American civilian and military elites eventually changed policy course about race, similar patterns of behavior with respect to gay men and lesbians, women, and transgender service members would also take place. Those ideas and beliefs also came with devastating effects.

CHAPTER V: DETERMINED GAY AND LESBIAN MILITARY SERVICE & PERSISTENT PREJUDICIAL POLICIES

“Am I open-minded as we begin? Not completely. Am I opened-minded on the President’s proposal? No. Am I open-minded on the proposition that homosexuality be open and approved in the service? No way.”¹

Senator John Exon (D-NE), 1993
Remarks made in the Senate Armed Services
Committee

“There is no rationale for excluding them. They have proven themselves. Homosexual men and women have repeatedly and throughout our history shown that they are every bit as capable, hard working, brave, and patriotic as any other soldier, sailor, or Marine. They stood and fought on the battlefields of every war we have ever fought. Many died, others came home wounded or permanently disabled.”²

Senator Howard Metzenbaum (D-OH), 1993
Remarks made in the Senate Armed Services
Committee

Discriminatory military personnel policies that have, in a variety of forms, banned open military service for gay men and lesbians³ in the American military occupy a different political

¹ Sen. John Exon, speaking at S.Hrg. 103-845, 103rd Cong., 1st sess. Congressional Record (March 29, 1993), 167.

² Sen. Howard Metzenbaum, speaking at S.Hrg. 103-845, 103rd Cong., 1st sess. Congressional Record (May 7, 1993), 458.

³ While contemporary discussions of the LGBTQIA+ community have grown to be far more inclusive the chapters for this case study will most frequently identify this group more narrowly as “gay men and lesbians.” I do so because civilian and military elite discourse is central to these chapters and “gay” and “lesbian” language was the language that they used.

context and experience than racially informed discriminatory military personnel policies, albeit such policies were discrimination all the same. Discriminatory military personnel policies which have targeted gay men and lesbians were based upon certain ideas and beliefs held by American civilian and military elites about appropriate sexual behavior and status, as well as beliefs about heteronormativity. These ideas and beliefs were not products of systemic pressures or military necessity, and they negatively impacted military effectiveness, especially in the United States' ability to fight effectively in Afghanistan and Iraq. The overall impact of "Don't Ask, Don't Tell" (DADT), the final ideationally informed discriminatory military personnel policy that targeted gay men and lesbians, can be analyzed in two ways. First, by sheer numbers. The policy both before and during the wars in Afghanistan and Iraq deprived the American military of large numbers of highly skilled personnel such as Arab and Farsi linguists and other intelligence professionals. Second, it was harmful to individual service members. Discriminatory military personnel policies forced service members to compartmentalize their lives—one public and one private. It made it impossible for them to share their personal lives with their fellow service members, forced them to constantly self-police their language, behavior, and relationships in doing so, and made it incredibly difficult to form the most cohesive units possible. Such behavior was also a mentally taxing enterprise and negatively impacted mental well-being and made it difficult for gay and lesbian service members to completely commit their mental focus to mission accomplishment.

Despite similar ideational origins of discrimination and comparable negative consequences for the effectiveness of the American military, there are several similarities and differences which must be acknowledged. Firstly, sexual orientation, like race, is in part a social

construction. It is an element of identity that becomes infused with meaning for individuals and various groups of individuals through socialization and changes over time. Secondly, unlike race, this meaning-making process does not have a physical or corporeal element. Gay men and lesbians cannot be somehow categorized by some different physical aspect of their bodies by birth—although World War II-era psychiatrists would try to do so—, and they are not functions of some genetic variation that bears a relationship with some specific physical trait. Thirdly, gay men and lesbians were not a group of people native to a particular region of the world that was subjugated by another. Fourthly, gay men and lesbians can “pass” far more easily than African Americans. This has two important implications—many gay men and lesbians served in silence and because they have historically been served largely as a silent or invisible force, there were no segregated gay and lesbian military units that fought against American adversaries and sought to earn the right to citizenship through the defense of the state.

Additionally, unlike the previous two chapters on racially-based discriminatory military personnel policies, this and the subsequent chapter do not have an analogous historical experience to draw from. Classification of certain types of people as homosexual, gay, lesbian, or otherwise is a practice that would not arise in the United States until around the twentieth century. This means that there never was a “gay manpower” resource that American civilian and military elites refused to use, there were no history-making segregated gay infantry regiments that produced knowledge about the effectiveness of gays and lesbians. Instead of focusing centrally on manpower, this and the following chapter will also focus on the American military’s denial and rejection of invaluable *individuals* and the negative effects that discriminatory military personnel policies that targeted gay and lesbian service members had upon military effectiveness.

Before proceeding to the central analysis of DADT in the following chapter, this chapter will set out to accomplish two important analytical tasks. First, it will provide a brief history of gay and lesbian military service from the American Revolution until the Persian Gulf War. In doing so it will highlight the historical role that both ideational and systemic forces have had on military personnel policies and their relationship with gay men and lesbians. When DADT was implemented, it was not nearly as obvious, as it was concerning race, for civilian and military elites to have claimed they had not “been there, done that” and potentially have learned about the negative impacts associated with discrimination. Second, it will provide a review of the ideational origins of the DADT policy and the earlier Carter-era ban. While accomplishing both these analytical tasks, this chapter will demonstrate that discriminatory military personnel policies that targeted gay and lesbian service members were based upon certain ideas about those groups of individuals and had a negative impact on the United States’ ability to field the most effective military force possible. This chapter will also argue that while systemic factors did regularly shape the intensity of these discriminatory military personnel policies and their relaxation during wartime, patterns of reemergence during times of peace, and even the deconstruction of its final form—the origins of these policies defy realist expectations. They are entirely ideational in origin and are not functions of systemic pressures or military necessity and, in every form throughout history, made the American military less effective.

The remainder of this chapter will proceed in four sections which will make extensive use of existing literature, especially from the prominent works of Allan Bérubé, Randy Shilts, and Nathaniel Frank; government archives, with a particular focus on the Congressional Record, and some personal interviews to augment material in the final section. The first section will provide

a brief literature review on sexuality and sexual orientation. Given the central focus on the role that ideas and beliefs have in shaping discriminatory military personnel policies, it is worth devoting some space to the social constructiveness of sexuality and, more specifically, sexual orientation. The intent of this section is *not* to settle scholarly debates on to what degree sexual orientation can be attributed to nature or nurture, but rather simply to acknowledge the literature as well as to contextualize material in this and the following chapter. What does matter, for the purposes of this chapter and the next, is that civilian and military elites acted upon beliefs about sexual orientation.

The second section will make use of existing historical literature and review the history of gay and lesbian military service, albeit mostly gay men's service. It will demonstrate not only the persistence of formal and informal discriminatory military personnel policies but that the belief systems that were employed in shaping policy changed as frequently as their justifications.

The third section will also draw from existing historical literature and focus on difficulties both civilian and military elites encountered when attempting to justify policy in an era when the federal courts were more activist, the formation of the uniform Department of Defense (DoD) wide ban, and the reality of the new policy when it ran up against manpower demands during the Gulf War.

The final section will make extensive use of archival research, some personal interviews, and existing historical work to provide a thorough review of the civilian and military elite belief systems that were expressed and acted upon during the 1993 debates in Congress that came immediately after President Clinton attempted to end the Carter-era ban. In doing so, it will argue that DADT was not a function of systemic pressures or military necessity, but instead was entirely

an ideational product of the conservative-minded majority in Congress at that time. Each of these sections will provide the context necessary to fully understand the next chapter's analysis of DADT's impact on military effectiveness during the wars in Afghanistan and Iraq.

Literature Review: Sexuality and Sexual Orientation

Again, the brief literature review in this section is *not* intended to argue one way or another concerning to what degree sexual orientation can be attributed to nature versus nurture, but rather simply to acknowledge the literature and to further highlight the centrality of ideas, beliefs, and the socially constructed nature of the factors that are central to this case study's subject matter. The belief systems that civilian and military elites acted upon, which are related to the social meaning-making aspects surrounding sexual orientation, matter. This relationship also matters insofar as it can help shed some theoretical light on the individual-level experiences which will be analyzed in the next chapter. This literature can to some extent help us appreciate how gay and lesbian service members have "always been there" in the American military even if these identities were not understood in the past as they are today. In a similar vein, this literature can also aid some readers in appreciating how sexual identity for many service members can take time to internalize, e.g., even after enlisting or commissioning in the military.

Sexuality and sexual orientation, like race, are in part social constructions. If analyzed more discretely, sexuality can be understood as a combination of two components, sexual orientation, and sexual identity. Orientation is an essentialist element that can be attributed to physiological needs that are largely unconscious and powerfully linked to emotion. Identity, on the other hand, is a constructivist element that represents a more conscious practice where those

physiological needs and their associated behaviors are given individual and collective meaning.⁴ In other words, while there is a physical component to sexuality and sexual orientation, the meanings that individuals and groups assign to orientation are a social process. Furthermore, like race, this is a constitutive meaning-making process where not only do social groups assign meanings based upon collective beliefs about individuals but individuals themselves understand their identity in relation to others.⁵ Like race, these meanings are continuously recast, reshaped, and understood in new ways. Even social science in this area struggles with continuity. Terminology, methods, and operationalization of terms have made stability and consistency in this area a rather fleeting task.⁶

There have been some very informative attempts to analyze the formation of sexual identity in a more generalizable manner. Fassinger and colleagues outlined a four-stage process of development that includes awareness, exploration, deepening/commitment, and internalization/synthesis. Through these stages an individual begins to understand the possibility of different sexual orientations, explores their position, their individual and in-group identities are intensified, and then those identities become integrated into broader personal networks.⁷

⁴ Tolman, D. & Diamond, L. (2001) 'Desegregating sexuality research: Cultural and biological perspectives on gender and desire', *Annual Review of Sex Research*, 12, pp. 33–74. Dillion, F., Worthington, R. & Moradi, B. (no date) 'Sexual Identity as a Universal Process', in Luyckx, K., Vignoles, V., & Schwartz, S. (eds). Berlin: Springer Science and Media.

⁵ Dillon et. al. (2011).

⁶ Ibid.

⁷ Fassinger, R. & Miller, B. (1996) 'Validation of an inclusive model of sexual minority identity formation on a sample of gay men.', *Journal of Homosexuality*, 32, pp. 53–78, McCarn, S. & Fassinger, R. (1996) 'No Revisioning sexual minority identity formation: A new model of lesbian identity and its implications for counseling and research.', *The Counseling Psychologist*, 24, pp. 508–534.

Other scholarly work has addressed a similar process for bisexuality⁸ and incorporated an understanding of identity and the relationship between homosexuality and heterosexuality.⁹ Work in more recent years by others has attempted to synthesize these works and create a more generalizable framework that incorporates both orientation and identity, as well as accounts for diversity within identities. One approach outlines the role of compulsory heterosexuality,¹⁰ in addition to active exploration, diffusion, deepening and commitment, and synthesis. In this expanded five-stage process, individuals and groups begin with an assumption of heteronormativity and strong social norms of appropriate behavior and roles, an exploration of one's needs that may depart from this baseline, a stage that includes identity confusion and lack of self-awareness, a commitment to their needs and means for exploration, and finally a congruence of both individual and social identity processes. This path is rarely a linear one and many individuals operate in more than one stage at a time.¹¹

This brief literature review on sexuality and sexual orientation is by no means as comprehensive as possible, the volume of this area's literature would require a separate work to address in its entirety. The area is extensive, exhaustive in more areas, and worthy of further

⁸ Weinberg, M., Williams, C. & Pryor, D. (1994) *Dual attraction: Understanding bisexuality*. New York: Oxford University Press, Worthington, R. & Reynolds, A. (2009) 'Within group differences in sexual orientation and identity.', *Journal of Counseling Psychology*, 56, pp. 44–55.

⁹ Eliason, M. (1995) 'Accounts of sexual identity formation in heterosexual students', *Sex Roles*, 32, pp. 821–834.

¹⁰ Rich, A. (1980) 'No Compulsory heterosexuality and lesbian existence', *Journal of Women in Culture and Society*, 5, pp. 631–660., Mohr, J. (2002) 'Heterosexual identity and the heterosexual therapist: An identity perspective on sexual orientation dynamics in psychotherapy.', *The Counseling Psychologist*, 30, pp. 532–566.

¹¹ Dillion et. al. (2011).

review in its own right. Nevertheless, it should be sufficient to demonstrate that sexuality and sexual orientation are far from being a materialistically central factor in any given policy decision-making process that includes these elements. Therefore, assumptions made about the appropriateness of particular forms of sexual orientation are almost entirely ideational constructs. It is also important to emphasize that like race, the notion of “otherness” is important here. Certain ideas and beliefs about what “whiteness” means, are dependent upon certain understandings of what white is *not*. In the domain of sexuality and sexual orientation, certain ideas and beliefs about what “heterosexuality” is, are dependent upon certain understandings of what it is *not*.

Always There: Gay Men and Lesbians in the American Military

Discrimination against gay and lesbian service members is as old as the American military itself. From the American Revolution until the present day, gay and lesbian service members have served in every major American military conflict. While informal and formal discriminatory military personnel policies have taken on many forms, gay identity and behavior have been policed by civilian and military elites for just as long. Drawing primarily from existing historical scholarly literature, this section will review the history of gay and lesbian service personnel from the American Revolution until the late years of the Cold War and highlight five key findings across this lengthy historical period.

First, gay and lesbian service members have “always been there.” Second, just as gay identity can be understood in part as socially constructed, so are the belief systems evoked to justify discrimination. These belief systems have evolved from deeming homosexuality as a sinful act that any individual could be prone to, to classifying homosexual behavior as criminal, to later

being viewed as a mental illness that could be treated, and then eventually to viewing homosexual status as both immoral and antithetical to military service. Third, in whatever form those belief systems took, they were accompanied by informal or formal discriminatory military personnel policies that made the American military less effective by limiting the available pool of manpower it could draw from. Fourth, during times of conflict, systemic pressures combined with loosely drafted discriminatory policies induced many, but not all, military commanders to often ignore policy and exercise discretion to retain essential gay and lesbian service members. Finally, just as often as discriminatory belief systems have changed, civilian and military elites just as often struggled with justifying precisely why gay men and lesbians were unsuitable for military service.

THE EARLY REPUBLIC – SINFUL BEHAVIOR

The success of the American Revolution was in large part a function of a single gay Army officer. The Continental Army up until its winter encampment at Valley Forge was an army composed of forces drawn from thirteen states, with thirteen different standards and tactics, and employing the force as a single organized entity on the battlefield was often a nightmare for General George Washington. Benjamin Franklin, America's then Minister to France, found a solution in Baron Frederich Wilhelm Lodolf Gerhard Augustin von Steuben. Steuben, who had initially been reluctant to agree to Franklin's offer of a commission to help Washington train the Continental Army, eventually acceded after the church in Prussia threatened to prosecute him for a relationship he had with another man. Steuben escaped prosecution, traveled to America, and became the United States' first Inspector General of the Army. He wrote *the* manual for drill and

regulations that remained in use until the War of 1812, trained Washington's forces, and towards the end of the war commanded a division of troops at the Battle of Yorktown.¹²

Steuben's contributions were a game-changer and Washington often credited him with being one of the most important officers under his command. Steuben made it possible for the American military to fight as a single cohesive and professional force. His gravestone in New York is marked with the inscription "Indispensable to the Achievement of American Independence."¹³ Steuben's experience should not be taken as a measure of tolerance among men like Washington though. Whether Washington knew about Steuben's sexual orientation is not known. In contrast, during the Revolution, Army Lieutenant Frederick Ensin was the first recorded gay American soldier discharged for being gay. Ensin was caught in bed with another man, charged by court-martial for acts of sodomy, and was formally discharged in a rather elaborate ceremony that involved being "drummed out" and another officer breaking his sword over his head.¹⁴ Ensin though was not discharged in disgrace for *being* a gay man, as neither the category of homosexuality nor gay identity as we understand it today had yet come into being. Ensin was discharged for perverse *behavior* and particularly for committing an unchristian sexual act that did not lead to reproduction.¹⁵

¹² Shilts, R. (1993) *Conduct Unbecoming: Lesbians and Gays in the U.S. Military Vietnam to the Persian Gulf*, 7-11. New York: St. Martin's Press, Frank, N. (2009) *Unfriendly Fire: How the Gay Ban Undermines the Military and Weakens America*. New York: St. Martin's Press.

¹³ Shilts (1993), 11.

¹⁴ Ibid, 11-12.

¹⁵ Frank, (2009).

The experience of gay service members in subsequent years generally remained unchanged. Gay service members existed but gay identities had still yet to be imagined as they are today and *behavior*, not *identity*, was deemed to be socially deviant and punished. During the United States' first projection of power abroad against the Barbary Pirates, two of the United States' most celebrated naval heroes, Stephen Decatur and Richard Sommers, were, as we understand them today, gay men. Some historians argue that Sommers' death in the conflict was what spurred Decatur to such extreme heroism at the end of the conflict, Decatur became the youngest sailor in the American military promoted to Captain (the highest American Naval rank at the time). Just outside of the old Washington Naval Yard stands a statue in his honor.¹⁶ While there are other recorded instances of gay service members during the War of 1812 and the American Civil War, their experiences and treatment were very uniform. Civilian and military elites either did not know or they turned a blind eye. When gay service members were punished or discharged, it was for behavior not for identity. Depending on how forgiving the official rendering judgment was, typically officials believed such behavior reflected isolated instances of sin, similar to bouts of drunkenness or infidelity that any man was potentially prone to.

MILITARY SERVICE WORLD WAR I – POLICING BEHAVIOR

During World War I, a combination of the Progressive Era's pursuit of rationalized reform, the sheer magnitude of manpower being mobilized for the war, and concerns about service members being subjected to potential "continental depravity"¹⁷ in Europe resulted in the formation of

¹⁶ Shits, (1993).

¹⁷ Canaday, M. (2009) *The Straight State: Sexuality and Citizenship in Twentieth-Century America*. Princeton: Princeton University Press, 55.

military institutions. Progressive-minded civilian elites pressured the American military to accept the establishment of the Commission on Training Camp Activities in 1917, which tackled issues of sexual deviance in the military as it mobilized and trained at home before being sent abroad. Given limited resources and a strong need to maximize manpower, the American military during the war generally repeated its behavior from the past—policing sexual behavior, but with a new focus on viewing such behavior not merely as immoral but as criminal.¹⁸

WORLD WAR II – POLICING BEHAVIOR & TREATING MENTAL ILLNESS

American military mobilization during World War II was characterized by stronger efforts to establish a more rigorous draftee screening process, in large part out of the hope to minimize some of the more disastrous mental health effects, such as shellshock, that resulted from the horrors of World War I. The newly emerging professional field of psychiatry offered to help the American military in this endeavor and in doing so potentially lend further respectability and credibility to their field. Psychiatrists believed that homosexuality was an illness, which could be treated, but quickly found it difficult to diagnose and often relied upon stereotypes. In absence of a draftee declaring their status, psychiatrists defaulted to identifying gay men through the presence of feminine physical attributes and mannerisms, and tests like shoving tongue depressors down draftees' throats to gauge their gag reflex. These crude screening practices were further problematized by the sheer volume of men being drafted into the military, insufficient numbers of psychiatrists, and manpower shortages throughout the war.¹⁹

¹⁸ Ibid.

¹⁹ Bérubé, A. (1991) *Coming Out Under Fire: The History of Gay Men and Women in World War Two*. Chapel Hill: University of North Carolina Press, 8-33.

Manpower shortages were perhaps the most important factor that allowed hundreds of thousands of gay men and lesbians to serve in the United States military during the war. The military hospitalized, detained, interrogated, and discharged many gay and lesbian service members, but the sheer demands of the war made it impossible to do so on a consistent and large scale. Military and civilian elites in Washington often instructed draft boards and local commanders to halt discharges and retain vital personnel. Many commanders in the field often ignored policy because they were often desperate for much-needed manpower.²⁰ One combat naval vessel was known to have an openly gay torpedo officer who walked around the ship in a bathrobe, hairnet, and slippers. Good torpedo officers were rare and in high demand, so the ship captain instructed the crew that anyone who harassed the officer would answer to him.²¹ Many commanders expressed that the presence of gay men in their units was not disruptive to morale and combat efficiency, but that their removal was. In New Caledonia, an admiral scorned military police over investigations into gay personnel and instructed them to “Lay off my district because you’re taking some of my best people away and we’ve got to win this fucking war. Now back off!” Even General Douglass McArthur became protective of gay soldiers, having told Army investigators, “No more discharges for homosexuals because I do not want my staff ruined, and we have to win this war!”²²

²⁰ Ibid, 175-200.

²¹ Ibid, 184-185.

²² Ibid, 226.

Before and during World War II, military and civilian elites put in place discriminatory personnel policies aimed at barring gay men and lesbians from military service and removing them once discovered. However, the vast majority of military commanders placed winning the war at a premium and often flatly ignored policy to retain personnel. Ironically, it was also the practice of mobilizing millions of young men and women from throughout the United States, and the screening and discharging of gay military service members that removed many of the barriers that kept gay individuals hidden and unknown to each other. Gay men and lesbians discovered each other during the war, formed communities in several major cities after the war, and many of the first major gay rights organizations in the United States were largely composed of veterans who had borne the worst of the military's discriminatory policies.²³

GAY MEN & LESBIANS' MILITARY SERVICE DURING THE COLD WAR

The Cold War era of American discriminatory military personnel policies which targeted gay and lesbian service members was characterized by patterns of behavior that closely approximated the American military's past beliefs and treatment about the use of Black manpower. Restrictions on service were high during times of relative peace, would be loosely applied through local commanders' discretion during times of conflict, and then restrictive policies would then reemerge after the conflict. Unlike the experience of segregation though, the manpower demands of the Cold War did not influence policy unless the Cold War became "hot," i.e., there was no equivalent to congressionally mandated Black regiments after the Civil War.

²³ Ibid, 255-279.

Only during such “hot” moments, did many commanders exercise considerable discretion to keep service members regardless of their sexual orientation. From the end of World War II until the late 1980s, more than 60,000 gay and lesbian service members were discharged from the American military because of their sexual orientation, or approximately 1500 per year. In the years between World War II and the Korean War, discharge rates tripled from their prior wartime numbers, only to drop considerably during the Korean War. During the Vietnam War, this pattern reemerged and discharges again dropped substantially.²⁴

The Vietnam War era was especially notable in that many gay and lesbian service members openly declared their status when drafted, served openly, formed openly gay communities, and participated in openly gay lifestyles on American bases and in South Vietnamese communities frequented by American service members. Gay and lesbian service members often made minimal attempts at concealing their identity and behavior. The United States military regularly turned a blind eye to gay service members while in Vietnam but also undertook extensive investigations and discharged gay service members once they returned to the United States.²⁵ The presence of gay men in combat zones—presumably where morale, unit cohesion, readiness, and combat effectiveness mattered most—largely did not matter to most American commanders but once stateside, homosexuality suddenly became an active threat to the integrity of the American military.

²⁴ Ibid, 255-279.

²⁵ Shilts (1993).

American civilian and military elites during the Cold War also struggled with how to reconcile precisely why gay and lesbian recruits and service members were unsuitable for military service. In 1950 the United States Navy commissioned a board of inquiry at the request of the United States Senate to investigate homosexuality and security risks. The board's findings, which were commonly referred to as the Crittenden Report, were completed in 1957 and concluded that there was "no sound basis for the belief that homosexuals posed a security risk" and that "No intelligence agency, as far as can be learned, adduced any factual data before the committee with which to support these opinions."²⁶ Given that the primary justification after World War II for the unsuitability of gay and lesbian service members was that they constituted a security risk, the report was highly problematic for civilian and military elites. The Navy buried the report until it was discovered through a Freedom of Information Request Act in 1976, which the Navy would not fully comply with until 1981.²⁷

Another justification that had carried over from the World War II era was that homosexuality was a mental illness, but this became increasingly difficult for American civilian and military elites to justify because during the 1970s the American Psychological Association removed homosexuality from the Diagnostic and Statistical Manual of Mental Disorders.²⁸

²⁶ Frank (2009), 113-136; Korb, L. (1994) 'Evolving Perspectives on the Military's Policy on Homosexuals: A Personal Note', in Scott, W. & Stanley, S. (eds) *Gays and Lesbians in the Military: Issues Concerns and Contrasts*. 1st edn. Philadelphia: Routledge, pp. 219-229; Shilts (1993), 281-283.

²⁷ Shilts (1993), 283.

²⁸ Sarbin, T. (1996) 'The Deconstruction of Stereotypes: Homosexuals and Military Policy', in Herek, G., Jobe, J., & Carney, R. (eds) *Out in Force: Sexual Orientation and the Military*. 1st edn. Chicago: University of Chicago Press, pp. 177-196; Stiehm, J. (1994) 'The Military Ban on Homosexuals and the Cyclops Effect', in Scott, W. & Sandra, S. (eds) *Gays and Lesbians in the Military: Issues Concerns and Contrasts*. 1st edn. Philadelphia: Routledge, pp. 149-162. Shilts (1993), 214

Psychiatrists, who once led the charge for screening, filtering out, and medically treating gay and lesbian draftees and argued that gay and lesbian individuals were unsuitable for service since World War II, had changed course. Coupled with the fact that a major component of the Department of Defense (DoD) had studied suitability and security risks, discriminatory personnel policies which targeted gays and lesbian service members stood on increasingly shaky grounds.

“Homosexuality is Incompatible with Military Service”

Between 1946 and 1981 military and civilian elites established firm, yet also sufficiently ambiguous discriminatory personnel policies which targeted gay and lesbian individuals. During most of the Cold War, such discriminatory military personnel policies were also a function of the preferences and discretion of each of the individual services. Decentralization across each of the military service branches meant there was variation in discriminatory personnel policies and that they were not uniformly applied. The moment many gay and lesbian service members began to challenge their discharges in federal courts though, this created immense problems for supporters of the status quo. In 1981 policy, written under the Carter administration, went into effect and overtly prejudicial justifications for policy began to give way to a more subtle form—justifying policy on the grounds that the mere presence of gay and lesbian service personnel would harm unit cohesion and make heterosexual service members unable to effectively do their jobs.

This section will proceed in three parts. First, it will examine three gay service members that fought their discharges in federal courts and highlight the anxiety that the prospect of federal courts forcing the military to open its ranks had. Second, it will review the primary product of that anxiety—the 1981 Carter-era DoD-wide ban on gay and lesbian military service. Third, it will

broadly review the experience of gay and lesbian service during the Gulf War, which both reflects the patterns outlined in the previous section and demonstrates the incongruous logic of the new policy—gay and lesbian service members were believed to be harmful to military effectiveness, and yet retained during wartime and removed during peace.

PREEMPTIVE MILITARY ACTION AGAINST ACTIVIST COURTS

Army Sergeant First Class Perry Watkins was illustrative of both how the presence of openly gay service members were not disruptive in military units and how arbitrary the DoD's hodgepodge of policies could be. Watkins was drafted in 1968 and when questioned did not hesitate to be honest that he was gay. The Army referred him to a doctor for an evaluation and Watkins re-affirmed he was gay. Nevertheless, the Army decided to keep Watkins. He re-enlisted in 1970, again did not hide the fact that he was gay, and again the Army allowed him to serve. In 1974, Watkins re-enlisted *again*, but this time he was investigated by Army authorities. Despite the Army's concern about his sexual orientation though, a decision was made that his excellent performance evaluations and past service warranted that he be allowed to remain. During his subsequent service, Watkins remained open about his sexual orientation and even did drag shows, some even with his commanders' blessings. The Army even sent him on tours throughout Europe to perform. It was not until the establishment of the new DoD-wide policy in 1981 that Watkins was finally removed but he took his case to federal courts. The legal challenge that resulted was drawn out for several years and caused considerable anxiety among military officials that the federal courts might force their hand by declaring the new ban unconstitutional.²⁹

²⁹ Shilts, (1993).

Similar cases included Air Force Technical Sergeant Leonard Matlovich and Navy Ensign Vernon "Copy" Berg, III. Matlovich enlisted in 1963 and volunteered for three tours in Vietnam where he was wounded and awarded the Bronze Star. Matlovich continuously received high performance evaluations and after becoming an Air Force race relations instructor, could not help but notice the painful parallels between past discriminatory personnel policies that targeted African Americans and the policy that made his own service illegal. Matlovich decided to take a principled stand and wrote his commander a letter in 1975 declaring that he was gay but wanted to continue serving. The Air Force immediately proceeded with discharge proceedings and as with Watkins, the discharge was followed by a very lengthy legal challenge in federal courts.³⁰ In 1975 the Navy found itself also being dragged into several years of court proceedings because of its discharge of Naval Academy graduate, Ensign Berg. Berg was top in his class at the academy, also received high performance evaluations, and was highly praised during his discharge hearings by many high-ranking Navy officers, including his father, a chaplain and Navy commander.³¹ The fact the military struggled to have a coherent justification and a very uneven application across the service branches gave military elites great concern once they found themselves in several years of legal challenges in federal courts. The ambiguous and inconsistent policy was an invitation for activist federal courts to force the military into accepting service members it did not want.

³⁰ Ibid, (1993).

³¹ Ibid.

THE CARTER-ERA POLICY

In 1981, under the direction of President Jimmy Carter, military officials wrote and published DoD Directive 1332.14 which eliminated discretion powers that commanders across the individual services had to retain gay and lesbian service members when they were deemed a benefit to the military and unequivocally created a uniform DoD-wide ban. The section on gay and lesbian service read:

“Homosexuality is incompatible with military service. The presence in the military environment of persons who engage in homosexual conduct or who, by statements, demonstrate a propensity to engage in homosexual conduct, seriously impairs the accomplishment of military mission. The presence of such members adversely affects the ability of the armed forces to maintain discipline good order, and morale; to foster mutual trust and confidence among service members; to ensure the integrity of the system of rank and commander; to facilitate assignment and worldwide deployment of service members who frequently must live and work in close conditions affording minimal privacy; to recruit and retain members of the armed forces; to maintain public acceptability of military service; and to prevent breaches of security.”³²

Through this new policy, the DoD had updated and fine-tuned its arguments in the hope of quashing court-mandated integration. Justification for the exclusion of gay and lesbian individuals had now largely abandoned prior ideas and beliefs about homosexuality being a mental illness and arguments concerning potential security threats became an afterthought. The focus had almost entirely shifted to the premise that the mere presence of known gay and lesbian service members made their heterosexual peers unable to effectively do their jobs. In other words, it was the steadfast belief of military and civilian elites that openly gay and lesbian service

³² Ibid, 378-379.

members were harmful to the effectiveness of their fellow heterosexual service members—it's not you, it's me.

In 1989, DoD justifications were still highly problematic. Another study conducted by the Personnel Security Research and Education Center (PERSEREC) was charged by the Pentagon with again studying the relationship between security, suitability, and sexual orientation. A new slate of board members, unaware of the finding of the Crittenden Report, came to a similar conclusion—gay and lesbian service members posed no inherent risk to national security. The report went even further than the previous one as it also expressed that gays and lesbians were as suitable for military service as their heterosexual counterparts.³³ As with the Crittenden Report, DoD officials were quick to conceal the report and it might have been concealed for just as long, had it not been for the efforts of three MCs—Barney Frank (D-MA), Gerry Studds (D-MA), and Patricia Schroeder (D-CO)—to force the DoD to release the report shortly after defense officials denied its existence.³⁴

THE PERSIAN GULF WAR

The Carter policy, despite its intended effort to make gay and lesbian discriminatory military personnel policies more coherent, more uniform, and easier to defend in federal courts still found itself open to interpretation by military commanders though. The Persian Gulf War was an all-hands-on-deck moment for the American military and as soon as war planning began in late 1990, stop-loss orders went into effect for all service branches. These orders were intended to keep

³³ Korb, (1994).

³⁴ Frank, (2009) 58-85.

service members in place that were nearing the end of their enlistment contracts or scheduled to transfer units. Stop-loss orders also extended to those service members who were subject to administrative separations. Thus, virtually all pending separations of gay and lesbian service members under the 1981 policy were put on hold. Known gay and lesbian service members would be retained, deployed to the Middle East, and then discharged upon their return.³⁵ This paradoxical approach affected service members like Army Specialist Donna Jackson. After being notified of her unit's deployment, Jackson also decided if she had to risk her life for her country, she might as well be honest about something she had to lie about for years. She notified her commander that she was a lesbian and her commander promptly told her "Don't worry about it—it's no big deal." When Jackson returned from the Gulf, she was immediately discharged from the Army.³⁶

Discriminatory military personnel policies that targeted gay and lesbian recruits and service members, in whatever form, simply did not make military sense. They were not a response to systemic pressures or military necessity; they were a function of certain ideas and beliefs about gay men and lesbians. That the military retained some degree of commanders' discretion for separations during World War II and the Cold War could be understood partially in such terms, but that discharges continued at all and that civilian and military elites sought to strengthen those policies makes it difficult to ignore the important role that ideas had. Service members like Watkins were not inherently any different before and after the Carter-era ban. If

³⁵ Frank, N. (2007) *White Paper on Pentagon Practice of Sending Known Gays and Lesbians to War*. The Palm Center: Santa Barbara.

³⁶ Shilts, (1993) 731.

anything, with each passing year, Watkin's experience made him more valuable. Nonetheless, the prospect of federal courts forcing the military to open its ranks had the effect of forcing the military to double down on discrimination. But as the experience of the Gulf War demonstrates, the justifications for the policy simply still defied logic because the criterion that was considered disqualifying for military service ceased to be so once the military was poised to perform its *raison d'être*—warfighting. Again, systemic pressures played some role, but they alone are extraordinarily insufficient in explaining the presence of, expansion of, and return to discriminatory military personnel policies.

Ideational Battle Ground: Constructing “Don’t Ask, Don’t Tell”

In 1992 an individual sympathetic to the LG community won the American presidential election. President Bill Clinton viewed ending the Carter-era policy and allowing openly gay and lesbian service as a civil rights issue, but Clinton was also naïve and thought he could simply end the policy through an executive order. As soon as the debate on the policy began, conservative-minded supporters of the existing policy rallied against him in Congress, passed legislation, and created the DADT policy. The hearings that took place in the Senate and House Armed Services Committees in 1993 powerfully demonstrate the role of ideas and beliefs played in constructing this discriminatory military personnel policy. Civilian elites within Congress were divided, between those committed to homophobic stereotypes and myths about the negative impact of open gay and lesbian military service on military cohesion and readiness, and those who largely agreed with Clinton's beliefs on civil rights. Military elites were largely opposed to any change

to the status quo and their justifications reflected similar belief systems held by the opposition in Congress.

Whether or not MCs were responding to voter preferences or were honest in their remarks, what is evident from the 1993 debates in the House and Senate about discriminatory military policies was it was ideationally driven. For military elites though, voter preferences are not a driving factor. This section will make extensive use of archival research of the Congressional Record and demonstrate that the justifications provided by the opposition to repealing the Carter-era policy were almost entirely largely constructed based upon prejudicial ideas and beliefs about gay and lesbian service members and the gay and lesbian community at large during that period. In doing so it will also demonstrate that DADT was neither a policy constructed in response to systemic factors nor military necessity. The preceding sections will discuss the catalyzing effect that Clinton's beliefs had, outline arguments for and against in the Senate and the House committees, the arguments made against policy change by senior military officials, testimony in both chambers from gay and lesbian service members themselves, and review both of the DoD-driven research groups that were tasked with studying open gay and lesbian military service—a biased report that was used and an objective report that was neglected.

CLINTON'S BELIEFS & PROMISES: CIVIL RIGHTS

During his first presidential election campaign in 1992, Clinton promised to end discriminatory military personnel policies that banned open gay and lesbian military service. Clinton's initial calculus was not one borne in increasing military efficiency, rather it was a mix of personal political calculations (he received considerable campaign donations from gay rights activists) and a normative commitment to civil rights. Clinton, while governor of Arkansas was ahead of his

southern governor peers at the time when it came to civil rights for African Americans and women's rights, and even tried to pass a gay rights bill in Arkansas despite strong local opposition. Clinton was also naïve when it came to the military and had initially thought that, like Truman with military segregation, he could end the ban with a simple stroke of the pen. After becoming president though, he did not expect the ensuing war of ideas about gays and lesbians with prominent members of Congress and military elites.³⁷

Clinton was not technically wrong in thinking that he could end the ban through an executive order. Up until this point, Congress had not passed a law that formally banned gay men and lesbians from military service. Each of the service branches, and later the DoD as a whole in 1981, did so through military regulations and directives, which take direction from executive orders. But military elites strongly protested the idea of open gay and lesbian service, and quickly found an ideational alliance with key members of the branch of government that had the constitutional authority to "To Make Rules for the Government and Regulation" of the armed forces.³⁸

Civilian and military elites that opposed lifting the ban often succeeded in re-framing the issue away from prejudice and cited concerns like cohesion, readiness, privacy, and military effectiveness. Many exercised political caution though. They avoided explicitly denigrating the service of gay and lesbian service members, acknowledged that many gay and lesbian service

³⁷ Frank, (2009) 1-25. Korb (1994). Burreli, D. (1994) 'An Overview of the Debate on Homosexuals in the US Military', in *Gays and Lesbians in the Military: Issues Concerns and Contrasts*. 1st edn. Philadelphia: Routledge.

³⁸ U.S. Const. art. I, sec. 8.

members had served with distinction, but were also quick to follow those remarks with paradoxical conjunctions—“but” this or that concern is of greater concern. Periodically some of these elites let slip other discourse that indicated negative stereotypes and fears about gays and lesbians were really the core of their concerns. Civilian and military elites that supported lifting the ban made explicit references to civil rights, notions of fairness, and were quick to point out that the opposition’s language and justifications bore a striking resemblance to the language invoked to justify historical discriminatory military personnel policies that targeted African Americans and women in the military. Some periodically brought up issues of cost and the absurdity of losing highly skilled personnel, but the core of the discourse expressed by both was ideationally-driven.

Like numbers on a battlefield though, opponents of the ban simply did not have the numbers to overcome the opposition and like a Pyrrhic victory, the compromise policy of DADT that resulted was not substantially that different than the Carter-era policy. Because DADT was passed into law by Congress, it would have lasting impacts on the American military’s ability to fight the wars in Afghanistan and Iraq, even once the ideas held by military elites had dramatically changed.

OPPOSITION IN THE SENATE: HOMOPHOBIA & MYTHS

The 1993 Senate Armed Services Committee hearings that took place stretched out over nearly half a year. Senator Sam Nunn (D-GA), the committee’s chair, led the hearings and was very successful in ensuring that they were structured in such a manner that a greater proportion of evidence was presented that supported his position. While Nunn was personally opposed to lifting the ban, he had also felt slighted by his fellow southern Democrat in the White House.

Nunn was a long-time member of the Senate Armed Services Committee and had become Congress's most prominent authority on the American military. That "Mr. Defense" himself was not nominated by Clinton to serve as Secretary of Defense did not sit well with the chairman. Nunn was also politically savvy. He took the unusual step of holding one of the hearings at Norfolk Naval Yard where he and another senator took advantage of a perfect photo opportunity where they could demonstrate how cramped submarine sleeping quarters were. The committee also held a live hearing in the naval facility packed with service members to gauge their positions on the policy. This was surprising, given that military elites, like Lieutenant General Calvin Waller, themselves had throughout the hearings stated that "the military is not a democracy."³⁹ Crafting military personnel policies based upon a single large-scale informal focus group of military service members was highly unorthodox. Had this been a normal means to draft military personnel policies, Truman would not have ordered the military to desegregate in 1947.

Opposing senators like Nunn were often careful in their language. Nunn opened the hearings on March 29, 1993, stating that the committee's "primary focus and concern must be on the implications of any change in the current policy on the effectiveness of our Armed Forces . . ." and that this narrow approach was in his view "not prejudice; it is prudence."⁴⁰ Nunn regularly invoked the references to cohesion and readiness and repeatedly made a repeal seem as if it were an insurmountable task for Congress. According to Nunn, gay and lesbian individuals could not

³⁹ Lt. Gen. Calvin Waller, testifying before the Senate Armed Services Committee, 103th Cong., 1st sess., Congressional Record (April 29, 1993), 400.

⁴⁰ Sen. Sam Nunn, speaking at S.Hrg. 103-845, 103rd Cong., 1st sess., Congressional Record (March 29, 1993), 3.

openly serve unless Congress also re-wrote the Uniform Code of Military Justice (UCMJ) and repealed provisions that listed sodomy as a crime. For Nunn, homosexual status and behavior were one and the same and therefore a gay lifestyle was inherently a crime in military law like drunk driving.⁴¹ Nunn also continuously referenced gay marriage, military housing, and military spousal benefits and framed the issue of lifting the 1981 policy as one that could not be solved without solving every potentially related social issue.

Others in the opposition, like Senator Strom Thurmond (R-SC), were not as delicate. Thurmond often responded to the testimony of gay military service members by declaring that their “lifestyle is not normal” and that “It is not normal for a man to want to be with a man and woman with woman.”⁴² Thurmond, like Nunn, brought up issues of cohesion and the UCMJ’s sodomy statutes, but also made a habit of asking those same officers if they had ever sought psychiatric or medical help because, according to Thurmond, homosexuality was a “handicap.”⁴³ Others like Senators John McCain (R-AZ), John Glenn (R-OH), and Trent Lott (R-MI) expressed that they thought advocates for repeal were seeking to further a “gay agenda” and force the country to accept their “lifestyle.” Lott proclaimed that Americans “do not believe that the Federal Government should *endorse* homosexuality as a lifestyle—and that is exactly the message we will send if we lift the ban.”⁴⁴ Collectively, the opposing senators simply could not imagine

⁴¹ Ibid, 177.

⁴² Sen. Strom Thurmond, speaking at S.Hrg. 103-845, 103rd Cong., 1st sess. Congressional Record (May 7, 1993), 567.

⁴³ Ibid, 689.

⁴⁴ Sen. Trent Lott, speaking at S.Hrg. 103-845, 103rd Cong., 1st sess. Congressional Record (March 29, 1993), 163.

gay and lesbian service members as normal Americans that simply wanted to serve their country. In the opposition's eyes, these were individuals who were immoral, unable to control their sexual appetites, and who would make life unbearable for heterosexuals through unwanted gazes and harassment in sleeping quarters, showers, and restrooms. Senator Dan Coats (R-IN) thought that open gay and lesbian service members would introduce unwanted "erotic love," and "sexual tension," would "disrupt cohesiveness" and place heterosexual American service members at risk.⁴⁵

SUPPORT IN THE SENATE: CIVIL RIGHTS

Supporters of lifting the ban in the Senate were fewer in number and while some did discuss the material costs of the 1981 policy—loss of highly skilled personnel and the \$500 million lost enforcing the ban—they mostly argued upon ideas, namely those associated with civil rights. Many also compared discriminatory military personnel policies that targeted gays and lesbians with past policies that targeted African Americans and women. For many of these supporters, ending discrimination against gay and lesbian recruits and service members in the American military was simply about civil rights and fairness. The strongest advocate of lifting the ban was Senator John Kerry (D-MA). Kerry, a highly decorated veteran of the Vietnam War and someone who knew gay sailors during his service, was one of the few committee members that had experience in both accounts.

⁴⁵ Sen. Dan Coats, speaking at S.Hrg. 103-845, 103rd Cong., 1st sess. Congressional Record (March 29 & 31, 1993), 194-296.

Kerry was critical of the loss of highly skilled personnel and the millions of dollars cost to maintain the policy, but most of his remarks were aimed at reminding the committee that gay and lesbian service members were *already* in the military, they were everywhere in public life, and that they were even in the Senate at the hearing. He also spent considerable efforts pointing out the hypocrisy of making the argument about morality, noting that sailors in Vietnam were hardly saints and committed adultery and slept with prostitutes. At times Kerry became extremely frustrated with the opposition's arguments. In response to Thurmond's continuous concerns over sodomy laws, Kerry stated, "You have [gay men and lesbians] right here in the Senate. Is this against the law? Has Senator Thurmond or have the Capitol Police arrested anyone because people that we know practice sodomy? No?"⁴⁶ Kerry compared the policy with segregation in the military and restrictions on women's service and took issue with any policy that discriminated against people who were willing to die for democracy. In response to a comment made by Nunn, Kerry noted it was ridiculous for individuals in a government institution as large as the military "to assume the risks of defending this Nation, set up to protect what we stand for as a Nation, that is not truly made up of all the people in this Nation, and I wonder how you can ask people to fight and die for our values but represent our values."⁴⁷

Other supporters like Senator Barbara Boxer (D-CA) also linked the issue to the unnecessary loss of personnel and civil rights. Like Kerry, she reminded the Senate that immorality was not a function of sexual orientation and that Congress recently had to spend

⁴⁶ Sen. John Kerry, speaking at S.Hrg. 103-845, 103rd Cong., 1st sess. Congressional Record (May 7, 1993), 495.

⁴⁷ *Ibid*, 490.

hundreds of millions of dollars to care for tens of thousands of children in the Philippines that were fathered by American service members and were left behind when the American military closed its bases there. Boxer was adamant that the American military needed “all the good soldiers we can get” and the real issue was “one of behavior, not sexual orientation” and that if Congress could simply direct the military create a code of conduct that applied to all service members, then it could also address the rampant experiences of sexual harassment in the military.⁴⁸ Senator Dianne Feinstein (D-CA) similarly linked gender dynamics in her remarks and in doing so, questioned why the opposing senators thought gays and lesbians could not restrain their behavior. She asked, “You know it is appropriate for me and my husband to show our affection at certain times. It is not appropriate at other times Why should the military not also make these distinctions.” In response to remarks by Senator John Warner about concerns about gay and straight men living together, she expressed, “Well I think it is possible to cohabit together and not indulge in sexual behavior.”⁴⁹

Senator Edward Kennedy (D-MA) shared with Kerry the belief that the military did not exist for its own sake but for defending liberty and that discriminatory military personnel policies contradicted that larger purpose. He also very strongly agreed with Boxer and Feinstein that behavior and not sexual orientation was the real issue. Kennedy noted that women in the military were twice as likely to be sexually harassed than civilian women and yet the “military has found

⁴⁸ Sen. Barbara Boxer, speaking at S.Hrg. 103-845, 103rd Cong., 1st sess. Congressional Record (May 7, 1993), 485.

⁴⁹ Sen. Dianne Fein, speaking at S.Hrg. 103-845, 103rd Cong., 1st sess. Congressional Record (May 7, 1993), 507-511.

the time and resources to move against 16,000 gay men and lesbians at a cost of nearly \$0.5 billion over the last 12 years. These priorities are simply wrong.”⁵⁰

OPPOSITION IN THE HOUSE: HOMOPHOBIA & MYTHS

In 1993 the House Armed Services Committee also held hearings. The House hearings were less extensive and held over two days in May of that same year. The committee’s chair, Representative Ronald Dellums (D-CA), was far more willing than Nunn to facilitate a more balanced debate with less theatrics. Unlike Nunn, Dellums was not using the hearings to bolster his bona fides as a defense policy genius. Being an African American and intensely aware of the parallels in the rhetoric and justifications for segregation in the military and discrimination against gay and lesbian service members, he took a strong civil rights position during the hearings.

Opponents of ending the discriminatory military personnel policy strongly disagreed with Dellums that what they were debating was a civil rights issue. Many echoed the same concerns raised in the Senate hearings about cohesion, readiness, privacy, and linked their arguments with related concerns about gay marriage and spousal benefits. But many also took their arguments much further by vociferously declaring homosexuality to be a violation of scripture, equating gay men and lesbians with pedophiles, and worried that allowing gays and lesbians to serve would result in a dramatic decline in the nation’s moral values.

Representative Steve Buyer (R-IN) in his remarks condemned supporters of ending the policy and thought linking the issue to civil rights was a farce. He claimed that linking the issue

⁵⁰ Sen. Edward Kennedy, speaking at S.Hrg. 103-845, 103rd Cong., 1st sess. Congressional Record (April 29, 1993), 282-283.

to civil rights had “cloaked homosexuality as acceptable morality” and that they were asking “the Armed Services Committee to do is to declare homosexuality as an acceptable lifestyle by forcing it upon the military.” He stated that “Sodomy is not a civil right” and believed that gay men were pedophiles that sought “contamination of themselves [and] others in society with the AIDS virus.”⁵¹ Representative Bob Dornan (R-NY) echoed Buyer’s concerns about pedophilia and AIDS and⁵² believed that the entire population of gay men in America was infected with syphilis, gonorrhea, and hepatitis. For Dornan, the mere presence of gay men and lesbians in the military was an indication that “we have a culture war.” And he worried that gays and lesbians were going to morally contaminate the youth of the military, stating “I take it personally when I hear that you are going to have to take kids from the heartland . . . and train them that they must accept something as normal, and in some cases admired, that they have been taught all their lives was a transgression against God and something that Jesus Christ was crucified for.”

Representative Duncan Hunter (R-CA) also linked the issue to scripture and declared “We are here today because literally hundreds of millions of Americans believe that the Judeo-Christian tradition has produced laws . . . with respect to sodomy . . . and they believe their rejection of homosexuality is a value that is and should be acceptable.”⁵³ Others, like Representative Floyd Spence (R-SC) thought demands to end the 1981 policy were linked to a broader “gay agenda” and that “Homosexual activism will demand more. The cost of readiness

⁵¹ Rep. Steve Buyer, speaking at H201-36, 103rd Cong., 1st sess. Congressional Record (May 4, 1993), 74-75.

⁵² Rep. Bob Dornan, speaking at H201-36, 103rd Cong., 1st sess. Congressional Record (May 4 & 5, 1993), 79, 234, 303.

⁵³ Rep. Duncan Hunter, speaking at H201-36, 103rd Cong., 1st sess. Congressional Record (May 4, 1993), 39.

of [sic] turning the military into a legal, social, and cultural battleground for years to come are almost incomprehensible. It would also be contradictory to give legitimacy to the homosexual lifestyle when the homosexual act is an unnatural act.”⁵⁴

SUPPORT IN THE HOUSE: CIVIL RIGHTS

Dellums and other supporters of ending the 1981 policy were less guarded in their language than their counterparts in the senate. Dellums opened the hearings declaring, “. . . it is my own personal political and philosophical view that the ban should be lifted and that we do it and that we get on with it as a mature intelligent, egalitarian society committed to Democratic principles and constitutional freedoms.”⁵⁵ Throughout the hearing, he regularly described discriminatory military personnel policies that limited the service of gay and lesbian recruits and service members as forms of discrimination and acts of oppression, frequently compared these policies to those that segregated African American service members, and noted that justifications most frequently invoked for discrimination against gay and lesbian individuals in the military were painfully similar to segregation in the military. In response to opponents’ frequent invocation of General Colin Powell’s dismissal of the comparison, Dellums noted, “when the issue of race becomes a question in the United States military, it was not received as a benign characteristic. [We] were described as nonhuman, less than human, not inside the Constitution, disease-ridden, crime-oriented, cowards.” He further compared the experience of African American service members and further compared the similarity of discourse, noting “the military should not

⁵⁴ Rep. Spence Floyd, speaking at H201-36, 103rd Cong., 1st sess. Congressional Record (May 4, 1993), 2-3.

⁵⁵ Rep. Ronald Dellums, speaking at H201-36, 103rd Cong., 1st sess. Congressional Record (May 4, 1993), 1.

engage in social experimentation; to serve in the military is a privilege, not a right of these black people," that "the black folks had an agenda," that "unit cohesion will fall apart because they are not the same," and "The bible says races cannot integrate."⁵⁶

Other supporters of ending discriminatory military personnel policies that targeted gay and lesbian service members largely reiterated Dellums' overarching concern about civil rights. But some also saw serious issues with the policy because it forced some service members to have to lie about their private lives, that the policy was also used as a mechanism to harass and discriminate against women in the military, and they were concerned that with the overall lack of actual evidence presented by opponents. They noted all the testimony they heard concerning the harm to unit cohesion was based upon assumptions and stereotypes.

Representative Jane Harman (D-NY) shared Dellums' concerns about civil rights, thought the policy would eventually run amok with federal courts because it violated the Equal Protection Clause of the Fourteenth Amendment, and was especially critical of how the policy was used to conduct "vicious investigate techniques against women" in the military known as "lesbian baiting."⁵⁷ Representative Patricia Schroeder (D-CO) also echoed concerns about civil rights and agreed with Harman's concerns about lesbian baiting as well as rampant sexual harassment against women in the military. But she was also troubled with the arguments opponents made concerning cohesion and stated, "I think one of the problems is what I heard in testimony that I haven't found any factual basis for . . . we can't deal from stereotypes, and we can't deal from

⁵⁶ Ibid, 153-154.

⁵⁷ Rep. Jane Harman, speaking at H201-36, 103rd Cong., 1st sess. Congressional Record (May 4, 1993), 79, 234, 303.

things that aren't factually based." For Schroeder what the policy amounted to was also an expectation that gay and lesbian service members could only serve in the closet was problematic, she expressed, "This country should not force people to live a lie."⁵⁸

Representative Rob Andrews (D-NJ) thought that if there was any negative impact on unit cohesion that it would result from the failure of military leadership and not gay and lesbian service members themselves. He agreed with Schroeder by asking, wouldn't forcing service members to "live a lie" harm cohesion? He too was concerned that witnesses that claimed open gay and lesbian service members would harm unit cohesion could not cite actual examples. Andrews also countered the frequent references to scripture by opponents by annotating all the other prohibited behavior in the Old Testament such as eating undercooked meat and reminded those in the hearing that the Bible also teaches love and compassion,⁵⁹ albeit to very deaf ears in the conservative House committee members. In other words, just as conservatives were selectively receptive to evidence about the effectiveness of gay and lesbian service members, they were also selective with respect to the Biblically-based evidence they used to justify their preferences.

OPPOSITION AMONG MILITARY ELITES: HOMOPHOBIA & MYTHS

Military elites were largely opposed to lifting the ban. Many, like General Colin Powell, took exception to the comparison between historical discrimination between African Americans in the

⁵⁸ Rep. Patricia Schroeder, speaking at H201-36, 103rd Cong., 1st sess. Congressional Record (May 4, 1993), 32-33, 163-164.

⁵⁹ Rep. Rob Andrews, speaking at H201-36, 103rd Cong., 1st sess. Congressional Record (May 4 & 5, 1993), 51, 186, 237-328.

American military and discrimination against gay men and lesbians. Powell, in a response to a letter from Representative Schroeder, argued that skin color was a “benign, non-behavior characteristic” while sexual orientation was “perhaps the most profound of human behavior characteristics.”⁶⁰ Lieutenant General Waller, another high-ranking African American Army officer, expressed a more powerful rejection of the comparison. Waller declared, “I have no choice, in regarding my race To compare my service in America’s Armed Forces, which I submit to you is not a deviant force, with the integration of avowed homosexuals, is personally offensive to me.”⁶¹

The result of comments like these from African American military elites gave opponents of ending the 1981 policy sufficient cover to reject comparisons made by those that supported ending the policy. Opponents frequently cited Powell’s remarks and it was difficult for anyone to say to a highly decorated African American soldier, and one of the most associated faces with victory in the Gulf War, was wrong. The individual service chiefs and the Commandant of the Marines Corps uniformly repeated the DoD policy that “homosexuality is incompatible with military service” and cited the presumed impact on combat effectiveness and cohesion. Marine General Carl Mundy argued that cohesion was “a foundation built on common trust” and that “to try and inject [the integration of openly gay and lesbian service members], to try and force that into the ranks, would simply create a fracture that would, in my view” compromise military

⁶⁰ Gen. Colin Powell (1992) Letter to Rep. Patricia Schroeder, May 8.

⁶¹ Lt. Gen. Calvin Waller, testifying before the Senate Armed Services Committee, 103th Cong., 1st sess., Congressional Record (April 29, 1993), 401.

cohesion.⁶² Much like the majority of senators that opposed lifting the ban, military leaders could not imagine a world where gays and lesbians shared the same values of the military and desired to serve their country. They imagined a world where openly gay and lesbian service members would be nothing but a distraction and would upset their heterosexual peers so much that they would be unable to be effective in combat and would become a “second rate force.”⁶³

In the Senate hearings testimony given by current military leadership was overwhelming in support of retaining the policy. Some military supporters of lifting the ban were invited to speak but most were junior officers who had been discharged. In the House hearings though, Dellums ensured a more even panel of witnesses, roughly a third were supporters of ending discriminatory military personnel policies that restricted the service of gay and lesbian individuals. All the military officers that testified were recently retired and opponents were far more forceful about their positions. All the opponents cited concerns about cohesion, efficiency, and privacy but many also believed that gays and lesbians were a highly promiscuous, morally corrupt, and disease-ridden class of people that were out to destroy the military. Supporters of ending the 1981 policy were high-ranking officers who had served mostly in silence, were open to a select number of other service members, and gave testament to the fact that gay and lesbian service members often practiced discretion when coming out and when they did it had no negative impact on military cohesion or effectiveness.

⁶² Gen. Carl Mundy, testifying before the Senate Armed Services Committee, 103th Cong., 1st sess., Congressional Record (July 20, 1993), 730.

⁶³ Lt. Gen. Calvin Waller, testifying before the Senate Armed Services Committee, 103th Cong., 1st sess., Congressional Record (April 29, 1993), 400.

Marine Colonel John Ripley was as imaginative as he was livid. Ripley expressed that the entire debate concerning maintaining, lifting, or even adjusting the policy amounted to transforming the military into “a large petri dish where social laboratories and experimenters can create new systems.” He thought the mere presence of any openly gay and lesbian service members would destroy the military because “Homosexuals constantly focus on themselves. Their so-called needs, what they want their entitlements their rights. They never talk about the good of the unit” and that such an imagined focus also meant they could not function combat. He listed numerous diseases that he believed all gay men and lesbians to be carriers are, including “gay bowel syndrome,” and thought all gay men and lesbians were nothing but “walking repositories of disease” that would molest children and “prey—P-R-E-Y—on otherwise decent Marines.”⁶⁴

Other military opponents were not any kinder or any less imaginative. Marine Brigadier General William Weise thought there was a grand homosexual agenda. He declared, “They want to stop HIV screening. They want to change society’s behavior. They want to indoctrinate our children.” For Weise, the presence of gay and lesbian service members in the military was “like putting a hungry dog in a meat shop.” He also equated homosexuality with pedophilia and asked the committee members if they “Would you play Russian roulette with the lives of [their] children?”⁶⁵ Army Brigadier General James Hutchens expressed many similar concerns but also

⁶⁴ Col. John Ripley, testifying before the House Armed Services Committee, 103rd Cong., 1st sess. Congressional Record (May 4, 1993), 87-92, 158-166.

⁶⁵ Brig. Gen. William Weise, testifying before the House Armed Services Committee, 103rd Cong., 1st sess. Congressional Record (May 4, 1993), 93-94, 165-188.

added remarks concerning how he believed that “Homosexuals cannot reproduce, they must seduce and recruit” and that their presence was not just an imagined invitation to physical disease but also a “moral virus” that would corrupt an otherwise strongly religious and morally sound institution.⁶⁶

GAY AND LESBIAN SERVICE MEMBERS: THE REALITY OF LIVED EXPERIENCE

The nature of many opposing military elites’ outrageous comments aside, the problem with testimony from senior military officers was illustrated in what supporters in the House and Senate expressed – that none of them actually knew gay and lesbian service members. For senior officers like Ripley, gay men and lesbians were practically something akin to a boogeyman out to destroy his beloved Marines Corps. Like the boogeyman, Ripley’s belief system was entirely imagined and based upon stereotypes and not reality. In the House and Senate, witnesses who were supporters of ending the policy should have helped dispel such myths.

One supporter was retired Army Colonel Karl Cropsey, an infantry officer, and twenty-three-year Army veteran. He served two tours in Vietnam and was decorated many times over for valor, including the Silver Star. Cropsey largely served in silence but told the committee that he was open to soldiers he trusted and given his decades of bachelorhood, many soldiers under his command often assumed he was gay. He expressed to the committee that the policy was a “senseless and destructive ban on [the] military service [of] homosexuals” and was “short-sighted, homophobic, and certainly malignant.” Cropsey also said that among those who knew,

⁶⁶ Brig. Gen. James Hutchens, testifying before the House Armed Services Committee, 103rd Cong., 1st sess. Congressional Record (May 4, 1993), 142-145, 181.

his sexual orientation never became an issue, had no impact on unit cohesion and that the only harm he knew of to unit cohesion was a result of bad leadership and disruptive behavior like sexual harassment. He also highlighted one of the most important concerns that House supporters expressed—that the policy forced gay and lesbian service members to live a lie which forced them to “compromise their integrity because of the unfairness of arbitrarily discharging soldiers based on their known or expected orientation.” Cropsey also noted something which would pass over the heads of even future supporters of lifting the ban. The complete losses of gay and lesbian service members would most likely never be known because outed gay and lesbian military officers, unlike enlisted personnel, were often allowed to silently resign.⁶⁷

The American Army would have been hard-pressed to find a more competent all-American military nurse than Colonel Margarethe Cammermeyer. She was the daughter of World War II Norwegian resistance fighters during Nazi occupation. Unbeknown to her at the time, her mother had used taking her out in her baby carriage as a means to smuggle small arms to other resistance fighters. Cammermeyer grew up to be so grateful to her American liberators that after her parents immigrated to the United States and she went into college, she joined the Army’s Nursing Corps. She served with the Regular Army in Vietnam and was awarded the Bronze Star for her service. She later joined the National Guard while working for the Department of Veterans Affairs (VA) where she was selected as the VA Nurse of the Year from a pool of more than 34,000 other candidates. Cammermeyer completed a Ph.D. while juggling both her civilian and military jobs and was eventually selected to be her state’s chief military nurse. When she was

⁶⁷ Col. Karl Cropsey, testifying before the House Armed Services Committee, 103rd Cong., 1st sess. Congressional Record (May 4, 1993), 9-12, 45.

selected to attend the War College, she underwent a background investigation needed for a top-secret security clearance. Cammermeyer, not knowing the implications of doing so, answered that she was a lesbian when questioned about her sexuality and the Army decided to dismiss her from service. It took nearly two years to discharge her though and, in the meantime, her unit kept her in her position.⁶⁸

Cammermeyer, her commander, and her peers thought her presence was not harmful to unit cohesion. The only thing that had impaired her unit's cohesion was her removal. Even the presiding officer at her administrative hearing declared, "I truly believe that you are one of the great Americans . . . and I've admired you for a long time We're really fortunate that [you] came to us."⁶⁹ During the 1993 Senate hearings, the two-star general that was forced to discharge her cried when he had to do it.⁷⁰ Cammermeyer's situation was not an imagined one. It was a real example of an open lesbian service member in an Army unit with no impact on unit cohesion or effectiveness and it was only her removal that had a negative impact on her unit.

Cammermeyer was not an isolated example during the 1993 hearings. Navy Lieutenant Tracy Throne, one of the Navy's "Top Gun" aviators, had come out about this sexual orientation to the press as an act of protest against the 1981 DoD policy after hearing Clinton's campaign promises to end the policy. He told the committee at length how strongly his desire to serve was driven by his love for his country, but also how his service posed a constant moral dilemma, he

⁶⁸ Cammermeyer, M. (1994) *Serving in Silence*. New York: Viking Press.

⁶⁹ *Ibid*, 275-288.

⁷⁰ Lawrence Korb, testifying before the Senate Armed Services Committee, 103th Cong., 1st sess., Congressional Record (March 29, 1993), 284.

stated, "I could not reconcile being a part of a military that was supposed to defend liberty and justice for all when all did not include me." He noted that, like Cammermeyer, his peers were supportive of him when he came out, did not reject him, and that they were proud of him for standing up for what he believed in. The only negative impact on unit cohesion and effectiveness that resulted came as a result of his dismissal. In response to Thurmond's insistence that Thorne had a choice in his sexual orientation, he replied "had I the choice as a child to change my sexual orientation, I most certainly would have. Because this pain I would never wish on anybody, and I do not see how anybody could think it is a choice. No one with any God-given intelligence would choose to live a life where you are discriminated against."⁷¹

The House also heard testimony from Captain Tanya Domi, an officer that began her career as an enlisted soldier in the military police. She expressed concerns similar to those of Cropsey, that having to serve silently and live a lie was incredibly stressful. Domi noted that "service to my country came at great personal risk and toil, not because of enemy fire but because of simple discrimination." She also raised concerns that supporters like Schroeder brought up, that the policy had a very real and very negative impact on women. She testified extensively on lesbian baiting and recounted an experience of being sexually harassed by a fellow male officer. She reported the incident to her superior officer but instead of reprimanding the offending male officer, the harasser accused her of being a lesbian, and Domi became the subject of an

⁷¹ Lt. Tracy Throne, testifying before the Senate Armed Services Committee, 103th Cong., 1st sess., Congressional Record (May 7, 1993), 559-579.

investigation. According to Domi, it was behavior like this and not the presence of gay and lesbian service members that undermined military cohesion and effectiveness.⁷²

One of the great ironies of the views of opponents like those of Powell was that the military had been in this position many times before. It was precisely what Dellums argued during his committee hearings. During World War II the military had largely departed from arguments that African American men were physically and mentally inferior and began to argue instead that their integration would disrupt the existing cohesion and combat effectiveness of white units. But manpower near the end of the war had become so scarce that segregation broke down in a handful of operations such as the Battle of the Bulge. General Dwight Eisenhower was so desperate for replacement soldiers that he accepted the practice of integrating black replacement troops into white line units. War Department assessments of integrated units were positive, and the Army learned that white soldiers' exposure to and service with black soldiers actually changed their attitudes about race.⁷³

In other words, the majority group's exposure to the minority group actually solved the issues believed to give rise to disrupting unit cohesion. The military and Congress had evidence on hand that gay men and lesbians, when open to their peers were not disruptive, and discriminatory military personnel policies only served to cultivate negative views about gay men and lesbians. Men like Powell, Waller, Ripley, and Weise had never served with open gay and

⁷² Capt. Tanya Domi, testifying before the House Armed Services Committee, 103rd Cong., 1st sess. Congressional Record (May 4, 1993), 16-32.

⁷³ Mershon, S. and Schlossman, S. (1998) *Foxholes & Colorlines: Desegregating the U.S. Armed Forces*. Baltimore: The Johns Hopkins University Press, 93-157.

lesbian service members precisely because the policy kept such members in the closet, but if the ban were not present, then contact with them would have allowed them to potentially rethink common stereotypes about gay men and lesbians and learn to judge them on individual merit, performance, and competency.⁷⁴ Unfortunately for gay and lesbian service members, the timing could not have been worse. Whereas the manpower constraints of World War II made integration a necessity for combat in Europe, the 1990s were not only an era of post-Cold War peace but also one of military downsizing.⁷⁵

In both the Senate and the House, the majority of civilian and military elites that expressed prejudicial beliefs about gays and lesbians generally did not have any first-hand experience. They imagined a military where the mere presence of open gay and lesbian service members was determinantal to cohesion and effectiveness, not their own prejudicial views. So powerful was the idea that homosexuality was sinful and unacceptable that imagined scenarios could trump the evidence of real-world experiences where they existed. Before the House hearings, another gay Army officer and descendent of Thomas Jefferson, Colonel Lucian Truscott III put it succinctly:

“Down there we need to know: Will he fight? Will he be there when the going gets tough? If the answer to all these questions is yes, then we don’t care if he is white or black We don’t care if he is Christian, Jew, Muslim, or atheist. We don’t give a damn if he is gay. We wouldn’t even care if he were a she. So the issue before you isn’t about gays. It is about equality, about equal rights.”

⁷⁴ Sarbin, (1996), 177-196.

⁷⁵ Horner, D. & Anderson, M. (1994) ‘Integration of Homosexuals into the Armed Forces: Racial and Gender Integration as a Point of Departure’, in *Gays and Lesbians in the Military: Issues Concerns and Contrasts*. 1st edn. Philadelphia: Routledge, pp. 247–260.

During the Senate hearings, Senator John Warner (R-VA), who also raised strong concerns about unit cohesion and effectiveness, articulated that the problem with the ban on gay men and lesbians serving openly in the military was perhaps something generational in nature. He noted, “. . . there is a generational problem here, those of us in the World War II generation and thereafter. Young people have a different attitude towards this question of homosexuality than people in my generation who served with me in World War II and Korea and the younger people look at it differently than we did.”⁷⁶ Warner ultimately did not support lifting the ban and supported the supposed compromise that became DADT, but his off-hand remark during the hearing was correct. Future senior military officers who were junior officers during the hearing would have agreed with Warner and could have cared less.

A future Air Force colonel, who was a young lieutenant at the time, described himself as having a Christian upbringing but he also did not believe it was his place to impose his personal religious views on his command decision-making process. He did not recall thinking much about the debate when it occurred because he noted he was too busy with his day-to-day responsibilities. As he progressed in his career, he got to know some gay and lesbian service members, never had issues with them, and his primary concern eventually always was “I just want people to do their jobs.”⁷⁷

A future Marine Corps colonel, who was also a lieutenant at the time of the debate, similarly described himself as having a strong Christian upbringing and also as being too busy

⁷⁶ Sen. John Warner, speaking at S.Hrg. 103-845, 103rd Cong., 1st sess. Congressional Record (March 29, 1993), 227.

⁷⁷ Anonymous, (2021). *Personal Interview*, 24 March.

with the high tempo of the military lifestyle, he was recently immersed into, to think much about the debate. As he progressed through this career though, he too got to know several gay and lesbian service members. He thought that when most marines knew of an open gay marine that “no one cared” so long as they were good marines. For him DADT was flawed because good leaders know about their subordinates’ private lives and “Don’t Ask, Don’t Tell goes against that and there’s a real friction that arises with balancing the ultimate mission of the military with real individuals’ lives and families.”⁷⁸

Even where glimpses of empirical reality emerged forth for men like Warner to absorb, it was not enough to overcome illogical fears about cohesion and effectiveness. Men like Warner at some level knew his justifications were ideational, knew that gay and lesbian service members, once open, were largely accepted by their peers, and the only negative impact upon cohesion and effectiveness was the sudden and unfair removal of gay and lesbian service members from their units. If the committee could have more exhaustively heard honest feedback from junior officers who would be charged with leading troops in future wars, they would have most likely learned that “no one cared” and that individual job performance and merit mattered more than sexual orientation. Fears from men like Ripley were entirely imagined, unwarranted, and harmful to military effectiveness.

BIAS HEARD: THE 1993 MILITARY WORKING GROUP

In addition to the hearings in Congress, Clinton had directed the DoD to research the potential impact that open gay and lesbian service personnel would have on the military. Secretary of

⁷⁸ Ibid.

Defense Les Aspin commissioned two groups to study the issue, an internal DoD commissioned research group known as the Military Working Group (MWG) and another conducted by the RAND Corporation. The MWG was highly biased at its inception and its members were set on supporting the existing policy even before the MWG was formed. RAND was far more impartial and more rigorous in its analysis. But the MWG published first, reported its finding to Nunn's committee and RAND submitted its findings to Aspin three days before Nunn's committee completed its hearings and was not included in the Senate hearings.

The MWG was drawn from senior military officers from across each of the services and was tasked with providing the president with policy reform options. The MWG included officers such as Lieutenant Colonel Robert Lee Maginnis and Major Melissa Wells-Petry. Before working on the MWG, Maginnis had teamed up with the religious and conservative Family Research Council where he coauthored policy papers that were subsequently circulated throughout Congress and the Pentagon. His research methods generally involved reading through some of the most outrageous gay periodicals, selecting the most offensive material he could find, and then supporting those findings with numerous citations to other works that essentially practiced the same methodology. Maginnis painted a portrait of "the gay lifestyle" as one where most gay men had hundreds and some even thousands of sexual partners, where the practice of sodomy was so frequent and violent that gay men developed "gay bowel syndrome" and become incontinent. He also argued that gay men and lesbians were more prone to pedophilia and had an obsession with Nazi paraphernalia and practices. He claimed that gays and lesbians led such immoral lives

that they were highly prone to dishonesty, failed relationships, depression, and indiscipline.⁷⁹ Wells-Petry had worked closely with Maginnis in the pursuit of pseudo-science and authored a book, *Exclusion: Homosexuals and the Right to Serve*. In her work, she made similar claims and argued that gay men and lesbians were more prone to sex crimes and as a result of their immoral lifestyles, that their mere presence in the military made it impossible for straight service members to feel safe and able to focus on their jobs.⁸⁰

Unsurprisingly, after four months of “research” work, the MWG did not provide Clinton with options. Instead, its brief fifteen-page report indicated that “the introduction of individuals identified as homosexuals into the military would severely undermine good order and discipline,” that they would violate the privacy rights of heterosexual service members, lower morale, undermine the military’s core values, reduce readiness, increase infection rates of HIV across the military, and would harm recruiting and retention.⁸¹ These were the findings that were reported to the Senate. Another MWG member, Major General John Otjen, when asked about RAND’s research work simply testified, that he did not what know the RAND findings were and that the two groups had no contact with each other.⁸²

⁷⁹ Frank (2009), 25-57.

⁸⁰ Ibid, 41-43.

⁸¹ Military Working Group. (1993) *Summary Report of the Military Working Group*. Arlington, VA: Office of the Secretary of Defense.

⁸² Maj. Gen. John Otjen, testifying before the Senate Armed Services Committee, 103th Cong., 1st sess., Congressional Record (Jul 21, 1993), 774.

OBJECTIVITY STIFLED: THE 1993 RAND REPORT

The RAND Corporation, the same think tank that the DoD had often sought help from on a variety of issues including nuclear weapons targeting, conducted far more rigorous and extensive research. The dozens of social science researchers investigated historical discriminatory military personnel policies from 1916 to 1991 and their impact on military efficiency, the experiences of foreign militaries that had ended similar policies that targeted gay and lesbian service members, the experience of fire and police departments that had recently ended their own gay service bans, opinion polling of the American population and the military, health concerns, and unit cohesion. RAND argued that sexual orientation was “not germane” to military service, that gay and lesbian service members if allowed to serve openly would largely practice discretion when determining when and with whom to come out to, and that their presence would have minimal if any impact on unit cohesion or effectiveness. RAND also noted that the military did not have to attempt to change individual service members’ belief systems, that the military could easily rely upon establishing a uniform code of conduct that applied both to heterosexual and homosexual service members, and that inappropriate and disruptive behavior, not status, should dictate disciplinary actions.⁸³

Despite its impartial, rigorous, and lengthy efforts, the RAND report fell outside Nunn’s timeline and was not considered in either chamber of Congress. Like the Crittenden and the PERSEREC reports before it, it was neatly shelved and forgotten by those who would craft the

⁸³ National Defense Research Institute. (1993) *Sexual Orientation and U.S. Military Personnel Policy: Options and Assessment*. Santa Monica, CA: RAND Corporation.

final form of a discriminatory military personnel policy that targeted gay and lesbian service members—DADT.

Conclusion

Gay men and lesbians have served in the American military and were present in every major American military conflict since the American Revolution. And except for the most recent decade of American history, gay and lesbian individuals have also encountered various forms of discriminatory military personnel policies that disqualified them from serving openly. Those policies were not functions of systemic pressures or military necessity; they were entirely ideational in origin. Individual and societal understandings of gay and lesbian identity have also changed over time and usually with corresponding changes in civilian and elite justifications for discriminatory military personnel policies. During the years of the early American republic, homosexuality was understood as a sin that any individual might be prone to. This understanding would transform into a criminal perspective, later to be viewed as a mental health illness, and later to a mix of moral and criminal perspectives within the military. While the American military did maintain its discriminatory personnel policies during times of war and sometimes with great vigor, it would lessen the degree of discrimination when local commanders valued scarce manpower. In those instances, both ideational and systemic factors matter.

During the Carter administration, these policies became even more restrictive and removed the ability of individual commanders to make exceptions. Neither the previous policies nor the Carter-era policy were tenable because none were logical and often ran counter to military necessity. When an individual friendly to the gay and lesbian community assumed the

presidency in 1992 and sought to end the Carter-era policy, conservatives in Congress fought back and several months of debates resulted in the compromise policy of DADT. While that policy was framed as a compromise, it was largely a continuation of the status-quo and made a prospective future policy change more difficult. While there was dissent in Congress and MCs debated the merits of either civil rights beliefs or homophobic beliefs, the latter simply held the necessary votes in Congress. Military elites, with few exceptions, backed conservative-minded MCs and often with more vociferous and prejudicial discourse. As the next chapter will demonstrate, DADT bound the hands of future civilian and military elites, even when societal beliefs at large dramatically changed, and would result in a greater loss of military personnel than the combined casualties of both the wars in Afghanistan and Iraq. DADT was not only morally wrong, but it made the American military less effective.

CHAPTER VI: IS THERE A STRAIGHT WAY TO TRANSLATE ARABIC?¹

“Lifting the ban will do irreparable damage to the Marine Corps as a fighting force. This is not a political issue, but it is one of combat effectiveness . . . So you must understand that any attempt to assimilate homosexuals into the workplace will automatically attempt to assimilate homosexuals into our military communities, at our very heart, our families, at my family, my children.”²

Marine Corps MAJ Kathleen Bergeron, 1993
Testifying before the Senate Armed Services Committee

“I would ask that most of you men who sit up there, you wear a wedding ring on your left hand, and at your office you may have a picture of your wife that sits behind you on your desk, and I pose the question to you: Have you ever cared about someone so much that you come into the workplace and you talk about that person that you care about so much? You see, you do not keep your private lives private. It is not possible, because it is presumed that you are heterosexual.”³

Navy LTJG Tracy Throne, 1993
Testifying before the Senate Armed Services Committee

According to its authors in Congress, “Don’t Ask, Don’t Tell” (DADT) was supposedly designed to allow gay and lesbian service members to serve without the threat of witch hunts

¹ Chapter title from Frank, N. (2009). *Unfriendly Fire: How the Gay Ban Undermines the Military and Weakens America*. St. Martin’s Press.

² Maj. Kathleen Bergeron, testifying before the Senate Armed Services Committee, 103th Cong., 1st sess., Congressional Record (May 11, 1993), 603-604.

³ Lt. Tracy Throne, testifying before the Senate Armed Services Committee, 103th Cong., 1st sess., Congressional Record (May 7, 1993), 569.

and without the fear of being outed if they kept their private lives private. This poorly designed compromise was also constructed under a domestic balance of ideas and beliefs in Congress and within the military that heavily leaned toward ideas and beliefs that the presence of open gay men and lesbian service members would make the majority of heterosexual service members uncomfortable, unable to focus completely on their duties, and would undermine the ability to form cohesive units. It had the opposite effect. The years after the policy was implemented saw an increase in discharges. The policy was flawed because it did nothing to reduce prejudice among service members and because it made important aspects of gay men and lesbian service members' lives, once known, grounds for dismissal. DADT in practice made everyday life for gay and lesbian service members needlessly stressful and resulted in unnecessary dismissals of highly skilled military service members that were especially essential during wartime. The negative effects of DADT on military effectiveness were entirely ideational in origin and neither a function of systemic factors nor military necessity.

This chapter will analyze the impact that DADT had on the military effectiveness prior to and after the September 11th attacks. It will argue that the unnecessary losses of gay and lesbian service members in the 1990s had a real impact on the American military's ability to fight effectively in the wars that would follow September 11th. Furthermore, while the magnitude of these losses would be somewhat mitigated during the Wars in Afghanistan and Iraq due to systemic pressures, the fact that mission-essential service members were nonetheless lost, and in significant numbers, directs our attention to the importance of ideational factors.

The remainder of this chapter will proceed in five sections. The first section will review the aggregate known statistical evidence concerning the impact of DADT immediately after the

implementation of this discriminatory military personnel policy and its continued effects even after the September 11th attacks. It will demonstrate that contrary to civilian and elite discourse, DADT did not protect gay and lesbian service members any more than the previous Carter-era policy, in fact, discharges increased during the immediate years following its passage in 1993. It will argue that the losses of these service members mattered and made the American military that later deployed to Afghanistan and Iraq less effective.

The second section will dive below the surface of those descriptive statistics and will demonstrate how sheer numbers alone are insufficient to demonstrate the real impact of DADT. Within those numbers were numerous groups of individuals serving in critically undermanned military occupations that were exceedingly difficult for the American military to recruit, train, field, and retain, including Arabic and Farsi linguists, counterintelligence special agents, military medical professionals, and pilots. The loss of these particular individuals had a inappropriate impact on military effectiveness. The section will begin with a discussion about the nature of military service in the era of the All-Volunteer Force (AVF) and demonstrate that for military service members, “private lives” can never truly be private, and pretending otherwise is antithetical to military effectiveness. Subsequent subsections will focus on specific military occupations. Each will outline the important role those occupations perform in the conduct of war, review the number of personnel lost, and will then offer evidence from various news and scholarly sources and personal interviews which will focus on the experiences of individuals serving in those fields to demonstrate precisely how illogical and antithetical to military effectiveness DADT was.

The third section will briefly review the reality of life under DADT. It will argue that DADT was a poorly constructed and poorly implemented policy that bound the hands of even sympathetic commanders. It will review evidence collected from personal interviews of military commanders and other individual service members and argue that Congressional fears in 1993 were wrong and that most military service members in reality simply did not care one way or another about their peers' sexual orientation. Instead, what mattered most, to most service members, was individual job performance.

The fourth section will focus on the role that ideas and beliefs played in the eventual repeal of DADT. Using other scholarly works and personal interviews, it will highlight the central role that ideas played, in some of the key individuals in the Department of Defense and Congress, in both proposing the repeal of DADT and in its eventual end. The final section will revisit the key findings and arguments in this chapter as well as compare them to the racially-based discriminatory military personnel policies that were the subject of chapters three and four.

Ideationally Self-Inflicted Wounds

According to its architects, DADT was supposedly a compromise that was an improvement over the Carter-era policy. Whereas the Carter-era policy flatly stated that "homosexuality is incompatible with military service," and was relatively less flexible than the previous branch-specific policies that gave individual commanders a large degree of discretion, DADT in theory was supposed to permit gay men and lesbians the ability to serve if they remained closeted. Recruits and commanders were not permitted to ask gay and lesbian service members about their sexual orientation and in turn gay and lesbian service members were not allowed to make their

sexual orientation known. In practice though, in the immediate years that followed the passage of DADT, discharges of gay and lesbian service members increased. This section will briefly demonstrate the impact those discharges had on military effectiveness at the domestic/military level. It will highlight the sheer number of gay and lesbian service members lost immediately before and after DADT, as well as the years following the September 11th attacks up to the policy's repeal in 2011.

This section will argue that those service member losses were large in scope, unnecessary, and had a negative impact on military effectiveness by virtue of raw numbers alone. Given the nature of the personnel requirements in modern warfare and the premium modern military's place on human capital and investments, large-scale losses which occurred prior to the American wars in Afghanistan and Iraq mattered in the United States' ability to fight those wars effectively. Much like the effects of racially-based discriminatory military personnel policies, beliefs and ideas held by civilian and military elites about gay men and lesbians shaped similar policies that limited the military's ability to not only draw from the United States' complete manpower pool potential but also unnecessarily culled existing military manpower immediately before and during wartime.

THE LONG-TERM IMPACT OF DADT ON PERSONNEL LOSSES

Contrary to what civilian and military elites expressed during the 1993 Senate and House hearings, DADT did not protect gay and lesbian service members any more than the Carter-era policy. From 1993 to 2001, discharges of gay and lesbian service members increased. Discharges were at an all-time high in the 1980s, averaging about 1665 personnel a year but from 1982 to

1993, they had steadily been decreasing to an average of 859 a year. The year after the policy went into effect, they steadily increased every year until 2002.⁴

The negative effects of DADT on military effectiveness were long-lasting and were not discretely bound to the given year associated with specific discharges. Military service members serve for contracted periods of time, usually three to four

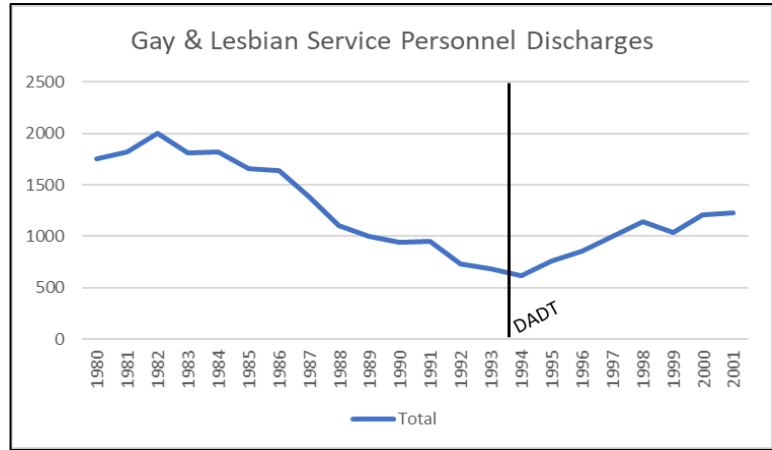


Figure 6.3: Gay & Lesbian Service Personnel Discharges 1980 to 2001

years. For service members who receive lengthy advanced specialized training—such as language training, intelligence, medical schooling, and flight training—contracts are often several years long. Highly skilled personnel lost early in their careers are a lost long-term investment. When they are lost later in their career, the military also loses the value of the individuals with even more advanced training, the experience they have acquired through years on the job, leadership, and even invaluable institutional knowledge that career service members obtain indirectly over time, i.e., knowing how to navigate through the military’s bureaucracy and get things done.

While it is nearly impossible to measure individual intentions for re-enlistment, service members lost at any point in their career also shrink the pool of available manpower that can be

⁴ Aggregate discharged data was compiled using the 2005 GAO report, Servicemember Legal Defense Network’s (SLDN) annual reports “Conduct Unbecoming” from 1995 until 2004, and numerous news outlets that reported totals from SLDN in subsequent years.

drawn from that could re-enlist for an additional contract period or serve until they retire from the service. In other words, many of the service members discharged under DADT would have served anywhere from eight to twenty years (some even more). Thus, many of the losses in the 1990s were losses that impacted the military during the wars in Afghanistan and Iraq.

American military careers are also heavily characterized by advancement training and continuous professional development. Service members do not simply train for a job and then do that job for a given number of years. As they progress through the enlisted or commissioned ranks, they attend additional specialty schools, leadership academies, and become responsible for the training and development of an increasing number of subordinates. For example, an intelligence analyst at some point in their career might be invited to receive advanced follow-up training to perform analysis for an Army counterintelligence field office and once they are lost, they are difficult to replace. An Army chief warrant officer said that losing specialty analysts can be highly problematic, “they’re not plug and play” and once a specialist in one area is trained and developed, the Army cannot simply move someone from a less critical area to fill the gap.⁵ As another example, an Army counterintelligence special agent will undergo an exhaustive five-month-long course to become trained for entry-level duties. Within a few years, that agent might receive advanced training in source handling, surveillance, investigative techniques, cybercrime, etc., and begin supervising and training other agents. What then follows is a much broader impact on military effectiveness. Even if a service member would have only served their initial contract period and they are lost even during their final year, the military does not simply lose one highly

⁵ Anonymous, (2020). *Personal Interview*, 15 May.

trained individual—it loses one highly trained individual who is responsible for the training of others. In other words, not only is valuable manpower lost but the quantity and quality of training for other service members are lost as well.

DADT did not simply result in the loss of some military service members in the years before and after the September 11th attacks. DADT also resulted in the loss of numerous highly specialized service members that are difficult to recruit, difficult to train, and difficult to keep. The American military did not just needlessly lose countless individual service members, it lost a tremendous investment in human capital that would have a real impact on its ability to fight effectively its wars in Afghanistan and Iraq.

MANPOWER LOSSES: PAINFULLY PLAIN NUMBERS

After the September 11th attacks, discharges of gay and lesbian service members decreased almost every year. This overall decline to some extent demonstrates that the American military was responding to systemic pressures—it needed

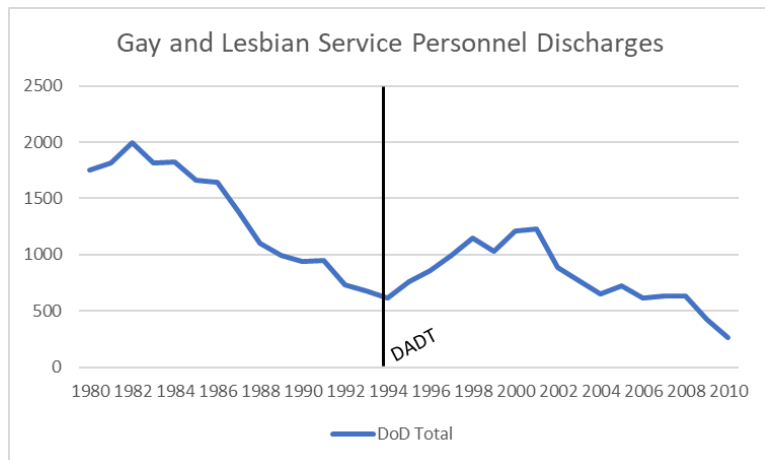


Figure 6.2: Gay & Lesbian Service Personnel Discharges 1980 to 2010

the manpower. However, the fact that several hundred gay and lesbian service members were still being discharged each year from 2001 until the repeal of DADT in 2011 is also indicative that ideational factors remained very influential in shaping military behavior. The manpower losses which resulted from the Carter-era ban and the immediate years following DADT were staggering.

At least 25,907 service members were lost to discriminatory military personnel policies that targeted gay men and lesbians. In the final years of DADT, there were at least 6831 service members lost to the policy.⁶ Loss estimates under DADT are also conservative at best. DoD did not actively record discharges except when Congress periodically required it to do so. Discharge estimates in other years only reflect what organizations such as the Servicemembers Legal Defense Network collected through self-reporting. Government reports also underreport DADT discharges of commissioned officers because historically, depending on how high ranking, many military officers were allowed to silently resign under other pretenses.⁷ These losses also do not capture the incalculable number of service members that left the service after their initial contract but may have remained had open gay and lesbian service been allowed.

To put those 2001-2011 numbers into perspective, DADT discharges during those years

Personnel Loss Category	Years	Personnel Lost
Afghanistan Campaign	2001-2010	1370
Iraq Campaign	2003-2010	4432
Don't Ask, Don't Tell	2001-2010	6831

Figure 6.3: DADT Losses Compared to Battlefield Deaths

accounted for more service member losses than *all* combined battlefield deaths in Afghanistan and Iraq combined during those same years.⁸ It would be fair to criticize comparing losses under DADT to those killed in action for several reasons, but for battlefield commanders, numbers are still numbers. They are a very important element for successful combat operations and any type

⁶ Aggregate discharged data was compiled using the 2005 GAO report, Servicemember Legal Defense Network's (SLDN) annual reports "Conduct Unbecoming" from 1995 until 2004, and numerous new outlets that reported totals from SLDN in subsequent years.

⁷ Shilts, (1993).

⁸ U.S. Department of Defense, (n.d.). Defense Casualty Analysis System.

of loss, including those wounded or ill, complicates any military combat effectiveness. Furthermore, among those service members lost under DADT were many highly trained service members that were mission essential, and in military occupational fields that were chronically undermanned during the wars in Afghanistan and Iraq. Many of the gay and lesbian service members lost under DADT were critically needed in America's war efforts and their loss was entirely self-inflicted by the authors of DADT.

DADT's Impact on the Care and Retention of Scarce Service Members in Critical Military Occupations

While even the conservatively estimated DADT discharge numbers themselves speak volumes, a complete understanding of the negative effects of DADT requires a more nuanced analysis at the military unit/individual level. The military value-added effect on overall military effectiveness of a single service member is not equal for every military occupation or individual, the loss of individuals in military critical occupations that are difficult to recruit, train, and retain can have an immensely disproportionate impact on military effectiveness. Furthermore, DADT did not simply have a negative impact on military effectiveness by virtue of numbers. DADT also made the American military less effective, during times of war and peace, because it made it difficult for individual gay and lesbian service members to focus on their jobs, form cohesive units and healthy and productive working relationships with their peers, and harmed retention.

This section will focus on several areas. First, it will briefly discuss the importance of individual service members' health and welfare in the era of the AVF and how DADT's requirement that gay and lesbian service members keep their private lives private, was

antithetical to military effectiveness. Following that discussion, this section will focus on the impact that DADT had upon the military intelligence units and demonstrate how the policy negatively impacted individual service members in those units. It will cover a few critical and chronically undermanned occupations including military Arabic and Farsi linguists, counterintelligence special agents, and intelligence analysts, and argue that losses and disruptions in these occupations had a disproportionately negative impact on military effectiveness. Subsequent areas will similarly analyze the effects DADT had upon other critical and undermanned military occupations in the fields of military medicine and aviation. Those areas will also demonstrate that DADT's impact on those occupations and individuals also had a disproportionately negative impact on military effectiveness.

THERE ARE NO "PRIVATE" LIVES FOR EFFECTIVE SERVICE MEMBERS & LEADERS

DADT was at its conception formally known as "Don't Ask, Don't Tell, Don't Pursue, Don't Harass," but was later commonly referred simply to as "Don't Ask, Don't Tell." The shortened version summarized the two most important elements of the policy—recruiters, commanders, and other relevant authorities were not supposed to ask individuals about their sexual orientation, and gay and lesbian service members were not supposed to declare their sexual orientation through conduct, i.e., statements, conduct, marriage, etc. During the 1993 hearings, Congress struggled to understand precisely what statements or conduct precisely were. Senators John Glenn (R-OH) and John McCain (R-AZ) focused considerably on stereotypes such as individuals in drag with pink hair who would definitively declare at a gay pride parade, "I am a

homosexual.”⁹ By the end of the hearings, most MCs imagined a compromise where patriotic gay and lesbian service members could serve if they did not behave like the stereotypical gay men and lesbians that MCs imagined. What they were unable to contextualize or imagine were perfectly normal gay men and lesbians in loving relationships who might also become frustrated with having to lie about their relationships, compartmentalize their lives, police their partners’ pronouns, avoid having peers at their homes, etc. for the entirety of their military service and the impact that would have on their ability to form cohesive units and healthy working relationships with their fellow service members.

Many under DADT voluntarily outed themselves. For some, at first glance, it might seem improper to count those among the American military’s unnecessary discharges. But the modern American AVF is one that gives a premium on keeping service members and their families happy. The AVF is a military force that has seen a rise in greater pay, benefits, increases in the overall quality of life, family support services, ending policies that barred mothers from serving, better living accommodations, and a greater focus on service members’ overall welfare¹⁰. The AVF-era American military even incorporates these notions into its doctrine and identifies that military leaders should “connect at a personal level with their subordinates” and “provide an adequate family support and readiness network to help families, while at home state or deployed.”¹¹

⁹ Senate Armed Services Committee, 103th Cong., 1st sess., Congressional Record (1993).

¹⁰ Bailey, B., (2009) *America’s Army: Making the all-volunteer force*. Harvard University Press.

¹¹ Headquarters Department of the Army (2019) *Army Doctrine Publication 6-22: Leadership and the Profession*. 5-7, 6-7.

In the 1993 Senate Armed Services Committee Hearings, the committee heard testimony from Navy Lieutenant Tracy Thorne, who was facing discharge proceedings after announcing that he was gay after learning of then-presidential candidate Bill Clinton's promise to end the Carter-era ban. In part of his remarks before the committee, he responded to criticisms about why it was so difficult to keep his private life private. Thorne drew parallels to members of the committee who presumably had portraits of their spouses in their office and wore wedding bands, not necessarily as declarations of their sexual orientation but as mere gestures of the love they felt for their partners.¹² In a modern military, the entirety of a service member matters, and forcing one to lie about their private life is counterproductive to forming cohesive and effective military units.

A Marine Corps artillery colonel noted dynamics and linked them to leadership responsibilities. He stated that good leaders should know about the private lives of their subordinates—their families, their stresses, and their challenges. He said, "Don't Ask, Don't Tell goes against that and there's a real friction that arises with balancing the ultimate mission of the military with real individuals' lives and families."¹³ A senior army counterintelligence special agent agreed. He thought the policy was absurd and did not result in a healthy environment because gay soldiers could not use certain essential health and family services, they could not completely focus on their jobs, and it constrained leaders' ability to help resolve service members'

¹² Lieutenant Tracy Throne, testifying before the Senate Armed Services Committee, 103th Cong., 1st sess., Congressional Record (May 7, 1993), 569.

¹³ Anonymous, (2021). *Personal Interview*, 25 March.

family-related issues. He thought the policy must have been “anxiety-producing” for gay and lesbian service members. According to him, the policy “did not serve them well.”¹⁴

Given the central role of keeping service members’ families happy and that heterosexual service members did not have the same expectations of keeping their private lives private and having to lie about loved ones, it was no wonder that many gay and lesbian service members found the policy inherently unfair and that many opted to “tell.” Without the discriminatory military personnel policy of DADT, gay and lesbian service members would not have outed themselves, they would have been serving openly just like everyone else and many might have decided to serve another term of service or make the military a long-term career choice.

THE IMPORTANCE OF MILITARY INTELLIGENCE

Military intelligence professionals are among some of the ultimate force multipliers. When battlefield commanders know critical information such as enemy intent and the size and disposition of enemy forces, they can greatly increase the odds of successful engagements that can minimize collateral damage, such as unnecessary loss of civilian lives. American Army doctrine outlines the important role that intelligence plays, noting, “Commanders require intelligence about the threat and other aspects of the operational environment before and during operations to effectively accomplish their missions Additionally, intelligence supports protection by alerting commanders to threats and assisting in preserving and protecting the force.”¹⁵ Good intelligence can be so powerful that it can even allow a numerically inferior force

¹⁴ Anonymous, (2021). *Personal Interview*, 12 March.

¹⁵ Headquarters Department of the Army (2018) *Army Doctrine Publication 2-0: Intelligence*. 2-1.

able to defeat a larger and better-equipped force as was characteristic of General Washington's ability to precisely know the location, size, and state of the Hessians prior to their defeat at the Battle of Trenton¹⁶ and Admiral Nimitz's use of cryptanalysts to exploit Japanese communications and know their precise order of battle, leading to American victory despite an initial balance of naval forces that were in Japan's favor.¹⁷ Had either needlessly purged their intelligence professionals, the outcomes could have easily been otherwise.

For military forces engaged in counterinsurgency, a lack of good intelligence can result in military forces blindly searching for insurgents and inadvertently causing civilian deaths, a decrease in the local population's willingness to cooperate with occupation forces, and an increase in the popularity of insurgents relative to the occupier.¹⁸ For American military forces in Afghanistan and Iraq, discriminatory military personnel policies that needily discharged *any* intelligence service personnel were inherently detrimental to military effectiveness. DADT did precisely this when it resulted in fewer Arabic and Farsi linguists, fewer counterintelligence special agents, and fewer intelligence analysts.

LINGUISTS: CRITICALLY NEEDED & MASSIVE SHORTAGES

Successful conduct of American military operations in Afghanistan and Iraq required service members fluent in local languages. The military can function, albeit with great difficulty, by

¹⁶ Rose, A. (2002) *Washington's Spies: The Story of America's First Spy Ring*. Bantam Dell

¹⁷ Dahl, E., (2013) *Intelligence and surprise attack: Failure and success from Pearl Harbor to 9/11 and beyond*. Georgetown University Press.

¹⁸ Nagl, J., (2009) *Learning to eat soup with a knife: Counterinsurgency lessons from Malaya and Vietnam*. Chicago, IL: University of Chicago Press. Kilcullen, D., (2011) *The accidental guerrilla: Fighting small wars in the midst of a big one*. Oxford University Press.

relying on locals and foreign nationals fluent in local languages and in English, but their utility is severely limited. Military linguists are not only trained to read, write, and converse in a foreign language, they are also trained as intelligence professionals. Translating captured documents, intercepted communications, the conduct of interrogations of enemy prisoners of war, and the production of intelligence products also requires training in a variety of other areas. Translation of raw intelligence from Arabic to English alone should have been something the American military cared strongly about. The 9-11 Commission had identified this extensive shortcoming in its report. While none of the military's service branches were identified, the Commission noted that the FBI "lacked sufficient translators proficient in Arabic and other key languages, resulting in a significant backlog of untranslated intercepts" and this was in part because there was a large dearth of interest in learning languages like Arabic nation-wide. It noted that in 2002 that the total number of undergraduate degrees awarded across the United States in Arabic was a meager six degrees.¹⁹ Given that the DoD also had intelligence requirements and functions of its own, the stakes for linguists could not have been higher.

Within the American military, linguists need a top-secret security clearance. Investigations for clearances are expensive and lengthy processes that can take six to eighteen months. Once a service member is cleared and, assuming a service member does not have to retake or repeat a portion of a course, specialized language training at the Defense Language Institute (DLI) takes almost a year for Farsi and fifteen months for Arabic. In other words, the language skills the military needed the most during the wars in Afghanistan and Iraq required

¹⁹The National Commission on Terrorist Attacks Upon the United States. (2004) *The 9-11 Commission Report*. Washington, D.C: U.S. Government Printing Office.

anywhere from a year and a half to as long as three years, to recruit, clear, train, and get to the battlefield.

Complicating matters more for the American military was the fact that it consistently had a shortage of existing personnel in these important languages and habitually fell short in its ability to meet its linguist recruiting goals. Shortly after the September 11th attacks, a 2002 Government Accountability Office (GAO) report noted that the Army fell short fifty percent in its ability to recruit, clear, train, and field the number of Arabic linguists it required and fell short sixty-eight percent for Farsi linguists. The report also declared that these shortages had adversely affected the Army's ability to conduct military intelligence operations.²⁰ The following year, the Center for Army Lessons Learned reported that Army intelligence operations in Afghanistan and Iraq were seriously impeded in part because of a "lack of competent interpreters throughout the theater."²¹ Three years later, the 2006 Quadrennial Defense Review Report identified that a shortage still remained and that it "must dramatically increase the number of personnel proficient in key languages such as Arabic, [and] Farsi."²² Almost seven years later, despite optimistic declarations by DoD officials that they were making great progress on acquiring more linguists, Brigadier General Richard Longo, the Army's Director of Training, acknowledged that there

²⁰ U.S. General Accounting Office. (2002) *Foreign Languages: Human Capital Approach Needed to Correct Staffing and Proficiency Shortfalls*. Washington, D.C: U.S. General Accounting Office.

²¹ Ricks, T. (2003) 'Intelligence Problems in Iraq Are Detailed', *Washington Post*, 25 October. The Army report was removed from its website after the Washington Post article. Lardner, R. (2003) 'Army Criticism of OIF Targeting Way Off Base, Air Force Says', *Inside the Army*, 15(44), pp. 7-9.

²² U.S. Department of Defense. (2006) *Quadrennial Defense Review Report*. Arlington, VA: U.S. Department of Defense

remained “a lot of work to be done.”²³ After seven years into the overall War on Terror, DoD had repeatedly acknowledged the critical need for Arabic and Farsi linguists and that it was still struggling to recruit a sufficient amount of them. Not only was recruiting, clearing, training, and fielding such linguists a lengthy process but after multiple potential cycles of cohorts, there simply were not enough for the military to accomplish its intelligence requirements in Afghanistan and Iraq.

Despite the critical military need for linguists, from 1994 to 2003, GAO estimated that the military had discharged a total of 208 of its linguists under DADT, including 54 in Arabic and 9 in Farsi.²⁴ GAO did not produce similar reports in subsequent years, but non-government sources indicated that between 2004 and 2009 another 59 Arabic linguists and 9 Farsi linguists were lost under the policy.²⁵ DoD was so desperate to fill this critical linguist ranks that it turned to private contractors at a higher cost and with less oversight. Many of these contractors were often unable to deliver what the military needed and were associated with serious security violations. The Titan Corporation in 2005 was forced to pay \$28.5 million for violations of the Foreign Corrupt Practices Act for bribing foreign leaders. Worldwide Language’s efforts to provide Arabic translators at Guantanamo Bay fell short six weeks into their contract because their hires were

²³ Brig. Gen. Richard Longo, testifying before the Oversight and Investigations Subcommittee of the House Armed Services Committee, 110th Cong., 2nd sess., Congressional Record (September 10, 2008), 4-5.

²⁴ U.S. General Accounting Office. (2005) *Military Personnel: Financial Costs and Loss of Critical Skills Due to DOD’s Homosexual Conduct Policy Cannot Be Completely Estimated*. Washington, D.C: U.S. General Accounting Office.

²⁵ Roberts, R. & Argetsinger A. (2010) ‘Update: Dan Choi gets to DADT signing, and gets his West Point ring back,’ *The Washington Post*, 22 DEC [Online]. Available http://voices.washingtonpost.com/reliable-source/2010/12/update_dan_choi_gets_to_dadt_s.html [Accessed 20 August 2021].

insubordinate and counterproductive to the mission there. DoD also relaxed some of its vetting standards in order to obtain other translators for the Guantanamo mission and eventually found many to be untrustworthy, including three that faced espionage charges in 2003.²⁶

LINGUISTS: INDIVIDUAL-LEVEL EXPERIENCES

Of the military linguists discharged from military service under DADT, some while at DLI found the policy as a convenient means to get out of the military prior to the end of their contract, others found having to lie about important aspects of their lives to be too difficult of a burden to bear, and others went to great lengths to keep their private lives private but were discharged once outed by others with personal vendettas. There were also those who successfully remained under the radar but became jaded with military service because of DADT and opted not to re-enlist after their initial obligation.

Those that used the policy to seek an early exit from their service contract were not among the population of gay and lesbian service members that contacted journalists or civil rights organizations to contest their discharge. Thus, information on these individuals is elusive but could be captured periodically through second-hand sources. A senior Army counterintelligence special agent who attended the DLI in 2004 noted that while he was there, he had a bisexual linguist roommate while attending the course who decided that he did not like the long work hours and knew another gay linguist that simply did not like being in the Army. Both informed their commander of their sexual orientation, were promptly investigated, and were discharged.²⁷

²⁶ Frank, (2009).

²⁷ Anonymous, (2020). Personal Interview, 12 March.

Had DADT not been in place, the Army would have been able to keep both soldiers in the service until the end of their contracts. Their outlook on military life may have changed but even if it had not and they were completely average in their work, they certainly would have been better than their less-than-ideal private contractor peers and definitely more valuable than not having them at all.

Some gay and lesbian service members knew of DADT when they entered the service and initially thought the discrimination worth bearing as a price to serve their country. As they progressed in their careers though, they found the policy placed undue burdens on their mental health and personal lives—a burden that their heterosexual peers did not have to bear. These service members gambled by notifying their leadership of their sexual orientation and hoped that an exception would be made so that they could still serve but serve openly.

Army Sergeant and Arabic linguist, Ian Finkenbinder, was a prime example of the dynamics surrounding this type of dilemma for gay and lesbian service members. Finkenbinder enlisted in the Army in 2002 and did a tour in Iraq in 2003 where he was frequently tasked with human intelligence collection, translating radio transmissions, interviewing Iraqi citizens that wanted to volunteer information to coalition forces, and screening local nationals that wanted to work as translators for the Americans. He was already out to several close friends in the Army but found relentless gossip from others about his sexual orientation, the stress associated with constantly having to lie about his personal life, and the anxiety from having to worry every day that he might be outed to, all be too much to bear. Finkenbinder stated, “I looked at myself and said, ‘Are you willing to go to war with an institution that won’t recognize that you have a right to live as you want to?’ It just got to be tiresome to deal with that—to constantly have such a

significant part of your life under scrutiny.” Finkenbinder wrote a letter to his commander in 2005 stating that he was gay but wanted to continue serving if he could serve openly. His commander was distraught, thought Finkenbinder was an essential soldier but also felt his hands were tied because of the policy. Sergeant Finkenbinder was discharged that same year.²⁸

Army Private First Class Patricia Ramirez understood the policy when she enlisted. DADT struck her as just one more sacrifice to make as a soldier until the policy became real for her. While at the DLI Ramirez fell in love with another linguist there, Julie Evans. Over time, the two found the practice of having to lie and conceal their relationship on a daily basis difficult to reconcile with the core values of the Army that they strongly believed in. Ramirez and Evans were also facing a dilemma. They knew that if they wanted to marry that they most likely would not be assigned to the same duty locations, a benefit normally afforded to married dual-military heterosexual partners. “It was a pivotal point in our relationship to make a choice the military was not going to make, to acknowledge us and our relationship,” said Ramirez. In 2002 they notified their commander, and both were promptly discharged from the Army.²⁹

Navy Petty Officer Second Class Stephen Benjamin played by the DADT rulebook but was still discharged. Benjamin enlisted in the Navy in 2003, graduated in the top ten of his DLI class, and trained for two additional years as a cryptologist. While he was conducting additional stateside training his roommate, who was also gay, was deployed to Iraq. To keep in touch with

²⁸ Frank, (2009), 219-220. Heredia, C. (2002) ‘Army discharges 6 gay foreign language students / Monterey institute follows Pentagon policy despite shortage of speakers of Arabic,’ *SFGATE*, 15 Nov, [Online]. Available at <https://www.sfgate.com/news/article/Army-discharges-6-gay-foreign-language-students-2770748.php> [Accessed 25 August 2021]

²⁹ Frank (2009), 222-223.

his roommate, Benjamin did what virtually every other sailor in his secure facility did, he chatted with his friend over the Navy's secure communications system via text messages. However, personal use of the secure government system became so rampant that the Navy eventually conducted an audit of the system and began an investigation of seventy sailors. A single remark by Benjamin to his friend, "That was so gay—the good gay, not the bad one," resulted in a more in-depth investigation of both him and his friend, and when the Navy learned both were gay, both were discharged. Among the others investigated, some had used the system for cybersex, some used hate speech, and some used incredibly derogatory comments about women—but Benjamin and his friend were the only two to be severely punished. Prior to the investigation, Benjamin had planned on re-enlisting for an additional six years. He expressed that the only harm to his unit's cohesion and effectiveness was his removal and that both his commander and JAG lawyer thought his removal was ridiculous. After his discharge, Benjamin stated, "As the friends I once served with head off to 15-month deployments, I regret I'm not there to lessen their burden and to serve my country. I'm trained to fight, I speak Arabic and I'm willing to serve. No recruiter needs to make a persuasive argument to sign me up. I'm ready, and I'm waiting."³⁰

Army Sergeant Bleu Copas could not have even been blamed for something as innocuous as innocent texting on a secure government communications system. Copas enlisted in the Army in 2002 shortly after the September 11th attacks. He too understood the policy going in, knew it was going to be difficult for him, but wanted to serve, nonetheless. Four years into his service as

³⁰ Frank (2009), 223-234. Benjamin, S. (2007), "Don't Ask, Don't Translate," *The New York Times*, 8 Jun, [Online]. Available at: <https://www.nytimes.com/2007/06/08/opinion/08benjamin.html> [Accessed 25 August 2021].

an Arabic linguist, someone began sending anonymous emails to his battalion leadership notifying them that Copas was gay. An eight-month-long investigation of Copas was undertaken during which investigators asked him detailed questions about his sex life and whether or not he was involved in the community theater. Eventually Copas gave into investigators and admitted he was gay and was immediately discharged from the Army. After his discharge, Copas said, "It is unfair. It is unjust . . . Even with the policy we have, it should never have happened."³¹

The exact number of those that served their initial contract and decided not to remain in the service will most likely never be known. They did not appear in government reports or in press releases from civil rights organizations that took gay and lesbian service members' discharges to federal courts. Nevertheless, the authors of DADT were responsible for the disincentive structure that inherently came with the policy. One such servicemember, Jerre Fine, served as an Air Force Farsi crypto linguist. Fine was open with her closest fellow airmen who thought it was "not a big deal." In fact, she found comfort that while her family did not respond well to her coming out that her military family did. But Fine also felt that navigating through the policy was, for gay and lesbian service members, a matter of luck, "you just have to be at the right place at the right time" for the policy not to affect you. She also described how difficult it was to work in a highly stressful and high-security job while maintaining a secret life. Fine described a time she once visited a psychiatrist and realized that her job was classified, so she could not talk about it and if she talked about her private life, she would risk having the Air Force psychiatrist

³¹ Frank (2009), 233. Mansfield, D. (2006), "Army Dismisses Gay Arabic Linguist," *The Washington Post*, 27 Jul, [Online]. Available at: <https://www.washingtonpost.com/wp-dyn/content/article/2006/07/27/AR2006072700212.html> [Accessed 24 August 2021].

report her. They end up talking about nothing. After her six years were up, Fine simply left the Air Force and sought a career where she could be open in.³²

COUNTERINTELLIGENCE: CHRONICALLY HARD TO OBTAIN, TRAIN, AND RETAIN

One of the most important components of the military's intelligence functions is that of counterintelligence (CI). CI organizational structure varies across each of the services but broadly speaking their role is to protect the military's intelligence and deny the enemy the ability to collect intelligence on the American military. CI special agents in the Army help commanders identify security deficiencies, run awareness campaigns about insider threats, conduct investigations into national security crimes such as espionage, treason, and terrorism, and when deployed overseas in tactical environments they become "hunters of enemy intelligence entities and runners of spy networks." Without CI special agents in combat environments, the military would have a severely limited ability to learn what enemy intelligence forces are looking for, how they are looking for it, to neutralize those threats, and keep its daily operations a secret.³³

Similar to linguists, military CI special agents require an extensive clearance process in order to be able to obtain top-secret security clearances plus an additional sensitive compartmental information or "SCI" add-on designation. It also can take six to eighteen months to obtain this clearance. Unlike linguists though, CI special agents during the wars in Afghanistan were not entry-level military occupational specialties and required an additional vetting process

³² Fine, J. (2007) speaking at the *Thomas C. Sorensen Seminar: The "Don't Ask, Don't Tell" Policy in the Post 9-11 World*, University of Nebraska: Lincoln, NE, 8 Nov.

³³ Anonymous, (2021) *Personal Interview*, March 12. Anonymous, (2021) *Personal Interview*, May 24.

Anonymous, (2020) *Personal Interview*, May 20.

beyond their clearance. For example, Army CI special agents could only be drawn on current non-commissioned officers from other Army occupations. Candidates must be interviewed extensively, need recommendations from existing CI professionals, and must submit lengthy and time-consuming application packets similar to those that civilian law enforcement agencies require. After they are selected, CI agent candidates are sent to their respective service branch's lengthy counterintelligence special agent course where attrition rates are sometimes as high as fifty percent.³⁴

CI's personnel requirements are classified, and, unlike linguists, it is very difficult to quantify precisely shortages within CI units at any given time. That said, two senior Army supervisory CI special agents indicated that during the wars in Afghanistan and Iraq there were always chronic shortages, so much so that sometimes junior special agents were serving in senior supervisory positions in Iraq. Even after mobilizing special agents from units in the Army Reserve and National Guard, there were often unfilled positions. Given the difficulty of passing off investigative casework or entire source networks handled by one agent to another, one Army supervisory CI special agent indicated that "losing even a single agent in any of the components is clearly a serious matter that can directly affect national security." And the longer the special agents serve, the more experience they acquire, and the more difficult they become to replace. Complicating matters even more, CI agents have skillsets that are handsomely rewarded by the private sector. A CI special agent with a few years of service can make six-figure salaries in their

³⁴ Ibid.

first year in corporate America.³⁵ Recruiting, clearing, training, and retaining these highly skilled and critical military professions is an exceptionally difficult task.

Yet according to a 2005 Palm Center report, in 1996 and 2003 the Army discharged two of its most senior warrant officers from the CI corps under DADT. Combined the two special agents had a total of 24 years of experience.³⁶ The exact numbers of lost commissioned officer and non-commissioned officer special agents will most likely be never known but they were also identified by a 2005 GAO report as occupations that were critical and impacted by DADT.³⁷ Even if the DoD only discharged the two warrant officers that the Palm Center reported, it does indicate that the Army shortly before and after the September 11th attacks thought that, at least in two cases, policing sexual orientation was more important than its ability to investigate national security crimes.

COUNTERINTELLIGENCE: INDIVIDUAL-LEVEL EVIDENCE

There are no known individual cases of gay or lesbian CI service members that used the policy as a means out of their contract, voluntarily outing themselves, or being outed. One individual example that speaks to the absurdity of DADT does exist though. Army Captain Austin Rooke served quietly as a CI officer from 1994 until 1998, left the Army, and then was recalled back into service under the military's Inactive Ready Reserve system in 2001. Ironically, prior to his recall, Rooke was working for the National Gay and Lesbian Task Force. The Army knew this and

³⁵ Ibid.

³⁶ University of California Blue Ribbon Commission, (2005) *Financial Analysis of "Don't Ask, Don't Tell": How much does the gay ban cost?* The Palm Center: Santa Barbara.

³⁷ U.S. General Accounting Office, (2005).

accepted his re-entry all the same. During his second period of service Rooke did CI work out of Fort Lewis in Washington and a tour with Special Operations in Qatar. He also returned to the closet during his second stint with the Army but also described how harmful DADT strained his working relationships with his straight peers in the military. He stated, “When you come out to someone, you put them in an uncomfortable position You burden them, because they now have the knowledge that you are serving illegally.”³⁸ Rooke’s experience was unique. He served quietly, left, and accepted an involuntary return back to the Army after the September 11th attacks. His experience does demonstrate the paradoxical behavior of the Army during DADT because before and after his recall the Army discharged two other CI service members with three times of the amount of experience he had because they were gay and yet recalled another CI service member who worked for a gay rights non-profit organization. DADT was a very disruptive policy that simply did not make military sense.

OTHER INTELLIGENCE PROFESSIONALS

In addition to linguists and CI special agents, the military also discharged a number of other intelligence professionals in various occupations. While not all military intelligence occupational specialties require the same lengthy training that linguists require or the same exhaustive vetting that CI special agents require, all military intelligence professionals do require the same expensive and time-intensive security clearance requirements. According to the 2005 Palm Center

³⁸ O’Bryan, W. (2004) “Don’t Ask, Don’t Tell” Goes to War: New study examines the lives of gay and lesbians serving in the Middle East. *MetroWeekly*, 22 Sep, [Online]. Available at: www.metroweekly.com/2004/09/dont-ask-dont-tell-goes-to-war, [Accessed 20 September 2021]. Bugg, S. (2004) “Life During Wartime: SLDN finds discharges of gay soldiers declined as nation goes to war.” *MetroWeekly* 24 Mar, [Online]. Available at: www.metroweekly.com/2004/03/life-during-wartime, [Accessed 20 September 2021].

Report, between 1996 and 2002, under DADT, the Army, Navy Air Force discharged at least eight military intelligence officers—four lieutenants, a captain, and two majors—with a combined forty-four years of experience in their field.³⁹ According to the GAO in that same year and among the enlisted ranks, between 1993 and 2003, the DoD discharged a total of 730 gay intelligence personnel under DADT.⁴⁰

Among those 730 critical enlisted intelligence personnel was Army Specialist Thomas Cook. Cook joined the Army in 2001, was cleared, trained as an analyst, and performed his duties during the ground invasion of Iraq in 2003. A year later though, one of the sergeants that Cook worked with declared in front of him “if I ever found out someone in my crew was gay, I would kill him.” Cook became fearful and in absence of any other recourse, notified his commander of his sexual orientation. He was discharged shortly after.⁴¹ Cook would have continued serving, had DADT not made his work environment unbearable. After his discharge Cook stated that he would “absolutely” reenlist in the military if the ban were lifted. Having come from a military family he expressed, “That’s the life I was destined to lead . . . I think military service is in my blood.”⁴²

³⁹ University of California Blue Ribbon Commission, (2005).

⁴⁰ U.S. General Accounting Office, (2005).

⁴¹ Embser-Herbert, M. (2007), *The U.S. Military’s “Don’t Ask, Don’t Tell” Policy: A Reference Handbook*. Santa Barbara: Praeger, 48.

⁴² Johnson, C. (2011), “Discharged gay troops ready to re-enlist.” *Washington Blade*, 11 Aug, [Online]. Available at: <https://www.washingtonblade.com/2011/08/11/discharged-gay-troops-ready-to-re-enlist>, [Accessed 22 September 2021].

MILITARY MEDICINE: SCARCE PRESERVERS OF MILITARY STRENGTH

Military medicine is one of the most important elements of a modern military force. During the American Civil War Jonathan Letterman, the “Father of Battlefield Medicine,” contended that the treatment of the wounded was in itself a task of great importance, but that the “leading idea which should be constantly kept in view, is to the strengthen the hands of the commanding general by keeping his army in the most vigorous health, thus rendering it in the highest degree efficient for enduring fatigue and privation, for fighting.”⁴³ In recent years, little has changed in the American military’s belief about the service that military medicine renders in the application of force. Current American Army regulations state its medical corps’ primary mission is to “maintain the health of the Army and conserve its fighting strength.”⁴⁴ Across Army medical history, a prognosis of an insufficient number of medical personnel is clear: a shortage of competent physicians, surgeons, nurses, psychiatrists, and other highly skilled medical professionals diminishes military efficiency. Discriminatory military personnel policies, like DADT, regularly deprived each of the military services of highly skilled medical professionals and made the American military less combat effective.

Military medical professionals, especially those who practice in the military, are extremely difficult to recruit, train, and retain. The military enjoys some benefit in that it will pay for medical schooling for such professionals on the condition that they provide several years of service. The longer medical professionals serve, the more valuable they become, especially given the types

⁴³ Letterman, J. (2008) *Medical Recollections of the Army of the Potomac*. Carlisle: Applewood Books, 100.

⁴⁴ Headquarters Department of the Army (2019) *Army Regulation 40-1: Composition, Mission, and Functions of the Army Medical Department*, 3.

and severities of injuries associated with military service. One Army doctor noted that “I’m not sure how long I’ll stay in because military life can be very demanding and the pay is not on par with private practice, but I have to say that I find my experience as an Army surgeon and professionally satisfying. I like helping people. I deal with an enormous number of injuries in a given year that most ER docs might not see in a decade. You know, like crushed bones, chemical and steam burns, blast injuries, and so forth. It’s really a trial by fire once you’re in the midst of it.”⁴⁵ When asked about the DADT policy, the doctor stated “It was stupid. I think the medical corps is actually very tolerant compared to other parts of the military and I’ve known a number of gay doctors and nurses that everyone knew were gay and who served with distinction, but there was no rational reason that they had to violate their own integrity by having to lie about who they are. When we lost them because of the policy, well, it was a great disservice to all the wounded that needed them.”⁴⁶

Yet within the American military, twenty-eight doctors and nurses were discharged during the early years of DADT. According to a 2005 GAO report, these professionals had a collective total of 159 years of medical experience, several of which had over a decade.⁴⁷ GAO estimates are conservative measures at best. Estimates done by the Palm Center estimated the number of those forced out by 2005 was actually closer to 244.⁴⁸ Given that DADT did not end

⁴⁵ Anonymous, (2021). *Personal Interview*, June 10.

⁴⁶ Ibid.

⁴⁷U.S. General Accounting Office. (2002) *Foreign Languages: Human Capital Approach Needed to Correct Staffing and Proficiency Shortfalls*. Washington, D.C: U.S. General Accounting Office

⁴⁸ Frank, (2009) 237-257.

until 2011, most government reports are also severely incomplete. An Air Force spokesman, while talking with journalists in 2000, noted that the Air Force alone lost about a hundred medical school graduates between 1996 and 2000.⁴⁹ These numbers are even more painfully evident when one takes into consideration that discharge data for medical professionals who are commissioned officers have not always been accurately summarized by Department of Defense statistics because many gay and lesbian officers (unlike their enlisted peers) have historically been offered the opportunity simply resign their commissions instead of face an administrative hearing.⁵⁰ These numbers also fail to capture the number of military medical personnel that met their initial service obligation and opted to leave military service because of the policy as well as those more liberally-minded heterosexual medical professionals who might have chosen military medicine as a career but opted not to because of the discriminatory policy.

In addition to the unnecessary loss of highly skilled medical personnel, DADT also impeded the ability of medical professionals to do their job. Medical confidentiality is fundamentally different in the military than it is in civilian life. Because of the need for commanders to know the status of their troops, they have access to their service members' medical records. DADT also required that all military officials report violations of the policy, including medical personnel. Gay and lesbian service members that understood this difference often opted not to seek medical care in order to avoid the risk of discharge. This outcome was

⁴⁹ Associated Press (2000) 'Discharged Gay Doctor Sues Pentagon Over Cost of Education,' *The New York Times*, 1 Jun, 20.

⁵⁰ Shilts, (1993). Colonel Karl Cropsey, testifying before the House Armed Services Committee, 103th Cong., 1st sess., Congressional Record (May 4, 1993), 45.

especially detrimental for gay and lesbian service members in need of mental health services because they could not share substantial amounts of personal information about their private life that could affect their work.⁵¹ Heterosexual service members did not face these same constraints.

The Department of Defense itself admitted it was struggling to meet quotas for qualified medical professionals. In 2005 Major General Joseph Webb, jr. stated in testimony before House Armed Services Committee, that the Army was, for the first time since 2000 and despite its generous medical student scholarships, failing to meet its medical professional recruiting and retention goals.⁵² The Army was so desperate for such personnel in 2004 that it re-activated 5674 personnel under the Inactive Ready Reserve (IRR) system, including numerous medical personnel.⁵³ The IRR system is a pool of manpower of last resort that the DoD can use to re-call service members that have already completed their initial service obligation. Military officers in this system can opt to resign their commission but many after years of inactive service also become physically or medically unfit to serve and many simply do not report for duty. Between 2001 and 2004, the Army called up 6535 such personnel, slightly more than half of which reported for duty, and of those forty-four percent were granted exemptions for medical or other reasons.⁵⁴ For members of Congress like Representative Marty Mehan, the absurdity did not go unnoticed.

⁵¹ Barnet, J. & Jeffrey, T. (1996) 'Issues of Confidentiality: Therapists, Chaplains, and Health Care Providers', in Herek, G., Jobe, J., & Carney, R. (eds) *Out in Force: Sexual Orientation and the Military*. 1st edn. Chicago: University of Chicago Press, pp. 247-265.

⁵² Major General Joseph Webb jr., testifying before the House Military Personnel Subcommittee, 108th Cong., 1st sess., Congressional Record (October 19, 2005), 107-108

⁵³ Frank, (2009) 248.

⁵⁴ Tyson, A. (2005) 'Army to Half Call-Ups of Inactive Soldiers', *The Washington Post*.

Mehan remarked, "If those gay service members were allowed to stay in their trained professions forced recalls in those fields would not be an issue."⁵⁵ The Army was struggling to recruit and retain medical professionals, was kicking out gay and lesbians medical professionals that wanted to serve and was attempting to force those who had already left the Army back into service.

MILITARY MEDICINE: INDIVIDUAL-LEVEL EVIDENCE

One astonishing and heartbreaking example of the unnecessary loss of highly skilled medical personnel is that of former Air Force Captain Monica Hill. She joined the Air Force in 1994 and was thought to have so much potential that the Air Force paid for her to go to medical school. While she was aware of the DADT policy, it was her belief that the policy actually protected her. Hill had been in a long-term relationship with another woman, Terri Cason for fourteen years. Hill thought the manner she navigated her relationship within the Air Force was well within the rules—she kept her private life private and avoided discussions about her personal life while on duty and with her fellow airmen. In 2001 Hill received orders to report to Andrews Air Force Base but two weeks later she learned that her partner had been diagnosed with lung cancer and that it was advanced enough that it had spread to her brain. Hill requested a deferment in her report date because of Cason's condition but instead of granting a deferral, the Air Force chose to conduct an investigation of her. During the investigation, Hill was asked demeaning questions, including queries about the details of her sex life. When her partner died on September 11th, 2001, Air Force officials demanded that Hill produce a death certificate and accused her of fabricating

⁵⁵ Frank, (2009) 248.

the story in order to get out of her assignment. She was discharged a month later. Hill stated the experience “was just cruel It was like I was dirty and a criminal.” To add insult to injury, the Air Force immediately demanded that Hill pay back the \$65,000 they had spent to send her to medical school.⁵⁶

Air Force Major Margaret Witt was A flight nurse with nearly two decades of experience and an exemplary military career. Her father was a veteran of the Korean War and having grown up near military installations, had always wanted to be in the service. She was highly decorated, treated wounded service members during the Gulf War, often briefed senior military generals on health matters, and at the high of her career supervised more than two hundred other flight nurses and medical technicians. The Air Force thought so highly of Witt that her image was affixed to its recruiting materials for over a decade. Much like Hill, Witt exercised great caution in keeping her private life and her long-term female partner private. Witt did so even though it caused her discomfort and diminished her ability to fully bond with her military colleagues. “You can’t be honest,” Witt said, and “I didn’t want to answer questions, even to say what my weekend plans were.” Witt even refrained from disclosing her relationship and sexual orientation to her parents. Her value and experience to the Air Force ceased to matter in 2004 when her partner’s former husband reported their relationship to Air Force officials and Witt became the subject of an investigation and was eventually discharged in 2007 after a lengthy legal battle. Witt’s removal from the service had a negative impact on both her and her colleagues, one of which decided to

⁵⁶ Ibid, 202-203. Wildman, S. (2005) 'Fighting to serve: Monica Hill had a stellar career in the U.S. Air Force until "don't ask, don't tell" got her kicked out. Now she's one of 12 expelled service members who are suing to get their old jobs back', *The Advocate*, 15 Feb, 23.

retire early in part because of her treatment. Witt later remarked a year later, "This was what I spent over half my life training and doing Those were my military family members," and added that she would return to the service tomorrow if she could.⁵⁷

Some of the military's most promising medical professionals did not even have the ability to start their military careers. Unlike Hill and Witt, former Air Force psychiatrist Captain Hensala struggled to reconcile the military's DADT policy with his professional values and personal health. Hensala's medical training expenses were also covered by the American government. In 1986 he started medical school at Northwestern, did his residency at Yale, and a two-year fellowship at the University of California San Francisco. Hensala did not know he was gay when he signed up. It was a long and gradual process that culminated during his final years in medical school when he decided to come out to his fellow medical students. The 1993 political debates surrounding gay and lesbian military service and the resulting DADT policy had an impact on Hensala. Seven months before his military career would have begun in 1994, he notified his commanders of his sexual orientation. Hensala had always dreamed of a career in the Air Force and thought that they might make an exception for him, but Air Force officials instead began an investigation and discharged him in 1997. Hensala's experience is revealing because it also demonstrates the tensions between the policy and service members' mental health, which as a

⁵⁷ Dao, J. (2010) 'Days After 'Don't Ask, Don't Tell' Ruling, Another Challenge Heads to Court,' *The New York Times*, 12 Feb, 16. Liptak, A. (2008) 'Federal Court Reinstates Suit on Gays in Military,' *The New York Times*, 22 May [Online]. Available at <https://www.nytimes.com/2008/05/22/us/22gay> [Accessed 1 September 2021]. Murphy, T. (2008) 'About-face: In May a federal court ruled that the U.S. military needs to prove how Maj. Margaret Witt's sexual orientation threatened morale in her unit. Suddenly the Air Force nurse became the new face of the fight against "don't ask, don't tell"', *The Advocate*, 16 Aug, 26-29. Milano, C. (2006) 'Don't Ask, Don't Tell Leads to Nurse's Discharge', *The American Journal of Nursing*, 106:7, pp. 19.

psychiatrist with extensive training he knew something about. “It should be right to talk about your personal life—not only because it’s fair but because it’s crucial for your mental health.”⁵⁸

Captain Beth Schissel had much promise. The Air Force saw potential in her even before she decided to go to medical school and graduated from the prestigious United States Air Force Academy in 1989. Shortly into her career in the Air Force, she was given the opportunity to attend medical school. During her final year of medical school though, someone discovered that she was in a relationship with another woman. The individual stalked her on and off-campus, broke into her home, threatened to out her, and eventually contacted an Air Force judge advocate officer to ask if she had already been reported. Schissel was unwilling to tolerate her harasser any longer and decided her safest recourse would be to out herself. After she did so, the Air Force promptly discharged her on September 10th, 2001. Schissel struggled with the DADT policy and was not confident that she would have stayed in very long. As with others, she found it difficult to effectively bond with her fellow service members while not being able to discuss what she did with her weekends or bring her partner to military social functions. Had the policy not been in place, Schissel would have stayed in. She took pride in serving her country and when her stepson joined the Army and was deployed to Iraq, it pained her that she could not be there with him to ensure he and his fellow soldiers had the best medical care possible.⁵⁹

⁵⁸ Bull, C. (2001) ‘Don’t ask, do pay: A gay man discusses the Air Force’s efforts to make him pay over \$70,000 for coming out’, *The Advocate*, 13 Mar, 16. Associated Press (2000) ‘Discharged Gay Doctor Sues Pentagon Over Cost of Education,’ *The New York Times*, 1 Jun, 20.

⁵⁹ Long, J. (2011) ‘No Longer Serving in Silence,’ *Out Voices Kansas City*, 3 April [Online]. Available at <https://kansascity.outvoices.us/no-longer-serving-in-silence/> [Accessed 25 August 2021]. Frank, (2009) 245-246.

Enlisted medical professionals are not as prominent within imperfect government reports for the impact of DADT concerning their field but they too were among the invaluable losses to the American military during this period. Army Staff Sergeant Darren Manzella was a combat medic, who tended to wounded soldiers in Baghdad during his first deployment to Iraq in 2005, and was awarded a Combat Medic Badge for his actions. Like many other gay and lesbian service members, Manzella did not know he was gay until he was in the Army. It was a long and gradual process of self-reflection and understanding. When he did start having relationships with other men though, he was open about it to fellow soldiers that he trusted. Eventually, he found himself bombarded with anonymous emails declaring that he was being watched. Manzella turned to his commanding officer who promptly reported him, and an extensive investigation then followed. Manzella was an excellent soldier, with combat experience, and in a military occupation that was critical. Despite the unambiguous evidence on hand, after the completion of the investigation, he was told that he was not gay and that he should go back to work. Manzella eventually found the experience to be liberating. He was out and instead of being shunned by his peers, he found himself accepted and that other soldiers were suddenly *more* social with him. The DADT policy still frustrated Manzella though, his career had survived but he did not know for how long and knew others were not as fortunate. During his second deployment to Iraq, Manzella made himself available to *60 Minutes* reporter and shared his story. Surprisingly, the Army did nothing. Manzella returned from this second deployment, finished the last seven months of his

current assignment but was discharged under DADT by the commander of the next unit he reported to.⁶⁰

Highly skilled military medical personnel are essential human capital for modern militaries. They care for the wounded, and they ensure that commanders have healthy service members that can fight. Such service members are difficult to recruit, train, and retain. The demands of military life are great for most Americans and the private sector is always ready to employ such individuals with greater financial compensation. The American military had put in place a variety of incentives that can help with recruitment, such as paying for medical school in return for a service commitment but once recruited, it takes years before such service members are available for duty. The policy of DADT was at its heart a discriminatory military personnel policy that made obtaining and retaining such service members more difficult than necessary. The military needlessly discharged and lost many highly skilled medical professionals because it could not accept the idea that gay and lesbian service members were perfectly normal individuals who loved their country and could make significant contributions to the military's readiness. Those that made the sacrifice of keeping their personal lives private became victims of personal circumstances that would not have derailed the careers of their heterosexual peers, and some simply found the long-term inability to fully bond with their fellow service members unbearable and unethical.

⁶⁰ Sidki, P. (2009) 'Discharged under 'don't ask, don't tell,' *CNN*, 10 November [Online]. Available at <https://www.cnn.com/2009/US/11/10/vif2.dont.ask.dont.tell/index.html> [Accessed 25 August 2021]. Stahl, L. (2007) 'Military Soft on Don't Ask, Don't Tell?' 60 Minutes.

AVIATION: THE MILLION-DOLLAR SERVICE MEMBERS

The responsibilities of aviation in military operations are enormous. Across each of the American military's individual service branches they are responsible for maintaining air superiority, getting ground combat assets from its continental and overseas bases to combat theaters, providing intelligence from above, providing electronic warfare and communications support to ground personnel, and when ground combat becomes especially volatile—to provide ground personnel with close air support against enemy ground forces. All these missions require an essential component though—people. Military aircraft require pilots, navigators, crewmen, and mechanics. These service members are so highly valued that each of the services' aviation commands dedicates enormous time, resources, and training specifically to personnel recovery. The Air Force describes personnel recovery as “a core function of the Air Force and one of its highest responsibilities.”⁶¹ The Army also goes to great lengths to recover lost pilots, as evidenced by the story of then Major Rhonda Cornum's downed Blackhawk recovery crew that attempted the rescue of a downed F-15 in Iraq during the Gulf War—the Army was willing to risk another downed aircraft, its crew's lives, and the risk of capture to rescue a fellow aviator to recover a single F-15 pilot.⁶² After the initial invasions of Afghanistan and Iraq, and after intensive counterinsurgency campaigns many of these tasks remained critical in order for ground forces to remain effective. Military aviation assets were critical in enabling American and allied forces to locate improvised explosive devices (IED), relay real-time intelligence to ground forces, jam the

⁶¹ Headquarters Department of the Air Force (2020) *Air Force Instruction 10-3005: Personnel Recovery Coordination Cell Organization and Training*, 4.

⁶² Cornum, R. & Copeland, P. (1992) *She Went to War*. Novato: Presidio Press.

frequencies of radio-enabled IEDs, provide battlefield casualty evacuation, and provide close air support when ground operations got precarious.⁶³

Each of the services' pilots and aviators in each of the service branches are also scarce, expensive to train, require lengthy training, and like their counterintelligence peers, are in high demand by the private sector. A former Army captain and Apache pilot noted that across the Army's aviation platforms, training alone averaged about a million dollars per pilot. He noted that the airlines were often in full-hiring mode during the wars in Afghanistan and Iraq and it made it difficult to retain experienced pilots. There were always pilots "in the pipeline" but experienced pilots were a rare and in-demand commodity in the Army. Army aviation could always and did often shift flight-qualified staff officers from their assignments to fill line office shortages, but this also had an impact on other aspects of operations and readiness.⁶⁴ An Air Force colonel and KC-130 pilot indicated the same. Pilots cost about a million dollars to train, airlines regularly provided a strong financial incentive for pilots to leave the service for better pay, and despite the "pipeline", there was no substitute for an experienced pilot. Experienced pilots had "good judgment borne through years of experience" that was invaluable and could not be replaced with a newer pilot fresh from flight school. The Air Force also could shift staff resources to flight operations when shortages got arose, but "when the wing commander has to fly, things have gotten bad."⁶⁵

⁶³ Anonymous, (2021). *Personal Interview*, April 6. Anonymous, (2020) *Personal Interview*, March 13.

⁶⁴ Ibid.

⁶⁵ Ibid.

Despite the costs, the premium on experience, and the steadfast dedication to the recovery of pilots downed during combat operations— the beliefs and ideas that informed DADT trumped all other calculations. Between 1994 and 2002, the American military discharged ten pilots and aviators with a combined experience of eighty-four years, three aviation maintenance officers with thirty-eight years of experience, and two other crewman officers with nineteen years of experience.⁶⁶

AVIATION: INDIVIDUAL-LEVEL EVIDENCE

Air Force Lieutenant Colonel Victor Fehrenbach's experience with DADT is illustrative of the disconnect between DADT and military effectiveness. Fehrenbach was commissioned into the Air Force in 1992 and was trained as an F15 fighter pilot and ranked first in this flight school class. Fehrenbach had an exemplary career and flew in combat missions in Kosovo, Iraq, and Afghanistan. In 2003 he was decorated for valor for doing precisely what combat aviators must do when the going gets tough. In 2003 under intense Iraqi anti-aircraft fire, he assaulted and destroyed an enemy ambush that was awaiting nearby American Army troops advancing upon the Baghdad airport. Several years later, Fehrenbach was falsely accused of sexual assault with a civilian man whom he had a relationship with and faced a no-win situation—be honest with investigators and out himself or deny the allegations and face potential criminal charges. He chose the former, was cleared by local law enforcement and the Air Force's Office of Special Investigations but because during the investigation because he declared he was gay, the Air Force proceeded with discharge proceedings and Fehrenbach was grounded during length legal challenges that were not dropped until the repeal of DADT in 2011.⁶⁷

⁶⁶ University of California Blue Ribbon Commission, (2005) *Financial Analysis of "Don't Ask, Don't Tell": How much does the gay ban cost?* The Palm Center: Santa Barbara.

⁶⁷ Dao, J. (2010) "Officer Sues to Block His Discharge Under Gay Ban," *The New York Times*, 12 Aug, A16. Smith, R. (2009) "Air Force Hero Force to Choose: Admit You're Gay or Accept Rape Charge." *CBS News*,

OTHERS

While this section primarily focused on military intelligence professions with an extensive focus on linguists, medical personnel, and aviators—it is worth noting that DADT affected numerous critical military occupations. Explosive ordnance disposal (EOD) technicians, the very individuals tasked with disarming IEDs in Afghanistan and Iraq also lost personnel to DADT like twelve-year veteran Staff Sergeant Brian Muller.⁶⁸ Highly trained naval surface warfare officers, Army Rangers, Navy SEALs, recruiters, and even military lawyers were lost to the policy. One such lawyer is particularly telling. Army Captain James Pientrangelo II, had served in the Army for over thirteen years, was a veteran of the first Gulf War, and while in Iraq in 2003 served as the Chief of Operational Law and was tasked with helping rebuild Baghdad’s court system.⁶⁹ Given the immense importance of re-building Iraq and keeping the insurgency at bay. Losing even a lawyer like Pientrangelo to DADT simply did not make military sense.

Life During “Don’t Ask, Don’t Tell”

DADT was a poorly crafted and poorly implemented policy that did little to enhance military efficiency. While some civilian elites discussed the financial costs associated with the policy and the absurdity of discharging highly qualified and critical service personnel on the basis of sexual orientation and not conduct, the debate that shaped the policy was a debate over ideas. On one side was a minority of civilian and military elites who largely talked about civil rights and serving

28 Sep, [Online] Available at: <https://www.cbsnews.com/news/air-force-hero-forced-to-choose-admit-youre-gay-or-accept-rape-charge>, [Accessed 23 September 2021].

⁶⁸ Frank, (2009) 185.

⁶⁹ Embser-Herbert, M. (2007), 54-55.

with dignity as opposed to serving under a lie. Periodically that side was able to demonstrate to some degree that there were gay and lesbian service members which had served openly and some who were discharged who were excellent service members that arguably should have been retained. On the other side was a majority of civilian and military elites that could not imagine gay and lesbian service members as normal well-adjusted individuals who could and did their jobs well and differed only in their sexual orientation. The debate about the policy's impact on military efficiency was not the center of the debate. It was an ideational debate in a political arena, not a rational cost-benefit analysis conducted by technocratically-minded individuals seeking to maximize national security. As was exemplified by the Senate's decision to listen to the MWG and not wait on RAND's findings. Granted, if the RAND report were completed earlier, it might not have made a difference.

This section will briefly reinforce DADT's impact on gay and lesbian service members' quality and life and how this dynamic also impacted military effectiveness. The first part will discuss the poor implementation of the policy, and the second section will discuss what many straight and gay service members thought of the policy as well as how some gay service members navigated through military life under DADT.

IMPLEMENTATION OF DADT

When the Senate questioned Aspin and the Joint Chiefs of Staff, both the Senate committee and the military struggled to clearly understand what the policy was. DADT discharges were supposed to be triggered by conduct and yet for many, status inherently meant conduct. Investigations of service personnel were not supposed to be conducted unless commanders had

“credible information.” And this term too was vague and difficult to define.⁷⁰ When the policy was put into place it also failed in several important ways. It had no sanctions for abuse of the policy, no formal enforcement mechanisms, it did not outline expected behaviors, did not set boundaries for commanders who sought to use it, it did not include provisions for sanctions against harassment of gay and lesbian service personnel, and in its early years, there was no training for those responsible for carrying the policy out.⁷¹

What resulted in the years before and after the September 11th attacks was a policy that was implemented in an environment where many service members simply did not care one way or another. Some commanders placed greater value on having highly skilled and efficient service members, some enforced the policy out of a sense of obligation to obey policy, and others zealously enforced the policy. Self-disclosure is a normal and healthy practice important for healthy relationships and for maintaining good individual mental health. Because it is, most gay and lesbian service members also practiced discretion and came out to trusted friends anyway. They were competently able to gauge their work environment and their work relationships.⁷² When such members came out to peers, there was no breakdown in unit cohesion, no loss in military effectiveness, and if anything, it enabled gay and lesbians service members to focus more on their attention on their jobs and less on the stressful task of having to manage intricate lies

⁷⁰ Senate Armed Services Committee, 103th Cong., 1st sess., Congressional Record (1993).

⁷¹ Zellman, G. (1996) ‘Implementing Changes in Large Organizations: The Case of Gays and Lesbians in the Military’, in Herek, G., Jobe, J., & Carney, R. (eds) *Out in Force: Sexual Orientation and the Military*. 1st edn. Chicago: University of Chicago Press, pp. 266–289.

⁷² Herek, G., Jobe, J. & Carney, R. (Eds) (1996). *Out in Force: Sexual Orientation and the Military* (1st ed.). University of Chicago Press.

about their private lives. There was also no massive uproar over heterosexual privacy rights. Gay and lesbian service members, like their heterosexual peers, did not sexualize routine activities like hygiene practices and did what men and women in common living arrangements in the field had done for decades—they practiced gaze aversion, an etiquette of disregard, and avoidance.⁷³

Another outcome of the policy was the absurdity of the random nature that continued service by individual gay and lesbian service members was. Continued service was often a function of luck and not a function of individual job performance or merit. Some command climates were tolerant, but others were not.⁷⁴ The difference between the two types of command environments was precisely what supporters of lifting the ban, like Representative Rob Andrews (D-NJ), expressed in 1993—sexual orientation had little if any relation with unit cohesion, instead good leadership was the key. When commanders put their foot down, heterosexual service members continued to do their jobs, even where individual prejudicial belief systems did not change.

THE REALITY OF DADT - “NO ONE CARED”

Army Lieutenant Colonel Bill Prayner who served before, during, and after DADT was an infantry commander that valued performance above sexual orientation. He knew some gay soldiers but did not care. All he wanted was for soldiers to “do their jobs.” He thought that many soldiers had all kinds of prejudicial beliefs but most simply did not act on them, because most

⁷³ Shawver, L. (1996) ‘Sexual Modesty, the Etiquette of Disregard, and the Question of Gays and Lesbians in the Military’, in Herek, G., Jobe, J., & Carney, R. (eds) *Out in Force: Sexual Orientation and the Military* 1. 1st edn. Chicago: University of Chicago Press, pp. 226–244.

⁷⁴ Frank, (2009), 258-290. Fine, J. (2007).

were also very well-trained, disciplined, and focusing on the missions at hand mattered more. Prayner also contextualized the policy within broader concerns during the war in Iraq. Combat deployments were stressful affairs. Many soldiers were already being chaptered out for other discipline reasons, a number of non-commissioned officers were being promoted too early because there were not enough of them, the number of soldiers going absent without leave (AWOL) had increased, the Army had to increase the number of waivers for recruits with criminal records, it had to raise its recruitment age limit, injuries from deployments were increasing the number of early medical retirements, and suicide rates were also on the rise. Given all these constraints and issues, Prayner stated, “the idea that gays couldn’t serve seemed insane to me It was sheer idiocy. We needed the soldiers and the ban also cost a lot of money to chapter people out. We were losing qualified soldiers and wasting money.”⁷⁵

A senior Army non-commissioned officer and EOD technician also served during and after DADT. She stated that she largely “didn’t have an opinion on gay soldiers because it didn’t seem relevant to the job. Really, no one cared.” During an advanced training course, she had an open lesbian roommate and felt comfortable with her. “She never hit on the other women and was an all-around professional.” She also recounted an experience where she knew a gay EOD private that was frequently hazed and was insulted regularly with negative homophobic remarks. For her though, the private was not harassed because he was gay, “he was harassed because he was bad at his job.” That was just how the Army was. If he were good, “no one would have cared” he was gay. She also thought the policy was “dumb” because EOD was already

⁷⁵ Lt. Colonel Bill Prayner (2021), *Personal Interview*, 19 April.

hurting for numbers. EOD technicians were deployed often, many were had killed in Afghanistan and Iraq, and it was difficult to keep soldiers in such a highly stressful and dangerous job.⁷⁶

Marine Staff Sergeant Eric Alva served for nearly fourteen years in the Marine Corps, was highly decorated, had deployed to Somalia during 1992, and saw himself as a career marine. But his military career was cut short when he stepped on a landmine in Iraq during the 2003 invasion. Alva was open about his sexual orientation to the marines he trusted. He said that when he did come out to his fellow marines, typical responses were “no way?!” “oh, I always knew!” and “so what?” Marines he came out to did not care. But he also described how difficult was to keep his status a secret among his units. Eventually, word would spread around, and everyone would know. Alva described one occasion where another marine became argumentative with him and bluntly asked, “what are you some kind of fag?” Alva yelled back, “ya, and so what?” The other marine told their chain of command but instead of investigating Alva, the commander turned on Alva’s harasser. Alva told people he trusted, others just knew, and they did not care because Alva was in top physical shape, was a model marine, had a long service history, and was great at his job.⁷⁷

An Army combat engineer who later reclassified into military intelligence talked about how he practiced discretion when coming out. He did not identify as gay when he first enlisted but once he discovered that he was, he did not think much of the policy. For him, DADT, “is what it is.” He knew a lot of leaders that did not support the policy but also felt constrained by it. He

⁷⁶ Anonymous, (2020). *Personal Interview*, 5 May.

⁷⁷ Staff Sergeant Eric Alva, (2021). *Personal Interview*, 2 March.

was very cautious when coming out but when he did come out to soldiers, he felt he could trust, they did not care. For him, the policy was one borne out of misunderstandings, not actually knowing gay people, and “formulating beliefs without actually knowing gay people.” But once soldiers established a reputation for being good at their jobs, if they came out, people did not care because they could judge soldiers like himself based on their job performance and not stereotypes. Oddly enough, he thought that this also meant that gay and lesbian soldiers were among the best. They had to be in order to prove themselves and to be able to disarm the ability of others to look for excuses to criticize them for “sub-standard or just standard work performance.” When DADT finally ended, he recalled how a number of soldiers were “shellshocked” and in some cases upset because the topic “had been taboo for so long.” In the end, though, commanders briefed soldiers on the change in policy and made it clear that intolerance would not be accepted. And that was that.⁷⁸

Military life could also be a mixture of tolerance and unnecessary stress for some under DADT, like Lisa, who was an Army sergeant and served in the military police. Lisa was the subject of an investigation while stationed in Korea because her first sergeant learned she was playing pool with local women at night. In order to avoid future scrutiny, Lisa married a gay male soldier. But she still felt afraid that every day she could be discharged. Alongside that fear was the painful knowledge that the policy was absurd. She knew lots of other gay and lesbian soldiers and that most younger soldiers and non-commissioned officers simply did not care. Being gay in the Army could be just as safe as it was dangerous. Lisa eventually decided to leave

⁷⁸ Anonymous, (2021). *Personal Interview*, 21 February.

the Army when her enlistment contract ended but much to her surprise, DADT ended three months later. She expressed being frustrated with all the strategies she had to employ to hide her sexual orientation and those she loved. If it had happened earlier, she could have focused more on her job. She said she would not have flaunted her sexuality or relationships around work because military service “is after all, a profession” but that “it shouldn’t matter who I go home with after duty hours.”⁷⁹ She had to live a lie for four years and then just like that the policy simply changed. It was not as if the gay and lesbian service members before and after were inherently different people. What changed was that civilian and military elites had changed ideas about who gays and lesbian service members were.

“Don’t Ask, Who Cares” – The End of DADT

In the final years of the policy, after almost two decades of needless discharges and the introduction of undue stress to individual gay and lesbian service members by forcing them to live a lie, many civilian and military elites who supported banning open gay and lesbian military service started to change their minds about DADT. This brief section will outline the change in beliefs by senior military and civilian elites who had a change of heart during DADT and conclude with a discussion about the elites that helped end the policy. In doing so, it will demonstrate that just as with the construction of DADT, the end of the policy was also largely a function of ideas.

⁷⁹ Lisa, (2020). *Personal Interview*, 9 December.

THE OLD GUARD

In 2007 Army General John Shalikashvili, who supported DADT at the time of its implementation and served as Chairman of the Joint Chiefs of Staff when it became law, stated in a New York Times Op-Ed that, “I now believe that if gay men and lesbians served openly in the United States military, they would not undermine the efficacy of the armed forces. Our 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.”⁸⁰ Four years earlier, Army General Wesley Clark had indicated it was time to dramatically re-think the policy in part because attitudes had simply changed, “People were much more irate about this issue in the early ‘90s than I found in the late ‘90s It just didn’t seem to be the same emotional hot button issue by ‘98, ‘99’, that it had been back ‘92, ‘93.”⁸¹ In 2008, a study by the Palm Center—which included Marine Corps Brigadier General Hugh Aitken and former MWG chair, Air Force Lieutenant General Minter Alexander—concluded that DADT was actually undermining unit cohesion, that it was resulting in the loss of highly skilled military service members in critical jobs, and that it placed undue stress upon individual gay and lesbian service members who had to lie about their private lives and could not obtain psychological and medical care without the risk of being discharged.⁸² In 2008, even

⁸⁰ Shalikashvili, J. (2007) “Second Thoughts on Gays in the Military.” *The New York Times*, 2 Jan, A17. Editorial.

⁸¹ Clark, W. (2003). *Meet the Press*, June 15.

⁸² General/Flag Officers’ Study Group. (2008), *Report of the General/Flag Officers’ Study Group*. The Palm Center: Santa Barbara.

Powell, while not as critical as other military elites who had a change of heart, was calling for a re-evaluation of DADT.⁸³

Around this same time, beliefs had also changed among many important MCs that had supported the policy in 1993. DADT chief architect Senator Sam Nunn (D-GA) declared in a letter for former Senator Alan Simpson (R-WY) that since 1993 there now was sufficient evidence to demonstrate that “don’t ask, don’t tell” was “getting in the way” of the military’s ability to recruit and retain highly skilled military service personnel.⁸⁴ In 2007, former Representative Bob Barr (R-GA) also criticized DADT. While he remained firmly opposed to other gay rights issues such as gay marriage, he remarked “the armed forces is another matter.” Barr stated, “The bottom line here is that, with nearly a decade and a half of the hybrid “don't ask, don't tell” policy to guide us, I have become deeply impressed with the growing weight of credible military opinion which concludes that allowing gays to serve openly in the military does not pose insurmountable problems for the good order and discipline of the services.”⁸⁵

THE NEW GUARD

The 2008 American presidential election brought to the White House a president who vowed to end DADT. President Barack Obama was also a crafty politician who knew how to calculate votes. For a candidate who also did not support gay marriage, his promise could have been written off as a means to deliver the votes of the LBGT community. Some gay rights advocates even

⁸³ Zakaria, F. (2008), *Fareed Zakaria GPS*, December 14.

⁸⁴ Frank (2009), 289-290.

⁸⁵ Barr, B. (2007), “Don’t Ask, Who Cares,” *The Wall Street Journal*, June 13, A18, Editorial.

thought Obama was dragging the promise out to cash in on votes in 2012.⁸⁶ Even with support dwindling each year among its authors, DADT remained in place until 2011 and until then, the loss of hundreds of highly skilled personnel continued. Much like its inception, when DADT came to an end on September 20, 2011—through the Don't Ask, Don't Tell Repeal Act of 2010—DADT ended not necessarily through a debate shaped by discussions about the \$500 billion that DoD spent enforcing the policy during its lifespan or the thousands of highly skilled military service members lost. DADT largely ended because of changes in ideas and beliefs. In 2010, Chairman of the Joint Chiefs of Staff Admiral Mike Mullen told Congress that, “My goal will be move quickly but deliberately to maximize the opportunity for all Americans to serve their country We should end “Don't Ask, Don't Tell,” and we can and should do it in a way that honors our Nation's values while making it more secure.”⁸⁷

Obama's first Secretary of Defense, Robert Gates was instructed to make ending DADT possible. But Gates, while somewhat sympathetic, was also cautious and clung to concerns about cohesion. For Gates, it was also a matter of noting that “. . . a high percentage of our service men and women came from the South, Midwest, and Mountain West . . . They came from areas with conservative values, and they are broadly speaking, more religious.” Gates thought such service members would react negatively if DADT were repealed too quickly.⁸⁸ But Gates also felt

⁸⁶ Stolberg, S. (2009), “Obama Pledges Again to End ‘Don't Ask, Don't Tell.’ *The New York Times*, October 10, A24.

⁸⁷ Admiral Mike Mullen, testifying before the Senate Armed Services Committee, 111th Cong., 2nd sess., Congressional Record (February 2, 2010), 76.

⁸⁸ Gates, R. (2015), *Duty: Memoirs of a Secretary at War*. Vintage: New York, 333.

unexpected pressure from Obama. Contrary to what political pundits and activists thought, ending DADT was not merely a political calculation, it was also one guided by Obama's personal beliefs. Gates recalled one occasion where Obama became irate with the DoD's lack of progress on the issue, ". . . I never saw his eyes swell up. Obama could, and did express anger (I rarely heard him swear; it was very effective when he did), but the only military matter, apart from leaks, about which I ever sensed deep passion on his part was [DADT]. For him, changing the law seemed to be the inevitable next step in the civil rights movement."⁸⁹

DADT did not end under Gates, it ultimately fell to the next Secretary of Defense, Leon Panetta. When asked about DADT, Panetta linked his support for the end of the policy with his personal belief system. Panetta was the son of Italian immigrants and had strong memories of discrimination against his family during World War II. His then seventy-year-old grandfather had been visiting family during the outbreak of the war and was forced to move further inland because as an Italian, he was deemed to be a threat to national security. Panetta has also served as an Army intelligence officer during the 1960s experienced the positive effects of a recently racially integrated Army and it moved him. He stated he also encountered gay soldiers during this time in the Army and his "concern was protecting them because they were good soldiers . . . some of the best." By the time Panetta began his service as Clinton's Chief of Staff, he expressed that his belief in equal justice that become "ingrained in my bones" and that "Don't Ask, Don't Tell didn't make a lot of sense then." For Panetta, it was about a "fundamental principle" that "if you could do your job, you had a right be not judged" by anything other than one's performance.

⁸⁹ Ibid, 298.

He worked closely with Mullen and expressed that Mullen, “really believed in it” and pushed for it because it was the right thing to do.⁹⁰ Even with presidential and DoD support though, DADT was law and still required an act of Congress.

One of the primary MCs who pushed for the end of the policy in 2010 was Representative Patrick Murphy (D-PA). Murphy served in the Army for eight years as a JAG officer, knew service members who were discharged under DADT and it upset him because they were among the best he knew. He discussed the financial costs and the sheer number of service members lost under the policy, but Murphy spoke most strongly about the Army’s Core Values—leadership, duty, respect, selfless service, honor, integrity, and personal courage. According to Murphy “forcing soldiers to lie about their personal life made them violate those last two tenets.” According to Murphy, the policy simply “made no sense.” It was harmed the ability of the military to fight effectively but it also was contrary to the value of equality.⁹¹

Despite the dramatic change in beliefs about gay and lesbian service members and their supposed impact on unit cohesion, the debate in Congress was as intensive, if not more so than it was in 1993. In response to his position and active leadership in convincing other MCs to change their votes, Murphy expressed that he and his family received death threats during the debate. In attempting to sway reluctant House votes, Murphy regularly told other MCs that they should vote for the policy because “judgment day is more important than election day and they have a

⁹⁰ Secretary of Defense Leon Panetta, (2021), *Personal Interview*, March 17.

⁹¹ Representative Patrick Murphy, (2021), *Personal Interview*, 29 May.

responsibility to make a more perfect union.”⁹² Opponents of ending the policy included some MCs that were serving in Congress during the 1993 debates. John McCain (R-AZ) was characteristic of opponents but was more guarded in his language in 2010. For McCain, the Wars in Afghanistan and Iraq were simply too important to introduce one more policy change upon an overly over-stretched force, and “At this moment of immense hardship for our armed forces, we should not be seeking to overturn the DADT policy.”⁹³ Unlike 1993 though, there simply were not enough MCs that supported McCain’s thinking, and ultimately both Houses voted to end DADT.

Conclusion

DADT and the informal and formal discriminatory military personnel policies before it were not policies crafted in response to systemic factors or military necessity, they were entirely ideational in origin. They were policies that did not improve military effectiveness, cohesion, or readiness—they were antithetical to each, especially during wartime. Such policies were responses by civilian and military elites to certain ideas they held about gays and lesbians, prejudice, and irrational fears. In a 2007 interview, former Representative Barney Frank (D-MA) aptly described the absurdity of the policy by recounting his husband’s view on DADT, “You are in the military, you’re out there in battle, and you are there when your best friend is shot to death and you see your friends bleeding and torn, and you’re expected to be able to live with that. But the notion of

⁹² Ibid.

⁹³ Sen. John McCain, speaking before the Senate Armed Services Committee, 111th Cong., 2nd sess., Congressional Record (February 2, 2010), 76.

a naked man in the shower next to you who *might* find you attractive, you can't handle that." In a televised debate with Senator Dan Coats (D-IN), Frank also pointed to the absurdity of fears by men like Coats, he said, "Dan, you and I have been together in the showers in the House gym . . . it wasn't that big of a deal to me!"⁹⁴ Yet in the realm of military personnel policies, it was for men with certain belief systems like Coats

Between the end of World War II and the repeal of "Don't Ask, Don't Tell" nearly a hundred thousand, if not more, gay and lesbian service members were purged from the American military. The older and service branch-dependent variations of the older policy gave commanders considerable discretion and often a gay and lesbian service member could be retained for the good of the service. But in the era that combined the AVF with the Carter administration's policy that made an absolute policy that "homosexuality is incompatible with military service," the loss of gay and lesbian service members took on a whole new meaning. Between 1980 and 2010, a total of 32,738 gay and lesbian service members were purged from the American military because of certain ideas about gay.⁹⁵ When the opportunity arose in 1993 to end the ban once and for all arose, certain ideas and beliefs held by civilian and military elites dictated the meaning of sexual orientation and its relationship with military service, and for the first time, codified this ideational element into a formal law passed by Congress. The possibility of a Trumanesque moment had passed and any future change then relied upon a political

⁹⁴ Stein. S. (2017), "Candidate Confessional," *The Huffington Post*, podcast audio, August 10.

⁹⁵ Aggregate discharged data was compiled using the 2005 GAO report, Servicemember Legal Defense Network's (SLDN) annual reports "Conduct Unbecoming" from 1995 until 2004, and numerous news outlets that reported totals from SLDN in subsequent years.

environment that required a majority in the House, a majority in the Senate sufficient to pass a filibuster, and a sympathetic president or a Congress able to overturn a veto. Had elites acted otherwise, the very fears about harm to unit cohesion and the stereotypes about gays and lesbians they held would have eroded, and the entire issue been irrelevant. Beliefs across the youth of the American military-at-large were also not what civilian and military elites believed them to be and even when the social climate of the American military became more tolerant, there was certainly no shortage of prejudicial commanders and even sympathetic commanders who felt they were obligated by law to discharge gay and lesbian service members. Both did so even when service members in critical military occupational specialties were undermanned, difficult to recruit, clear, train, and field in Afghanistan and Iraq.

The ideationally self-inflicted loss of so many service members, many of which were badly needed by the military, during the wars in Afghanistan and Iraq as a result of not only certain ideas about gays and lesbians held by decision-makers in 1993 but also of the American military officers that elaborately broke Lieutenant Frederick Ensin's sword over his head and dismissed him from service before the birth of the American republic. That the justifications and rationale for discriminatory military personnel policies that banned or restricted the service and gay and lesbian service personnel were nearly identical to arguments used to exclude African American men or to segregate them once called upon when the American state was in dire straits was all the more painful. It took nearly two hundred years and numerous wars for the imprudent decision-making which began by General Washington to be undone by President Truman. Yet when the parallels of discrimination between gays and lesbians and African Americans in the

American military became known and even when evidence was on hand, the American state chose prejudice over military effectiveness during the wars in Afghanistan and Iraq.

During the 1993 House hearings, Representative Ronald Dellums (D-CA) closed his committee hearings by stating:

“The Chair would just like to observe in the Chair’s opinion, norms and values, it seems to me, reflect where we are at a given moment. It is a snapshot of where we are in society and in our culture . . . norms and values do change as we rationally and intelligently pursue matters to get beyond our ignorance and beyond our fears to some other more mature and enlightened society.”⁹⁶

DADT was borne out of such. “Military” force is often reified by those who describe it. It is often assumed by realists and even some constructivists to be merely a sword yielded by the state with a strength determined by a calculus of population, economic wealth, and technological prowess. But in reality, “military” force is also a literal body of bodies. Certain ideas about sexual orientation, like those of race, matter in how that force is shaped and effective it is.

⁹⁶ Rep. Ronald Dellums, speaking at H201-36, 103rd Cong., 1st sess. Congressional Record (May 5, 1993), 314.

CHAPTER VII: AMERICAN MILITARY WOMEN – AMERICA’S HISTORICAL WARTIME AUXILIARIES

“So, we’ve got new hair new styles and maternity flight suits, pregnant women are going to fight our wars. It’s a mockery of the U.S. military. While China’s military becomes more masculine . . . our military needs to be become, as Joe Biden said, more feminine, whatever feminine means anymore, since men and women no longer exist. The bottom line is it’s out of control and the Pentagon is going along with this. Again, this is a mockery of the U.S. military and its core mission which is winning wars.”¹

Fox News Commentator Tucker Carlson, 2021
Tucker Carlson Tonight

“I take this opportunity to express my definite and sincere opposition to what I consider the silliest piece of legislation that has ever come before my notice in the years I have served here. A woman’s army to defend the United States of America. Think of the humiliation. What has become of the manhood of America, that we have to call on our women to do what has ever been the duty of men?”²

Representative Andrew Somers (D-NY), 1942
House floor remarks in opposition to forming a WAAC

In the American military, women’s traditional exclusion from combat and the prevalence of sexual harassment and sexual assault against women are in large part a function of certain

¹ Ismay, J. (2021) “The Pentagon condemns Tucker Carlson’s sexist remarks about women in the military.” *The New York Times*, 11 Mar, [Online]. Available at: <https://www.nytimes.com/2021/03/11/us/tucker-carlson-women-military-pentagon.html> [Accessed 15 October 2021].

² Rep. Andrew Somers, 77th Cong., 2nd sess., Congressional Record (March 17, 1942), 2606.

ideas and beliefs about gender that have a long history in American military history. They are also a function of broader societal belief systems about the role of women, e.g., beliefs about marriage and motherhood, the gendered division of the private and public spheres, and the degree to which social movements have successfully expanded women's rights and equal access to power at any given historical moment. It is not the intent of this chapter to undertake an exhaustive review of these broader societal factors, but instead, to demonstrate that the ability of the American military to make effective use of all its manpower, or womanpower, during times of conflict was heavily constrained by civilian and military elites' beliefs about women.

This chapter though, using numerous existing scholarly historical literature, augmented with archival research of government records, will demonstrate how certain ideas and beliefs about women and military service have changed throughout American history. It will argue that various informal and formal gender-based discriminatory military personal policies were entirely ideational in nature and not a function of systemic factors or military necessity. Nonetheless, systemic factors did at times often result in a weakening of those policies to certain degrees during wartime and prior to World War I, the largest exception to this pattern was the military's use of nurses. Given nursing's strong traditional association with caregiving and "women's work," allowing women to serve in such roles was far more acceptable to civilian and military elites, but military nurses did fail gendered-based discrimination all the same. These institutionalized ideational and belief systems were also at times antithetical to military effectiveness. The subsequent chapter will address the effects of combat exclusion, as well as sexual harassment and sexual assault on military effectiveness.

The first section of this chapter will briefly acknowledge and outline the social constructiveness of gender. It is a subject worthy of further discussion but for the sake of brevity, it is worth noting that whatever the state of the literature and to whatever degree, either gender and/or sex are socially constructed, what matters most for this work is that civilian and military elites acted upon these belief systems and formulated discriminatory military personnel policies throughout history. The second section of this chapter will provide a lengthy historical overview of women and the beliefs that civilian and military elites had during major American military conflicts, each of which has retained stubborn residues of path dependence from one conflict to the next. In many ways the historical experience of women in the American military resembles that of African American men—elites are reluctant to make use of them during times of war, do so to a limited degree when systemic pressures are sufficient enough, discontinue their use during times of peace, and then find that ideational pressures both limit their ability to remember history and then limit how they could be used to maximize military effectiveness in subsequent conflicts. Certain ideas about gender are stubborn and powerful forces. During times of war, systemic factors should trump ideational ones, yet all too often the enforcement of gendered norms takes precedence over military necessity.

The second section will outline a chronology of how certain beliefs about gender have played out during a variety of major American military conflicts. The first subsection will briefly cover the American Revolution and will demonstrate that while gender roles existed, decentralized and weak enforcement mixed with systemic factors and allowed women to often contribute to the American effort, including in combat. It is also the first historical example in American military history where the role of performativity is most obvious, as women could

easily clothe themselves in male garments, act male, and fight with equal valor as their biological male peers.

The second subsection will cover the American Civil War and demonstrate how many similar dynamics operated, and some military roles once considered feminine became masculinized. It will provide a particular focus on the use of nurses in the military, how military elites struggled to accept them, yet also desperately needed them, and then immediately demobilized them after the war despite their enormous contributions.

The third subsection will cover the last historically recorded instance of gender performativity and military service in the years after the Civil War and then proceed to review the massive mobilization of contract civilian nurses in the American military during the Spanish-American War. It will outline how, despite institutional knowledge from the American Civil War, elites were reluctant to take on large numbers of nurses, but how systemic factors forced them to do so and the path-dependent affect the experience of these nurses had on nursing personnel policies prior to World War I.

The fourth subsection will provide an overview of gender-based discriminatory military personnel policies during World War I. It will outline the emergence of the concept that women could become uniformed military personnel in order to “free men for combat,” but how that possibility was also a function of individual service secretaries’ belief systems. It will also demonstrate how nursing had become so normalized and taken for granted as an appropriate role for women that military elites were willing to subject women to combat conditions so long as they served as military nurses. In other words, women “could” be in combat in modern warfare so long as they were nurses and so long as nursing was considered not a combat occupation.

The fifth subsection will cover gender-based discriminatory military personnel policies during World War II and how they limited the ability of the American military to effectively carry out the war. It will discuss the massive expansion of the notion of “freeing men for combat” via women’s auxiliary components similar to those during World War I, how certain ideas and beliefs about women constrained the ability of the military to effectively use women service members, the debates within Congress at the onset of the war concerning their use, the effects of individual male service member attitudes and public opinion, the evolution of gender-based belief systems, and how those evolving belief systems interacted with post World War II systemic factors to shape both the possibilities and constraints of the 1948 Women’s Armed Forces Integration Act afforded to women recruit and service members.

The final subsection will address the ultimate gendered paradox. It will review the intent of the 1948 Women’s Armed Forces Integration Act and how, despite the inability of the American military to secure sufficient women volunteers for military service during the wars in Korea and Vietnam that it largely refused to take seriously the qualification criteria, training, and use of non-nursing women service members. It will also review the stark contrast between non-nursing and nursing women service members and argue that certain ideas and beliefs about the relationship between women and nursing trumped certain ideas and beliefs about women in the military. Much like in World War I, military elites did not believe that women belonged in combat, much less in combat theaters, but—given their essential role and the appropriateness of nursing for women—military elites had no qualms allowing military nurses to serve under fire and experiencing the worst of the horrors of war.

The final section will provide concluding remarks, rearticulate major themes of path dependency, and provide a link between the historical link between American women and military service to the more contemporary focus of combat exclusion policies, and sexual harassment and sexual assault in the military.

The Social Constructiveness of Gender & Gender Performance

Much like race and sexual orientation, gender is largely a social construct. Similar to race, it has some physical origin in sex, but even those corporeal elements are subjected to a similar meaning-making process that defines appropriate roles for either gender. Even the dichotomy of man or woman is socially constructed. Simone de Beauvoir argued that “women” were not necessarily defined by who they were but rather who they are not—men. “Women” came into being as an “other” and were “defined and differentiated with reference to man and not he with reference to her; she is incidental, the inessential as opposed to the essential. He is the subject, he the Absolute, she is the Other.”³ Subsequent works by scholars like Judith Butler found essentialist arguments for “men” to be theoretically problematic and argued that there was neither a natural basis for what defined “women” and “men,” and argued gender was socially constructed through “performative acts” such as dress and behavior which after repeated over a long enough period of time took on the appearance of a natural basis.⁴

³ De Beauvoir, S. (1989) *The Second Sex, Classic and Contemporary Readings in Sociology*. New York: Vantage Books, xxii.

⁴ Butler, J. (2002) *Gender Trouble*. New York: Routledge.

Joshua Goldstein in *War and Gender* noted that such performative acts were emblematic even during World War I. He describes a number of artillerymen in Europe who were rehearsing in drag for a Christmas play when they were interrupted and called into action. While still clothed in women's clothing, they immediately took to operating their artillery. In one moment, they were performing as women while dressed in feminine clothing, and in the next, they were figuratively clothed in the masculine military task of firing cannons. Such a snapshot in military history is symbolic of the malleable and diverse performance activities where individuals in war enact gender roles.⁵ In no other activity are these performative acts more profound than in warfare.

Goldstein also argued that gender roles and notions of masculinity and femininity were socially constructed in order to make war possible. He posited that “. . . killing does not come naturally for either gender, yet the potential for war has been universal in human societies. To help overcome soldiers' reluctance to fight, cultures develop gender roles that equate “manhood” with toughness under fire.” In other words, masculinity has been defined as a rite of passage to manhood through warfare or at least the potential to fight for the state. This process also functions in such a way that what constitutes femininity must also be believed as weak and in need of defending, as well as simultaneously as a mechanism to shame men into fighting in order to avoid being defined as such.⁶

⁵ Goldstein, J. (2001) *War and Gender*. New York, NY: Stringer US, 50.

⁶ *Ibid*, 253-331.

Certain ideas and beliefs about women—what is essential to women, what are appropriate roles for women, meanings associated with marriage and motherhood, what is feminine, and the corresponding assumed associated dichotomies of maleness, masculinity, etc.—come together to construct a logic of appropriateness which becomes threaded throughout everything from the study of international relations itself to the very fitness of one group or another’s ability be worthy of member a military service and a defender of the state⁷. Gender as such has become a “relation concept” not only for masculinity and femininity but for reason and emotion and the public versus the private. It is these ideas and beliefs that shape the literal body of bodies that states use to project power abroad. They also constrain the realm of the possible and can make military force less effective. In other words, certain ideas and beliefs about women and warfare are largely ideational in origin and the enforcement of these belief systems often takes precedent over military necessity.

Women’s Service in the American Revolution

During the American Revolution, gender roles very much existed in both the American military and society but given an absence of strong centralized regulations and military necessity such roles were often defined by the moment and subject to interpretation. That the war was largely fought by men is emblematic of ideas and beliefs about gender roles. But that some women served in combat also serves as evidence that military necessity could sometimes trump ideational constraints and that women could “perform” as male soldiers with none being the wiser. The

⁷ Tickner, J. A. (2014) *A Feminist Voyage Through International Relations*. New York: Oxford University Press, 5-18. Enloe, C. (2014). *Bananas, Beaches and Bases: Making Feminist Sense of International Politics*. University of California Press.

Revolution was also the first American conflict where military nurses began to emerge as a military necessity but once the conflict ended military nurses were demobilized and their roles were assumed by men.

GENDER ROLES

Beliefs about and ideas about what is essential to women and appropriate roles in society dictated in turn what civilian and military elites believed was appropriate for women and the nature of their relationship with the American military during the revolution. Women were virtually denied participation in the politics of the Revolution and yet were also expected to participate in wartime measures such as rationing and honoring non-importation agreements. In the realm of military affairs, women had throughout history been camp followers and performed numerous essential roles. Early in the war, General George Washington thought that the presence of women in the army was inappropriate and disruptive, and forbid them from being in Army camps because he believed that the types of women that would spend substantial amounts of time in military encampments were of “loose morals.” Yet as the war progressed, Washington eventually believed that his army could not survive without them.⁸

The Revolutionary War was among the last conflicts in a long era where large numbers of women regularly accompanied armies during campaigns. Those that accompanied the armies generally performed traditional roles and tasks like cooking, laundry, repairing uniforms, and tending to the wounded. In subsequent conflicts, much of this unpaid work would eventually be

⁸ Teipe, E. (1999) ‘Will the Real Molly Pitcher Please Stand Up?’, *Prologue-Quarterly of the National Archives*, 31(2), pp. 118–126.

performed by uniformed soldiers serving in quartermaster corps.⁹ That essential military work could at one moment in time be considered women's work and then become men's work is also illustrative of how flexible and fluid gender roles are in the military.

WOMEN IN COMBAT

During the Revolution, "combat exclusion" was simply taken for granted norm and not formally codified into law. The highly decentralized structure of the American military during most of the war and its heavy reliance upon colonial militia meant that there was also variation across state militias concerning the role of women. Some women broke with convention and overtly fought in combat. Emblematic of these types of women were numerous women whose experiences would collectively become known as "Molly Pitcher." Mary Ludwig Hayes, a tobacco-chewing woman who could swear as fiercely as the male soldiers, accompanied her husband who was an artilleryman in a Pennsylvanian regiment. Her primary duty was supplying drinking water during the fighting but when her own husband became wounded in action, she took his place at the cannon. Some women like Margaret Corbin enlisted in another Pennsylvanian regiment, wore a uniform, and made no attempt to conceal that she was a woman. Others like Deborah Sampson enlisted in a Massachusetts regiment, wore a uniform, and fought in combat like Corbin, but disguised herself as a man to do so.¹⁰

⁹ Kerber, L. (1990) 'May All Our Citizens Be Soldiers and Soldiers Citizens', in Elshtain, J. B. and Tobias, S. (eds) *Women, Militarism, and War: Essays in History, Politics, and Social Theory*. Savage, MD: Rowman & Littlefield Publishers Inc., pp. 89–103.

¹⁰ Teipe, (1999).

CIVILIAN NURSES

Nursing during this era had yet to establish itself as a formalized profession. Yet since the bulk of military medical care not provided for by physicians fell upon other soldiers which were chronically in short supply in the American Army, systemic pressures also induced Washington to view the prospect of civilian women nurses as a means to free both the men providing and the men receiving the care to be freed for battle. The presence of civilian women nurses was more pervasive than women who served either overtly or performatively, since nursing was widely viewed as an appropriate and natural role for women. Once the conflict ended though, military nurses, as with all military medical departments, were demobilized.¹¹

Women's Service in the American Civil War

The American Civil War was another conflict largely fought by men but also one in which gender roles were more strictly policed, as there were no longer any women openly serving and the army and the small army of women that followed the army itself ceased to be. The American Civil War was also a conflict in an era where nursing as a profession began to emerge and women military medical professionals began to carve out a formal area of military service that could be seen as appropriate. As in the Revolution though, many women continued to "perform" as men to gain access to military service.

In comparison to the Revolution, the American Civil War was a casualty-intensive conflict that resulted in over a quarter of a million deaths or roughly two and a half percent of the overall

¹¹ Reeves, C. (1996). The Military Woman's Vanguard: Nurses. In *It's Our Military, Too!: Women and the U.S. Military* (pp. 73–114). Temple University Press, 74-78.

American population. It was a devastating affair that had a profound impact on American society and its understanding of death.¹² To put the number into perspective, in terms of the United States' current population, the war would have resulted in over eight million deaths. Within the epicenter of that carnage were military women.

CIVILIAN NURSES & A MILITARY DOCTOR

Many men in the Union and Confederate Armies were hostile to the presence of women in the military and their work had historically been devalued and discounted, however, given that nursing work also was associated with domestic work, their presence during the war was also not seen as threatening to male roles in either side's military force. More than twenty-thousand women served as civilian nurses and medical professionals during the war, many of whom volunteered to serve even before either side understood the sheer magnitude of the war. Nursing was an area of civilian service within the military that also discriminated less than in combat occupations, as civilian nursing during the war crossed both class and racial lines. Civilian nurses, while predominately white middle-class women, served largely in desegregated conditions. Affluent, middle-class, poor, black, and white nurses served side-by-side in their effort to administer medical services to the war's wounded. Their service was so extensive that, although belatedly and mostly to white middle-class women, many were granted wartime service pensions through the Army Nurses Pension Act of 1892.¹³ Among Confederate forces though, ideational constraints were much stronger. Women did serve as nurses, but in much more limited roles

¹² Faust, D. (2008) *This Republic of Suffering: Death and the American Civil war*. Knopf.

¹³ Schultz, J. (2003) *Women at the Front: Hospital Workers in Civil War America*. Chapel Hill: University of North Carolina Press.

because of “the pervasive belief that it was improper for [southern] women to handle men’s bodies or work with them.” As has occurred after the Revolution though, despite accrued institutional knowledge of the necessity of nursing in two American wars, the Army again decided that nurses were no longer needed and again discontinued their use.¹⁴

One very exceptional example does stand in contrast though. Dr. Mary Walker served as a commissioned Army doctor and had the distinction of being the only woman to have been awarded the Medal of Honor. Walker, a graduate of Syracuse Medical College, volunteered to serve in the Union Army at the outset of the war. The Army initially refused to commission her and insisted she instead serve as a nurse. However, Walker insisted that her medical training warranted a proper commission in the Union Army and after three years of petitioning the Army, the War Department, and President Lincoln, she was eventually given what was the only military commission granted to a woman during the war. She served during the war tending the wounded soldiers and civilians and even had the ill-fated honor of being the first American woman military service member to become a prisoner of war. She was captured by Confederate forces in 1864, held for four months, and released as part of a medical service member prisoner exchange.¹⁵

WOMEN IN COMBAT

Some women also continued the practice of performing as male soldiers by disguising themselves as men to serve alongside frontline troops. The task was, from a historical perspective, was less daunting than it might seem. Most soldiers during the conflict slept in their uniforms seldom

¹⁴ Reeves (1996), 85-87.

¹⁵ Harris, S. (2010) *Dr. Mary Walker: An American Radical, 1832-1919*. New Brunswick: Rutgers University Press.

bathed and relieved themselves far from encampments in the woods. Most were from working-class and farming backgrounds and enlisted for the same reasons as their male peers — patriotism, glory, and wages. Their casualty rate was equal to their male counterparts, and many were also regularly promoted for their bravery. When wounded and their sex was discovered, surprisingly many were allowed to continue their service, especially on the Confederate side where manpower constraints were higher. The broader American public was also aware that many women were serving, at least 250 by some accounts. Some did not approve and yet the American public's appetite was insatiable for stories about them. Their service was also not necessarily problematic until the early twentieth century once viewed through Freudian perspectives, and they were suddenly cast as an abnormality, indecent, and entirely unfeminine.¹⁶

Women's Service in Frontier and the Spanish American War

The years between the Civil War and World War I were transformative for the relationship between gender roles and military service in two ways. First, they marked the end of the era where women could “perform” military combat roles by disguising themselves as men. Second, the outbreak of the Spanish-American War was characterized by a substantial influx of contract military nurses and the beginnings of the formal military status for military nursing, which was beginning to be viewed as an essential and permanent component of a modern military, in addition to its acceptance as an appropriate occupation for women. Military elites were initially reluctant to accept women as medical professionals in the military but the experience of battling

¹⁶ Blanton, D. & Cook, L. (2002) *They Fought Like Demons: Women Soldiers in the American Civil War*. Baton Rouge: Louisiana State University.

not only Spanish forces but tropical disease, the professionalism of women contract military nurses, and their sheer numbers had a substantial effect on changing belief systems of both civilian and military elites. While the changing dynamics of military service closed doors for some women, it widened certain doors for others, albeit for those that wished to serve in a manner that maintained prevailing beliefs about femininity.

WOMEN IN COMBAT

After the Civil War some women who were attracted to military service for the same reasons as their fellow male citizens continued the strategy of “performing” as men in order to do so. Army medical screenings remained nearly non-existent up to this period and so long as the prospective “male” soldier appeared male, acted male, and was sufficiently physically fit and willing, they were accepted into the Army. Given that such individuals enlisted under male names, their exact numbers will most likely never be known, but periodically individual histories are unearthed by scholars.

One such individual was Cathay Williams. During the Civil War, Williams was notionally freed by being declared as “contraband” by Union Army forces during its early campaigns in Missouri in 1861. For the remainder of the war, Williams was paid a modest salary to cook, wash, and sew for soldiers of the 8th Indiana Regiment. After the war when Congress created the four permanent black regiments, Cathay Williams disguised herself as a man and became William Cathay. For two years Williams took part in lengthy foot pursuits of Native American war parties

in Kansas and was honorably discharged for medical disability, despite multiple stretches of convalescence during her service, no one ever learned Williams' true identity.¹⁷

MILITARY CONTRACT NURSES

During the Spanish-American War, women's service continued albeit in a more "traditional" sense. Even though immediately after the Civil War the Army disbanded its civilian women's nursing corps, and assigned all their medical tasks to male soldiers, this period of time oversaw the emergence of formal nursing education programs and nursing as a professional vocation. The number of peacetime military medical personnel was also entirely inadequate for the massive mobilization that followed the United States' declaration of war against Spain. The shortage of qualified personnel and the accompanying demand for women's service did have its limits though. The Army refused to commission qualified women doctors, and many were only allowed to volunteer as nurses.¹⁸ Even after the service of Dr. Walker during the Civil War, the prospect of a woman as a military doctor in the 1890s was an ideational bridge too far for military elites.

Despite the extensive history of the military need and the effective use of women nurses in prior conflicts, many Army physicians were hostile to the prospect of women serving in any capacity in military medicine. One Army surgeon expressed that "the female nurse should never be employed in military hospitals" under the belief that there would be a "coddling process" that would make them a burden.¹⁹ Others were advocates, believing nursing was natural to women

¹⁷ Bolger, D. (2018) 'Buffalo Soldier Secretly Was a She', *Army Magazine*, pp. 51–52.

¹⁸ Graf, M. (2001) 'Women Nurses in the Spanish-American War', *MINERVA: Quarterly Report on Women and the Military*, XIX(1), pp. 14-15.

¹⁹ *Ibid*, 10.

and they would be invaluable during the war. Surgeon General George M. Sternberg pressed the Army into accepting them but also wanted them to serve in Army hospitals and not its field camps. Others like Dr. Nicholas Seen, Chief Surgeon of the U.S. Volunteers agreed and justified his position on an essentialist assumption that nursing, and nurturing were inherent to women.²⁰ Once the Army decided to make use of female civilian nurses though, it would only do so through the use of Red Cross volunteers and Army civilian contractors. They would not wear uniforms, would hold no rank, would hold no military authority, and would not be formal members of the uniformed military service.²¹

The considerable infection rates of tropical diseases in stateside southern encampments and those overseas made the extensive need for women military nurses all the more evident. Sternberg's insistence that women nurses remain in Army hospitals was short-lived and women were dispatched to Army camps and military hospital ships. They treated countless soldiers who were stricken with tropical diseases such as yellow fever, malaria, and typhoid. In doing so, many became victims of those diseases themselves and some died during their military service as a result. Even with the sheer volume and difficulty of the medical tasks before them, civilian women nurses were continuously evaluated not only on their job performance but also on their moral fitness and whether they were also "desirable" and "womanly."²²

²⁰ Ibid, 1-10.

²¹ Holm, J. (1982) *Women in the Military: An Unfinished Revolution*. Novato, CA: Presidio Press, 8-9.

²² Graf, (2001) 7-10.

CHANGING IDEAS & BELIEFS

Military attitudes towards civilian women nurses in the military did change as the war progressed. One Army doctor declared, "I wondered when you came . . . what we would do with you. Now I do not know what we would have done without you."²³ Women's contributions to military medicine were so transformative that two years later when the House and Senate held hearings concerning the reorganization of the Army, its medical corps, and the formal inclusion of Army nurses within the military, there were no dissenting voices in either chamber. In the House, MCs only questioned the military on exact cost estimates for pay when Army nurses served abroad.²⁴ In the Senate, MCs asked similar questions, but military elites were a little more forthcoming on specific limitations they envisioned. Army Surgeon General George Sternberg outlined that women had to pass a "satisfactory professional, moral, mental, and physical examination." He also envisioned the Army could limit the total number of Army nurses needed by having less-extreme injuries and illnesses tended to by enlisted men.²⁵ Again though, as much as the military needed women nurses, they had their limits. In the 1901 Army Reorganization Act, which included provisions for the permanent establishment of the women's Nurse Corps, women would still hold no military rank, would not receive equal pay, or any of the same service benefits that their male peers had. The Navy followed suit in 1908.²⁶

²³ Ibid, 17.

²⁴ Hearings House Committee on Military Affairs, 56th Cong., 2nd sess., Congressional Record (January 30, 1901)

²⁵ Gen. George Sternberg, testifying before the Senate Committee on Military Affairs, 56th Cong., 2nd sess., Congressional Record (December 11, 1900), 80-81

²⁶ Holm, (1982) 9.

Women's Service in World War I

As in the United States' past major conflicts, World War I was largely fought by men. But the sheer magnitude of the war re-awakened a lesson first introduced by General Washington—women could free men for combat. Modern warfare requires a substantial number of personnel to provide support in numerous areas ranging from administration to the maintenance of motor and aerial vehicles, yet only a small number of women for a very small number of clerical positions were thought possible to ensure that more men were available for combat. Within this narrow realm of possibilities, ideational factors clearly trumped systemic ones in some areas because the Secretary of the Navy and the Secretary of War went in different policy directions. The former thought Naval clerical work appropriate for women and enlisted more than twelve thousand women. The latter thought differently and forced General Pershing to rely upon clerical women soldiers on loan from the United Kingdom and unqualified American male soldiers.²⁷ The war also marked a further acceptance of nurses, abandoned the civilian contract nurse model of the Spanish American War, and put nurses into military uniforms. These nurses, like their contractor counterparts, showed extraordinary skill during this war, they were not battling tropical diseases, they were providing medical care under artillery and ariel bombardment. The era of modern warfare also marked the beginning of nurses in combat.

YEOMANETTES & MARINETTES

Prior to the American entrance into World War I, several military elites anticipated that there would be serious manpower shortages. In 1916, a pragmatic Secretary of the Navy Josephus

²⁷ Ibid, 3-15.

Daniels asked his legal aides, “Is there any law that says a yeoman must be a man?” At the time there were no federal laws or Navy regulations that specified yeoman (the Navy’s title for administrators and clerks) had to be male and once Daniels learned this, he ordered the Navy to recruit women to serve in the Naval Reserve as yeoman and believed in doing so, “we will have the best clerical assistance the country can provide.”²⁸

Once enlistments of women began, the Navy had to carefully maneuver through gendered discourse and norms as well as its own restraining policies. Women serving as yeomen could not be yeo-“men,” they had to be something else. The Navy termed these enlisted women “yeomanettes” and designed new and more feminine uniforms for them.²⁹ Even though neither law nor regulation prohibited women from serving as yeomen, Navy regulations did require that yeomen be assigned to ships, which women legally could not be. Instead of changing Navy regulations, Navy officials assigned them on paper to old Navy tugboats that were at the bottom of the Potomac River. By the war’s end, 12,500 women had served as yeomanettes, some of which served with medical units in France and some with intelligence units in Puerto Rico. The Marines Corps also enacted this practice, albeit in a much more limited capacity, and enlisted 300 women marines during the war. The Marine Corps did not insist upon calling their women service members anything other than “marines” but informally, they were referred to as “marinettes” by many of their male peers.³⁰

²⁸ Ibid, 9.

²⁹ Stacey, (1989).

³⁰ Holm, (1982).

ARMY NURSES

While the Army had grown to appreciate the military necessity of women Army nurses, the War Department was simply unable to view any other Army occupation as appropriate for women. General John Pershing, while in Europe, requested one hundred uniformed women to serve as telephone operators. Pershing's Chief of Staff, Brigadier General James Harbord wanted even more and requested 5000 military women to serve as clerical workers for the Army in Europe. Both wanted women in these roles for the same reason the Navy was already making use of them—to free up men for combat service. Secretary of War Newton Baker declined both requests and instead sent 5000 untrained limited-duty enlisted men. In the end, Pershing resorted to accepting a loan of uniformed women soldiers from the United Kingdom. Some members of Congress also recommend to Baker that the Army recruit female doctors for the medical service, but Baker declared that Army doctors had to be “physically, mentally, and morally qualified” and that women doctors were inherently unfit for such type of work.³¹

Military nurses were an idea that military elites could easily wrap their minds around and accept as appropriate. Federal law authorized and required nursing corps in both the Army and the Navy and even if the military wanted to (which it did not), it could not simply disband either entity on its own. Nursing, like clerical work, was also widely believed to be work appropriate for women and in their nature. By the end of the war, the military had deployed more than 10,000

³¹ Ibid, 13-14.

military nurses to Europe who served in field hospitals, evacuation units, base and convalescent hospitals, troop trains, and transport ships.³²

Despite their legal status and presumption by military elites of a non-combatant status. The horrifying variety of wounds from modern weaponry and the need to treat such injuries as soon as possible meant that many Army nurses had to be close to the front in mobile medical units. Dozens of nurses became casualties, but some had opportunities to demonstrate extraordinary skill and heroism. Three were decorated with a Distinguished Service Cross (the second-highest military citation for valor). One was awarded to Beatrice MacDonald. She was serving at a British hospital near the front that came under German aerial bombing and even though she was wounded and lost one of her eyes, she continued providing medical care to other wounded soldiers. Three others were also awarded the Citation Star (the predecessor award to the Silver Star) during the war. One of those nurses was Jane Rignel who was cited for valor after helping evacuate a 120-bed site near the front during a German artillery barrage that lasted hours.³³

World War I would stand as the first major example of the paradox of American women service members' military service. Uniformed combat and most military support positions were inappropriate for women—America's mothers, daughters, wives, bringers of life, and nurturers. Yet because nursing as a profession was deemed appropriate for women and neither a threat to

³² Ibid, 9-10.

³³ Prior, R. & Sanders, W. (2008) 'The Overlooked Heroines: Three Silver Star Nurses of World War I', *Military Medicine*, 173, pp. 493–498.

men's special roles as defenders of the state nor women's femininity, it was entirely appropriate for nurses to be in combat.

World War II & The Women's Armed Forces Integration Act of 1948

American military manpower requirements during World War II were enormous in comparison with World War I and the rally around the flag effect that the attack on Pearl Harbor produced a surge in enlistments simply did not last long enough. To offset America's manpower shortage, civilian and military elites decided they had to tap into America's womanpower to an unprecedented degree. During World War II elites would resurrect the yeomanette concept, apply it to all services, and recruit women in massive numbers to "free" men from administrative and support work in the United States for combat duty in the Pacific and Europe. At their peak, the total number of women serving in military auxiliary services stood at 266,256 women in uniform, or 2.2 percent of the overall American military.³⁴

Military elites strongly backed the concept of mobilizing hundreds of thousands of women to free men for combat, albeit with several strong limitations given their reluctance to wholeheartedly believe that military service was appropriate for women. This era was also the first time that civilian elites within Congress strongly debated whether women ought to be in non-nursing military roles. The military's initial support and systemic pressures were sufficient that opponents in Congress were few in number, but even the most supportive civilian elites supported the military's belief that military service for women should be temporary and limited

³⁴ Washington Headquarters Services: Directorate for Information Operations and Reports (1999), *Selected Manpower Statistics Fiscal Year 1999*. Department of Defense: Washington D.C.

in nature. Even with elite support though, belief systems of individual male service members and the American public made meeting the military's recruiting goals a fleeting task and there never was a sufficient supply of women service members to meet the military's demand.

The women that did serve defied men's expectations and the types of military work they performed expanded throughout the war, from a vision of mostly clerical work to flying every aircraft in the Army Air Force's (AAF) inventory. Beliefs about women though constrained the realm of the possible and military effectiveness during the war. But the military's experience with women also changed, to some degree, those belief systems. After the war systemic pressures induced the United States to retain some women in order to more readily take on, train, and utilize additional women as the military expanded in future conflicts, but again, ideational factors continued to constrain what elites thought possible.

During the interwar years, American Army officials periodically entertained the idea of permanently incorporating women in uniform. For some it made little sense that in war after war the United States could not successfully conduct warfare without some women, would mobilize women during wartime, figure out how to best use them, formulate plans, demobilize women after the war, and then repeat this process for each subsequent war. In the 1920s the Army conducted research on how to best use women in the military and created a position for a woman assistant to the Secretary of War to advise the secretary on how to best use women. The report that followed was filed and forgotten, and the position was abolished less than five years into its inception because then Army Chief of Staff General Douglass MacArthur deemed it to have "no military value." In 1928 the Army General Staff ordered another study, without knowledge of the previous one and upon completion, it too was filed and forgotten. In 1939, then Army Chief of

Staff General George Marshall, not knowing of the previous two studies, again ordered another round of research. Again, though, once completed the Army buried it.”³⁵

After the December 7th Japanese attack on Pearl Harbor, the United States found itself in dire need of manpower and along with it, a plan to use women to free up stateside male service members for combat duty overseas. By the summer of 1942, the rally around the flag effect was beginning to wear off, volunteer numbers were declining each month, and the Army was still short 160,000 men. Marshall, upon the realization that the study he ordered never reached his desk, castigated the Army General Staff, and vehemently made clear to them, “I want a women’s corps right away and I don’t want any excuses.”³⁶ Marshall also pressed the issue upon Congress and found an eager ally, Representative Margaret Smith (R-ME) who immediately proposed a bill in the House. Marshall’s seal of approval was sufficient for the Senate which gave immediate and full support for the bill in its chamber, but the House Committee on Military Affairs insisted upon hearings and debate.

MILITARY ELITES – CONDITIONAL SUPPORT

In written testimony prepared for the House committee, Marshall made it abundantly clear that the use of women in the Army was a military necessity, stating, “I think it can be assumed that all of our available manpower and woman power will be required . . . to win this war.” He also made it clear that he envisioned using women as auxiliaries to free up men for combat, noting, “There are innumerable duties now being performed by soldiers that can be done better by

³⁵ Holm, (1982) 17-20.

³⁶ Ibid, 23.

women.”³⁷ While representing Marshall in person before the committee, Colonel Ira Swift of the Army General Staff outlined how women would be used as Army stateside clerks, machine operators, telephone and telegraph operators, pharmacists, librarians, welfare workers, post exchange employees, cooks, and laundry workers—jobs that were currently occupied by male soldiers—in order to “relieve all the soldiers for combat duties.” Swift also expressed that the Army believed these were also jobs that were better suited for women, and they could do better in these jobs than their male service members. He was also explicit that the Women’s Army Auxiliary Corps (WAAC) which the Army envisioned would not technically be part of the Army, but merely under the jurisdiction of the Army.³⁸ In other words, the Army desperately needed more soldiers, wanted to use women and wanted to use women for jobs that were believed to be more appropriate for women to free up men to do the Army’s “real work.” Nonetheless, the Army though was also not prepared to enlist and commission women as full soldiers and officers in the Army.

CIVILIAN ELITES - SUPPORT

MCs that supported legislation to establish women’s military auxiliary organizations agreed with Marshall. Smith thought formal military service would bring order out of the chaos that characterized the existing military system where women were volunteering to do limited aspects of certain military-related jobs and could not be compelled to work the same duty hours as

³⁷ Gen. George Marshall, written testimony for the House Committee on Military Affairs, 77th Cong., 2nd sess., Congressional Record (January 20, 1942), 5.

³⁸ Col. Ira Swift, testifying before the House Committee on Military Matters, 77th Cong., 2nd sess., Congressional Record (January 20, 1942), 10-19.

uniformed service members. She expressed to other MCs that “Women can be used in noncombatant positions which will relieve men for combat service.”³⁹ Representative Charles Plumley (R-VT) agreed and grew frustrated over the intensity of the resistance by opponents, stating, “Let us rid of all this flag waving and Army regulation and all this bologna. Does the gentlemen know, just as well as I do, that you cannot win this war without these women?”⁴⁰ Support was at times less benevolent though and took on paternalistic overtones. Representative Andrew Edmiston (D-WV), while supportive of the legislation could not help finding humor over the thought of women in the Army, asking Colonel Swift if the formation of the WAAC had other motivations, “You are going to start a matrimonial agency, aren’t you?”⁴¹ Others, like Representative Earl Michener (R-MI), could only imagine women having a role in the military as an emergency measure, stating, “In peacetime I would not support this measure. However, we are at war, much as we may regret it. In these circumstances the whole picture is changed.”⁴²

CIVILIAN ELITES – OPPOSITION

Opponents of the legislation did not win the day over this particular battle of ideas. Wartime necessity and the backing of General Marshall ensured sufficient support to pass through both

³⁹ Rep. Margaret Smith, speaking at H.Hrg. 6293, 77th Cong., 2nd sess., Congressional Record (January 20, 1942), 51.

⁴⁰ Rep. Charles Plumley, speaking at H.Hrg. 6293, 77th Cong., 2nd sess., Congressional Record (January 21, 1942), 2595.

⁴¹ Rep. Andrew Edmiston, speaking at H.Hrg. 6293, 77th Cong., 2nd sess., Congressional Record (January 20, 1942), 22. Rep. Charles Plumley, speaking at H.Hrg. 6293, 77th Cong., 2nd sess., Congressional Record (January 21, 1942), 2595.

⁴² Rep. Earl Michener, speaking at H.Hrg. 6293, 77th Cong., 2nd sess., Congressional Record (January 21, 1942), 2600.

the committee and a House vote, but the language by opponents is nonetheless indicative of how certain logics of appropriateness and beliefs about what is essential to women limited the range of possibilities for their service. Representative Clare Hoffman (R-MI) struggled with the idea of women in uniform, stating, “Soldiers, whether we like it or not are killers, that is their profession, that is their business. Women, thank God, are not killers” and “War is a hard, cruel, killing business and until necessity demands, I cannot bring myself to believe that the efficiency of the fighting men will be improved by women in the fighting force.”⁴³ Hoffman was not only unable to imagine an Army with women, but he was also unable to imagine a world where women were not destined to remain protectors of the private sphere. He asked, “who then will maintain the home fires; who will do the cooking, the washing, the mending, the humble, homely tasks to which every woman has devoted herself . . . ?” Men like Hoffman believed not only that women ought to be home but that removing them from their homes would “destroy the very foundation—the base—which supports and maintains our fighting men.” Hoffman could not imagine those he thought best suited to “teas, dances, card parties, [and] amusements” could contribute anything of value to the war.⁴⁴ Some MCs like Representative Andrew Somers (D-NY) thought the very notion of putting women in uniform meant that American manhood and masculinity were under threat.⁴⁵ Others, like Representative Thomason Ewing were less brazen

⁴³ Rep. Clare Hoffman, speaking at H.Hrg. 6293, 77th Cong., 2nd sess., Congressional Record (January 21, 1942), 2592.

⁴⁴ Ibid, 2593.

⁴⁵ Rep. Andrew Somers, 77th Cong., 2nd sess., Congressional Record (March 17, 1942), 2606.

and believed that women's volunteer organizations were sufficient to support the Army and that women were better off freeing men in the civilian wartime industry for military service.⁴⁶

WOMEN'S MILITARY AUXILIARY CORPS

The 1942 women's military auxiliary organization legislation that eventually passed through the committee and the House, and subsequent legislation also created other components for women in the other branches. These included the Navy's Women Accepted for Volunteer Emergency Service (WAVES) and the Coast Guard's SPAR service (taken from the service's motto *Semper Paratus, Always Ready*). The Marines interesting enough though, while the last service to request women, did not insist upon a catchy acronym, it simply called its women marines, "marines." Each of the services also differed in how it designated and treated women. The Army, having decided to place women in an auxiliary status, did not give women formal military rank, pay, or benefits. Unlike the Army though, the Navy, Coast Guard, and Marines chose to place women in the reserve, which meant formal military rank, equal pay, and benefits.⁴⁷ Whether "reserve" or "auxiliary" status though, none of the branches provided a path during the war for women to serve in the "regular" military. Each of the branches also largely viewed the role of women in the same manner as the debate in the House envisioned them—temporary and as a wartime measure to free up men to carry out the real work of the military—combat. Every woman behind a military typewriter or behind a telephone switchboard meant more uniformed men for combat duty.

⁴⁶ Rep. Ewing Thomason, speaking at H.Hrg. 6293, 77th Cong., 2nd sess., Congressional Record (January 20, 1942), 35.

⁴⁷ Holm, (1982) 24-27.

Women who volunteered to serve in uniform grew to become 2.3% of the total American military force during World War II. Toward the end of the war, seven million American men were in uniform, but the United States was still facing shortages of eligible men. The use of women had become an essential strategy to offset those shortages. However, women service member recruiting goals were often not met, and this was especially true for the Army which failed to recruit more than half of the volunteers it envisioned needing. Some military elites even proposed drafting women into service and the American public was behind the idea. Public support for the practice peaked at 78% if it meant not drafting more fathers. The proposal quickly became a causality in Congress though.⁴⁸

As the war progressed, women also occupied an increasing number of military occupations that neither early civilian nor military supporters envisioned. Women not only occupied the military's clerical positions, but eventually were asked to serve as aviation instructors, radio operators and repairmen, air control tower operators, parachute riggers, gunnery instructors, engine mechanics, and numerous other jobs that been all-male at the beginning of the war. Women service members also found themselves asked to serve in the military's most secretive programs such as the Navy's Long-Range Aide to Navigation and the Army's Manhattan Project. While women were not allowed to formally serve as pilots and aviators, the AAF created the Women's Airforce Service Pilots (WASP) program and hired women pilots within the Civil Service. These pilots flew every aircraft in the AAF's inventory, ferried aircraft within the United States, towed air gunnery targets, and served as flight

⁴⁸ Ibid, 57-59.

instructors for male flight cadets. Women serving in the WAVES and SPARs even found themselves working in finance, chemical warfare, aviation ordinance, and engineering.⁴⁹

Despite the intense demand and shortage for manpower, the vital role of women's service, and the totality of the demands asked of them, civilian and military elites often struggled with imagining a world where women could have more responsibility and perform jobs that had stronger trappings of masculinity. The AAF for example had hundreds of highly qualified enlisted WAACs and wanted to commission them in roles that were severely understrength, but the War Department denied the request. Army Anti-Aircraft Artillery units which were tasked with protecting Washington, D.C. conducted experiments a couple of years into the war to see how well women could perform in mixed-gender units while performing those tasks. Despite the results of the experiments being a resounding success, the Army's General Staff refused to go ahead with the program. Above all else, women in all the services were forbidden by law and regulation from commanding men.⁵⁰

MALE SERVICE MEMBER BELIEFS & PUBLIC OPINION

While many senior military officials saw the wartime necessity of women's service during the war and supported them, many men in the military resented their presence which resulted in lower recruitment numbers. Many male service members shared with House opponents the belief that women simply did not belong in the military, that their service was unnatural, and those who wanted to serve were somehow deviant. When civilian and military elites made explicit that

⁴⁹ Ibid, 59-65.

⁵⁰ Ibid, 65-67.

women would largely be used to free up men for combat it had the effect of making many men in uniform more resentful. The military assumed from the beginning that most men wanted to see combat, but many in all actuality preferred safer state-side jobs. Whenever a woman in uniform showed up to “free” these men for combat, they were not particularly happy about it.⁵¹

Men’s opposition and resentment to having women within the ranks also manifested into a large-scale slander campaign. WAACs were portrayed as women of loose morals and military service was thought by many to deprive them of their femininity.⁵² Similar to the beliefs expressed in the House hearings, many in the military and the American public believed that if women joined the military, they were also abandoning their traditional roles as homemakers while simultaneously trespassing on men’s role as defenders of the state.⁵³ The slander campaign was so intensive that President Franklin Delano Roosevelt and the service secretaries actively intervened because they believed the sheer scope of the campaign could have only been the result of enemy propoganda. Military investigators eventually learned though that the source was in fact, American male service members.⁵⁴ Air Force Major General, then captain, Jeanne Holm thought the wide-scale slander campaign came about because, “In the machismo world of barracks humor, where women and sex are a primary topic, military women had become fair game. Having joined what was a masculine domain, the women were ‘asking for it.’ The

⁵¹ Ibid, 51.

⁵² Ibid. Campbell, D. (1990). Service Women of World War II. *Armed Forces and Society*, 16, 251–270.

⁵³ Meyer, L. (1992). Creating GI Jane: The Regulation of Sexuality and Sexual Behavior in the Women’s Army Corps during World War II. *Feminist Studies*, 18(3), 581–601.

⁵⁴ De Pauw, L. (2014). *Battle Cries and Lullabies: Women in war from prehistory to the present*. University of Oklahoma Press, 223-225.

underlying motive was to degrade military women and drive them out of the 'man's' world.'" Despite the protests of civilian and military elites, the widespread slander campaign largely continued and prospective volunteers shied away from military service, and families discouraged their daughters from joining. In 1944, Army recruiters themselves stated that their "number one problem in recruiting enlisted women was the attitude of enlisted men."⁵⁵ In sum, even though civilian and military elites frequently and strongly expressed that women were needed in order to win the war, individual male service members thought military service was inappropriate for women and resented their service. Individual instances of barracks gossip were so intensive that they bled over into public opinion and severely constrained the military's ability to convince American women to volunteer for military service.

EVOLVING MALE BELIEF SYSTEMS

As intensive as the slander campaign was, military service members and commanders that actually worked with women found their beliefs about the appropriateness of having women in the service to have changed. During the final year of the war many commanders, who were among the staunchest opponents of women in the military, were asking for more women service members than the services could provide.⁵⁶ When the House Committee on Military Affairs debated whether or not to retain women in the military during peacetime, General Dwight Eisenhower indicated he was one such convert, and declared, "when this project was proposed in the beginning of the war, like most old soldiers, I was violently against it." But during the

⁵⁵ Holm (1982), 47-54.

⁵⁶ Ibid, 50.

hearing, he noted that all the potential disruptions he had initially expected simply never occurred. Eisenhower, like many other military elites, also believed that some military jobs were simply better suited for women rather than men and said, “The efficiency of a woman in the job that she is particularly fitted to fill is on average far above the man. Moreover, you don’t get the men for it. That is a vital point about the thing, you do not get in the Army the numbers of men that can be your efficient filing clerks, your stenographers, your telephone centrals—they just do not come in.” That said, Eisenhower still retained the belief that women’s service was and should be auxiliary and temporary in nature. He expressed, “Ordinarily, the enlisted individual will come in and I believe after an enlistment or two enlistments they will ordinarily—and thank God—they will get married.”⁵⁷

IMMEDIATE POST-WAR DEBATES & WOMEN’S INTEGRATION

As World War II ended and as the Cold War loomed on the horizon, many civilian and military elites questioned the judgment of only obtaining women service members during times of war. In 1948 Congress again debated the role of women in the military and the military lobbied for the passage of the 1948 Women’s Armed Forces Integration Act. Demobilizing all existing women’s military units after conflict, only to have to re-mobilize women during subsequent conflicts, re-learn how to best use them, re-train new recruits, and re-develop new female service member talent was both a lengthy and inefficient process. Despite the previous institutional experience of requiring more than a hundred years to understand the inefficiency of mobilizing and

⁵⁷ Gen. Dwight Eisenhower, testifying before the House Committee on Military Matters, 80th Cong., 2nd sess., Congressional Record (February 18, 1948), 5563-5570.

demobilizing military nurses, the logic of integrating non-nursing women service members was not clear to many.

WAVES Director Captain Joy Bright Hancock aptly summarized the illogicality of this historical behavior by stating before Congress, “It would appear to me that any national defense weapon known to be of value should be developed and kept in good working order and not allowed to rust or to be abolished.”⁵⁸ Secretary of Defense James Forrestal indicated to Congress that keeping such a weapon in good working order was all the more important because, “There is now, and there will be at any time of national emergency, a critical shortage of manpower. We cannot permit to lapse the voluntary, competent, and experienced assistance now available from the women of the country.”⁵⁹

As with 1942, after receiving the military’s seal of approval, the Senate was quick to support the continued use of women in the military during peacetime. And again, the House demanded hearings. Within those hearings, the opposition had become far more muted. MCs generally supported the military’s requests but wanted explicit language in the legislation that would put conditions on women’s service, which the military also agreed with.

MILITARY ELITES – SUPPORT FOR PERMANENT WOMEN’S AUXILIARIES

Military elites were largely in agreement that the women’s corps needed to become a permanent aspect of the American military. Some, like Brigadier General Gerald Thomas, Director of Plans and Policies for the Marine Corps, could accept limited service for women during a national

⁵⁸ Holm (1982), 114.

⁵⁹ James Forrestal, testifying before the House Committee on Armed Services, 80th Cong., 2nd sess., Congressional Record (February 18, 1948), 5572, 6081.

emergency but could not fathom their service during peacetime. In 1945 Thomas argued, “The American tradition is that a woman’s place is in the home . . . women do not take kindly to military regimentation During the war they have accepted regulations imposed on them, but hereafter the problem of enforcing discipline alone would be a headache.”⁶⁰ Lower-level military officers also flooded MCs with hate male declaring their wholehearted opposition to women’s peacetime military service.⁶¹ Nonetheless, support from the highest levels of military leadership and civilian elites within the Department of Defense won the day.

General Eisenhower indicated that wartime experience had changed his beliefs about women serving in the military but still saw women service members as best suited for clerical work believed they were inherently better at than men.⁶² General Omar Bradley envisioned a similar role for women but articulated “We want the women, a certain number of them, to make a career of the Army” so that they would be available to support other women when the Army needed to expand during wartime. In other words, Bradley wanted a core nucleus of professional women soldiers that could make subsequent mobilization of womanpower for future wars, similar to their mobilization during the war, timelier and more efficient.⁶³

Naval military elites expressed similar views. Chief of Naval Operations, Admiral Louise Denfeld argued before Congress that “The services of women are needed; their skills are as

⁶⁰ Holm (1982), 107.

⁶¹ Ibid, 105.

⁶² Gen. Dwight Eisenhower, testifying before the House Committee on Armed Services, 80th Cong., 2nd sess., Congressional Record (February 18, 1948), 5563-5570.

⁶³ Gen. Omar Bradley, testifying before the House Committee on Armed Services, 80th Cong., 2nd sess., Congressional Record (February 18, 1948), 5587-5592.

important to the efficient operations of the Naval Establishment during peacetime as they were during the war years.”⁶⁴ Naval military elites, while mixed in their opinion of women medical professionals, did also argue for an expansion in the use of women medical naval officers. Navy Deputy Surgeon General Rear Admiral H.L. Pugh told Congress that the Navy had a shortage of doctors and if Congress permitted, they could commission more women medical officers. Albeit Pugh envisioned female naval physicians tending to the medical care of sailors’ dependents in order to free male naval doctors to tend to sailors.⁶⁵

Air Force elites were also mixed the views they expressed before Congress. Even though the Air Force had employed women WASPs to fly every aircraft in its inventory during the war, having a nucleus of trained women pilots was not envisioned. Air Force Chief of Staff General Hoyt Vandenberg informed the House committee that the Army Air Force had used “during the war a group of women to ferry aircraft and they did a fine job. Their accident rate was as low or better than that of men.” But despite that successful track record, he also expressed that the Air Force had no plans to continue using women in that role.”⁶⁶

CIVILIAN ELITES

MC’s beliefs and positions generally spanned across a range of support, with some wanting more conditions than others. Representative Lyndon Johnson (D-TX) was one of the strongest

⁶⁴ Adm. Louis Denfeld, testifying before the House Committee on Armed Services, 80th Cong., 2nd sess., Congressional Record (February 18, 1948), 5580.

⁶⁵ R.Adm. H.L. Pugh, testifying before the House Committee on Armed Services, 80th Cong., 2nd sess., Congressional Record (February 18, 1948), 5583.

⁶⁶ Gen. Hoyt Vandenberg, testifying before the House Committee on Armed Services, 80th Cong., 2nd sess., Congressional Record (February 18, 1948), 5600.

supporters of the legislation but generally believed that the role of women remained that of freeing men for combat. He noted, “. . . for every woman that you bring in you could replace one man in a job he is doing” and that women could therefore help address some of the post-World War II manpower shortages the military was experiencing. Johnson was also among a small minority of MCs that thought the military’s proposed two percent limit on women in the military was an unnecessary constraint. He proposed increasing the limit to four percent, but the motion failed to pass within the committee.⁶⁷

Some MCs also disagreed with the military’s insistence that if female service members became married while in the service, they had to be subsequently discharged. Representative C.W. Bishop (R-IL) joked that the military’s proposed force policies for women were going to result in “a non-reproductive organization” and then remarked “In all seriousness, I cannot see why someone serving 12 years” and then wanting to become mother would be asked “to leave the service because they are going to have a family is justified.”⁶⁸ MCs like Johnson thought that if there was a need to discharge pregnant women from the service, it should be at the discretion of the service secretaries, not a blanket congressional mandate.⁶⁹ A minority of others, such as Representative Carl Durham (D-NC), argued for an even simpler solution to reconciling

⁶⁷ Rep. Lyndon Johnson, speaking at H.Hrg. 238, 80th Cong., 2nd sess., Congressional Record (February 18, 1948), 5625.

⁶⁸ Rep. C.W. Bishop, speaking at H.Hrg. 238, 80th Cong., 2nd sess., Congressional Record (February 18, 1948), 5668.

⁶⁹ Rep. Lyndon Johnson, speaking at H.Hrg. 238, 80th Cong., 2nd sess., Congressional Record (February 18, 1948), 5668.

motherhood with military service, he proposed a provision for “maternity leave for 60 or 90 days” could “get rid of all this difficulty.”⁷⁰

Others, while supporting the legislation, strongly supported the military’s proposals to limit the number of women in the military. Representative Carl Vinson (D-GA) expressed that Congress had to be cautious with the number of women allowed to be in the military. For MCs like Vinson, women service members carried with them “no fighting ability” and if there were too many women allowed to serve at any given time, that Congress “will hear the cry all over the country that you have an Army of women and you have not enough men.”⁷¹

While the opposition was minimal among civilian and military elites to the 1948 integration legislation, some civic leaders were invited to testify before the committee and provided a glimpse into how the more conservative elements of American society viewed the prospect of having normalizing uniformed military women in society. James Finucane of the National Council for Prevention of War expressed that military service was antithetical to women. He told the committee that “women want certain things out of life, which differ from values sought by men . . . greater preference for esthetic, social, and religious values” and that overall, “The Army is not good for women, women are not good for the Army, and the combination is bad for country.”⁷² Others like Mrs. Alexander Stewart feared that women’s

⁷⁰ Rep. Carl Durham, speaking at H.Hrg. 238, 80th Cong., 2nd sess., Congressional Record (February 18, 1948), 5666.

⁷¹ Rep. Carl Vinson, speaking at H.Hrg. 238, 80th Cong., 2nd sess., Congressional Record (February 18, 1948), 5621-5624.

⁷² James Finucane, testifying before the House Committee on Armed Services, 80th Cong., 2nd sess., Congressional Record (February 18, 1948), 5738-5742.

peacetime service paved the way for the conscription of women. She also feared that military service by women was unnatural and would “expose them to undue temptations without the normal social restraints at home, school, church, and community life . . .”⁷³

Such dissenting views also provided an early glimpse into what military elites requested be in the 1948 bill as well as what MCs eventually wrote into it. Women would be allowed to serve, but with numerous restrictions that were functions of elites’ ideas and beliefs and women, marriage, and motherhood. The Women’s Armed Services Integration Act of 1948 was in most respects more about constraints and gender segregation than “integration.” In addition to retaining women in a formal auxiliary status in the military, the bill put numerous conditions on their service, it: 1) explicitly forbid women from commanding men, even when they held superior rank, 2) placed a two percent limit on the number of women serve at any given time across all military branches and placed a ten percent cap on the number of female officers allowed within their ranks, 3) limited the highest ranks that women could hold to temporary colonel in the Army and Air Force and temporary captain in the Navy,⁷⁴ 4) established separate promotion lists for women so that they would not compete with men for promotions, 5) severely limited their ability to claim their spouses as dependents and thus not entitled to the same family benefits, 6) gave each service secretary the ability to remove women who became either married or pregnant from

⁷³ Alexander Stewart, testifying before the House Committee on Armed Services, 80th Cong., 2nd sess., Congressional Record (February 18, 1948), 5744-7546.

⁷⁴ These ranks were reserved for the senior position of director for each women’s component. Once a given director left that position, she was to be demoted one lower rank. Holm (1982), 118-120.

military service, and 7) required that women be older than their male peer recruits in order to enlist.⁷⁵

Additionally, despite the recent history of women service members serving overseas, and often under fire, civilian and military elites were adamant that combat jobs and combat environments were not appropriate for women. Congress restricted women's service from virtually all naval ships, except for some transport ships and hospital ships, and forbid women from flight duty in both the Navy and the Air Force.⁷⁶ Combat service in the Army on the other hand consternated civilian elites. MCs never seriously even considered the possibility of women in ground combat and, oddly enough, they also struggled with defining precisely what "combat" was. In the end, MCs decided to leave defining combat and developing occupational restrictions to the discretion of the Secretary of the Army.⁷⁷

Mere Auxiliaries: Women's Service in the Korean & Vietnam Wars

The intent of the Women's Armed Forces Integration Act of 1948 by civilian and military elites was to create a permanent but limited core of women in the military during peacetime that could facilitate timely training and effective use of a larger body of women volunteers during times of national emergency. Underlining that logic was the same rationale for the use of women during both world wars—to free up male service members serving in administrative and support roles

⁷⁵ Holm (1982), 118-127.

⁷⁶ Ibid, 118. Brown, M. (2012). *Enlisting Masculinity: The construction of gender in US military recruiting advertising during the all-volunteer force*. Oxford University Press, 85. Skaine, R. (2011). *Women in Combat: A Reference Handbook*. ABC-CLIO, LLC, 1-27.

⁷⁷ Holm (1982), 118. Skaine (2011), 7-15.

for combat duty overseas. A few years after the passage of the 1948 legislation, Army WAC Director, Colonel Mary Hallaren reiterated this rationale, but her remarks also reflected the underlying belief that women also had to be held to a higher standard. She noted, “. . . every woman volunteer means one less draftee” but also expressed, “There’s just one objective to keep in mind above all others . . . the services cannot sacrifice quality to fill a quota, for these women will be the framework of any future [general war] expansion.”⁷⁸

Hallaren’s position reflected an overall belief system that elites had continuously articulated during World War II—women were simply different than men. Not only did Women not belong in combat, but the military was generally thought to be an unsuitable environment for them that could potentially compromise their femininity and morality. Their presence also had the potential to disrupt men’s special roles as protectors of the state and the military’s masculine culture, which was reflected in the legislation that military elites proposed and that civilian elites in Congress drafted into the final bill. Systemic pressures and the experience of World War II convinced elites that women were needed to effectively fight future wars. But beliefs about women made the implementation of even the limited intent of the 1948 legislation difficult. The 1948 legislation did not serve as a catalyst for further use and integration of women in the American military, instead, as described by WAF Director Major General Jeanne Holm, “the act had become a base of a system of institutional segregation and unequal treatment that would shock modern-day civil-libertarians.”⁷⁹

⁷⁸ Ibid, 151.

⁷⁹ Ibid, 178.

The years between the 1948 act and the establishment of the All-Volunteer Force (AVF) in 1973 were an era of general stagnation for women in the American military. Even the modest goals that elites set forth generally failed to materialize. During this era additional women volunteers simply never materialized; qualification standards for women volunteers were often in many respects higher than those for their male counterparts, including standards for feminine beauty; military training for women service members was degraded relative to the training they received during World War II, and beliefs about marriage and motherhood continued to constrain both short-term and long-term career service by women. The overall effect during subsequent wartime periods was an insufficient supply of womanpower to meet the military's demand, inefficient training and use of existing women in the military, and a negative impact on retention. Military nurses were something of a paradox though. Military nurses in contrast to other female service members were the exception to the military's ideational rulebook. The American wars in Korea and Vietnam were wars where military nurses defied military expectations and displayed tremendous service and valor.

AN INSUFFICIENT NUMBER OF WOMEN SERVICE MEMBERS

Despite the intended limiting effect of the two percent cap on women's numbers in the military, no military branch exceeded that ceiling until 1972. DoD-wide from 1948 until 1972 the average percentage of women in the American military was around 1.2 percent.

Women's presence in the military below their congressionally mandated limit was partly a function of the overall lack of public support for the wars in Korea and Vietnam but this effect also intersected with beliefs about women. Congress and the military had intended on the small extent women's corps to support the influx of additional volunteers, but neither war produced

the same patriotic zeal that World War II had. It also had the effect of rekindling the “old accusations of immorality and masculinity as attributes of women who joined the armed services . . . powerful patriotic incentives did not counter the negative social pressures being applied to young women.”⁸⁰ In other words, not only was the American public less than enthusiastic to enlist to support the war, but the American public was still very reluctant to view the military as an appropriate place for women. Nonetheless, the inability of the military to recruit more women was also a function of the standards military elites set for women recruits, and the recruits that met those standards were just as often not effectively used.

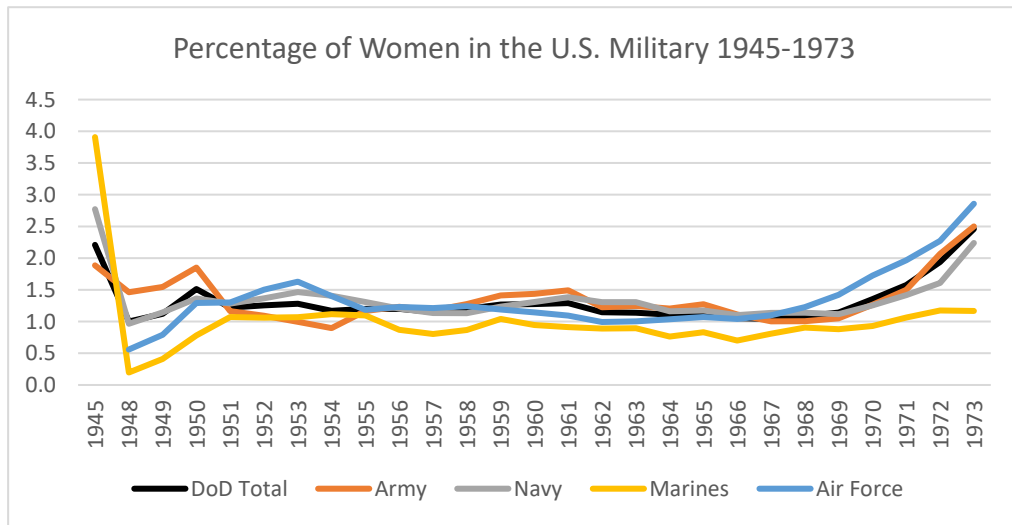


Figure 7.1: Percentage of Women in the U.S. Military, 1945-1973⁸¹

QUALIFICATIONS FOR WOMEN SERVICE MEMBERS

When drafting the 1948 bill, elites thought one way to mitigate the potential negative effects of military service upon women recruits’ morality and femininity was to require them to be older. After 1948 male recruits could enlist at eighteen years of age and could enlist as young as

⁸⁰ Holm (1982), 153-154.

⁸¹ Washington Headquarters Services: Directorate for Information Operations and Reports (1999).

seventeen with parental consent. For women though, the age requirement was raised to twenty-one and eighteen to twenty with parental consent. Each of the military services also went beyond the congressionally mandated requirements. Women recruits for all services were required, relative to male recruits, to have higher educational attainment, higher mental aptitude scores, be free of any criminal background, and had to provide personal references to help recruiters determine if women recruits had any “personality problems.”⁸²

None of these additional requirements were a function of any particular military necessity but were instead a product of “cultural biases toward women which required that they be more qualified than men for the same jobs, particularly in male-dominated fields.”⁸³ Even more indicative of these cultural biases were those that also made women’s military service dependent upon male service members’ beliefs about female beauty, of which the Air Force and the Marines were the most unabashedly strict in policing.

Unlike the Army, which maintained the institution of gender segregation with its Women’s Army Corps, the Air Force devoted itself, at least on paper, to placing women based on where they were needed the most. Its first attempt at researching more efficient gender policies quickly demonstrated its real priorities though. It brought in an outside consultant to conduct field research, but the majority of the research’s findings focused on women’s physical appearances, which apparently were lacking by Air Force standards.⁸⁴ By 1966 Air Force Chief of

⁸² Ibid, 154-155.

⁸³ Ibid, 155.

⁸⁴ Ibid, 143.

Staff General John McConnell was scolding Air Force recruiters that they needed to select “better looking WAF [Women in the Air Force]”. Recruiters responded by making physical appearance one of the primary selection standards for potential female recruits and by requiring applicants to send in four photographs—face, front, side, and back.⁸⁵

Similar to the Air Force’s concerns and practices, in 1964 the Marine Corps in a media release expressed that, “Women Marines must always be the smallest group of women in the military service. In accordance with the Commandant’s desire, they must also be the most attractive and useful women in the four line services. Within a [small] group of . . . enlisted women, there is room for none but the truly elite.”⁸⁶ “Elite” of course meaning “attractive.”

TRAINING

During World War II the women serving in the various women’s service components performed in various roles. They were driving trucks, running motor pools, flying every aircraft in the American military’s arsenal, teaching gunnery, repairing engines, and assisting with the military’s most secretive research programs. After 1948 though, military elites were not prepared to employ women in non-nursing occupations other than clerical and administrative work. Despite further “integration” in this era, military elites made most of the military work women service members had done during World War II off-limits because they considered it to be “unsuitable for the ladies.”⁸⁷

⁸⁵ Ibid, 179-181.

⁸⁶ Ibid, 180-181.

⁸⁷ Ibid, 183.

In addition to more rigorous restrictions on military occupations, the military also discontinued any semblance of basic military combat training, including weapons training for women service members. Women service members' training during the decades following 1948 "resembled ladies finishing schools more than military training" and training tended to focus on things like the application of make-up. Physical training was also adjusted. Military elites did not create training programs with the intent of developing women service members' endurance, strength, and coordination or to prepare them for field operations. Physical fitness programs for women service members were instead designed with the intent of keeping women "fit and trim" and to improve their posture.⁸⁸ In essence, despite institutional knowledge that women could successfully be trained in a number of occupations and perform them as well as their male peers, military elites took active measures to regulate women to positions deemed appropriate for women and to limit their training to what they believed was in keeping with certain ideas and beliefs about femininity. Neither of these actions enhanced military effectiveness, they helped reestablish and create more robust boundaries of appropriateness for women.

MARRIAGE & MOTHERHOOD

Beliefs about marriage and motherhood intersected and interacted with beliefs about what is essential to women in very powerful ways. General Holm has argued, "According to societal standards of the period, a woman's obligations as wife and mother superseded all other

⁸⁸ Roth, T. (2017). "An Attractive Career for Women": Opportunities, Limitations, and Women's Integration. In D. Bristol & H. Stur (Eds.), *Integrating the US Military: Race, Gender, and Sexual Orientation Since World War II* (pp. 74-95). Johns Hopkins University Press. Brown (2012), 64. Holm (1983), 180-183.

responsibilities and were assumed to be inherently incompatible with military service.”⁸⁹ Each of the military services used the service secretaries’ discretion for early release for every women service member who became married or a mother, either by birth or adoption. The result was that in most years of this era that seventy to eighty percent of women service members were discharged from military service before their first enlistment contract or commission obligation was up, a number that was more than two and a half times the replacement rate for male service members. In 1963 the GAO reported noted the military was losing \$12 million⁹⁰ a year due to personnel losses because of marriage, pregnancy, and “unsuitability.” In the same report, it recommended to Congress that most the jobs of women service members be civilianized. Nearly ten years prior to the report, the Air Force had taken a similar position arguing that “Women occupy a special place in the United States, and a larger majority of our people are still opposed to women-in-uniform. The proper utilization of women elsewhere than in the armed services can undoubtedly aid military efficiency and the national effort. But to continue the use of women as members of the Air Force cannot be justified.”⁹¹

Systemic pressures convinced civilian and military elites that the American military could not continue the practice of transforming a skeleton active-duty force into a wartime force through timely mobilization and that disbanding entire service components, like women’s auxiliary corps, was no longer feasible. But certain ideas and beliefs about women in the military,

⁸⁹ Holm (1983), 162.

⁹⁰ Adjusted for inflation, this would be about \$106 million in 2022 dollars

⁹¹ Holm, 156-163.

despite institutional knowledge from their World War II experiences, vexed military elites and constrained their ability to make the most effective use of them. This paradox was emblematic of Air Force General Curtis LeMay's belief system concerning WAFs. While serving as commander of the Air Force's Strategic Air Command (SAC), Lemay remarked, "I'm not supposed to want to have WAF. That's not the point. I don't want a bunch of green kids here. You send me people who can run that switchboard out there and who can do the job ready-made and I'll take any number of them. I don't care whether they're men, women, or children. I just got a job to do here at SAC." During his time in command at SAC though, those remarks struggled to be transposed into practice. One on noteworthy occasion when LeMay flew into an airbase, the best air traffic controller happened to be a WAF, but she was temporarily replaced because local commanders thought LeMay would be upset if he heard a woman's voice giving him permission to land.⁹²

Despite ideationally-imposed constraints on the effective use of womanpower in the American military during the post-World War II era, one area of women's military service was consistently the exception to the rule—military nursing. Military women when serving in occupations that had already been established as both feminine and essential were spared most of the constraints and backpedaling that their non-nursing women's service components peers were subjected to.

An Exception to the Rule: Military Nurses in the Korean & Vietnam War

Nurses in the American military have had a long history and like many other groups, civilian and military elites have historically struggled to reconcile their status. From the American Revolution

⁹² Ibid, 172.

until the years prior to World War I, elites were reluctant to mobilize them in wartime, eventually would, but would also demobilize them in peacetime. But by World War I though, they were formally organized within each of the American military's services. By World War II, they were granted regular military rank, pay equivalent to male officers, and entitled to full military privileges. Professional nursing was not only a military necessity to ensure the health, fitness, and readiness of combat forces, but "nursing" had long become a vocation considered appropriate for women.⁹³ The belief that nursing was appropriate for women was especially notable when in 1966 the Army experimented with all-male nursing units and hoped to replace women military nurses in Vietnam. The Army's brief experiment failed immediately in practice because "soldiers [in Vietnam] insisted on receiving treatment from female nurses."⁹⁴ It was a dynamic that also played out in the 1940s and 1950s, civilian male nurses fought for the ability to be allowed to commission into the Army's Nurse Corps but were regularly denied by MCs and the Army Nurse Corps itself, largely because nursing was not considered an appropriate vocation for heterosexual men.⁹⁵

During debates about nurses' inclusion in American military forces during the Spanish-American War, military elites were skeptical. Despite their substantial use and effectiveness during the war, some military elites were worried that *any* women, regardless of how essential

⁹³ Reeves, C. (1996). The Military Woman's Vanguard: Nurses. In *It's Our Military, Too!: Women and the U.S. Military* (pp. 73–114). Temple University Press, 74.

⁹⁴ *Ibid*, 101-110.

⁹⁵ Threat, C. (2017). Does the Sex of the Practitioner Matter?: Nursing, Civil Rights, and the Discrimination in the Army Nurse Corps, 1947-1955. In D. Bristol & H. Stur (Eds.), *Integrating the US Military: Race, Gender, and Sexual Orientation since World War II* (pp. 55–73). Johns Hopkins University Press.

would require an “expense of luxuries” like rocking chairs and bureaus that would hamper military mobility.⁹⁶ Other military elites, while still relying upon stereotypes, viewed women’s differences as essential. Dr. Nicholas Seen, Chief Surgeon of the U.S. Volunteers noted, “Nursing is a woman’s special sphere. It is her natural calling. She is born a nurse. She is endowed with all the qualifications, mentally, and physically, to take care of the sick. Her sweet smile and gentle touch are often more benefit to the patient than the medicine she administers.”⁹⁷

Nursing’s military necessity and its associated logic of appropriateness for women also granted military nurses the ability to be taken more seriously as female service members relative to their non-nursing female service member counterparts. During the post-World War II era, military nurses, unlike their non-nursing female service member peers were given more field and weapons training and were allowed to wear uniforms appropriate for the duties they were performing. They were also deployed in substantially larger numbers while also exposed to more hostile fire than any other non-combat service member, either male or female.

TRAINING, SMALL ARMS, AND COMBAT UNIFORMS

American Army and Navy nurses during World War II were among the soldiers and sailors who were captured and became prisoners of war after the Japanese defeated American military forces in the Philippines. Civilian and military elites surprisingly did not overreact and restrict military nursing assignments, they instead responded by taking military nurses’ non-medical military

⁹⁶ Reeves (1996), 89.

⁹⁷ Campbell, D. (1990). The Regimented Women of World War II. In J. B. Elshtain & S. Tobias (Eds.), *Women, Militarism, and War: Essays in History, Politics, and Social Theory* (pp. 107–122). Rowman & Littlefield Publishers Inc., 10.

training more seriously and this training was not discontinued after World War II.⁹⁸ By comparison, non-nursing female women service members in Vietnam were not allowed to carry firearms. The Army was more concerned about negative publicity, which was made especially clear by, then Army WAC Director, Brigadier General Elizabeth P. Hoisington who stated, “The possibilities for unfavorable publicity about our WACs over there are sufficient without adding this to them. Daily I am reminded of how parents feel about their young daughters being sent to Vietnam and I do not want to add to their disfavor by introducing the subject of weapons.”⁹⁹

Furthermore, unlike their non-nursing female service member counterparts, military nurses were never disarmed after the war. The experience of World War II military nurses who had waded ashore shortly after the male service member peers in North Africa, Italy, France, and the Pacific and were subject to combat conditions had taught the services that these women needed to be both armed and trained in those arms. Thus, female military nurses entered Korea wearing sidearms which they were fully trained to use. Female military nurses that entered Vietnam also wore sidearms but also were trained on how to handle rifles, should the need ever arise.¹⁰⁰

In addition to differences in training and small arms, military nursing uniform requirements were more practical relative to their non-nursing female service member peers. Non-nursing military female service members were required to wear the same dress uniforms

⁹⁸ Reeves (1996), 100.

⁹⁹ Holm (1983), 211.

¹⁰⁰ Ibid, 234.

and high heels they were required to wear while assigned in non-combat postings. The uniforms were not designed for hot tropical weather and frequent washings, and as a result, quickly came apart after several washes. It also goes without saying that wearing high heels in muddy Army camps in Vietnam was highly impractical. Military nurses regularly packed these impractical uniforms away when they arrived in country and wore combat fatigues and boots that were designed for male soldiers.¹⁰¹

MANPOWER REQUIREMENTS, DEPLOYMENTS, & HOSTILE FIRE

During the wars in Korea and Vietnam, the American military struggled to make use of women service members in non-medical occupations. Even though the voluntary enlistments of women during wartime that civilian and military elites envisioned never quite materialized there were nonetheless tens of thousands of women available during both wars to “free men for combat” in both theatres. Even with the constraints on their entry qualifications and training, many were assigned to jobs that the military needed to be performed in both wars.

During the Korean War, despite the military’s institutional knowledge from World War II, military elites refused to deploy non-nursing women service members abroad, except in Japan and the Philippines to free up men for service in Korea.¹⁰² During the Vietnam War, the ideational problem was more acute. General William Westmoreland, like Eisenhower and Pershing before him, quickly learned that women were needed as competent clerical soldiers for staff assignments. Despite women being disproportionately in those positions, it was difficult to

¹⁰¹ Ibid, 182.

¹⁰² Ibid, 150.

deploy them overseas and there simply were never enough.¹⁰³ Westmoreland's forces in Vietnam were also chronically short data processing specialists and stenographers, occupations where women were also disproportionately trained. Instead of deploying qualified women overseas to fill these assignments, they were often left vacant.¹⁰⁴

There was also no specific policy or law that forbid women from serving in Korea and Vietnam—the 1948 law forbid women from serving in combat occupational specialties, not combat theaters. Instead, the primary obstacle was stereotypical attitudes towards women in the military, women simply did not belong. The refusal to allow women to serve in combat theaters such as Southeast Asia frustrated many would-be female service member volunteers. One female airman stated, "I served in North Africa and Italy—I can sure as hell serve in Vietnam."¹⁰⁵ Despite shortages and their need, by the end of the Vietnam War, less than a few hundred non-nursing women service members served in theater.

Military nurses were the exception to the rule. They were more essential to warfighting efforts in wars in Korea and Vietnam, beliefs about the appropriateness of nursing as a vocation for women made their presence more acceptable to elites, and they served in far greater numbers. During the Korean War female military nurses were the only female service members permitted to serve in Korea and were among some of the first military service members that landed with the American Army's initial forces on the Korean peninsula in 1950.

¹⁰³ Ibid, 209.

¹⁰⁴ Ibid, 214.

¹⁰⁵ Ibid, 210.

Women in the U.S. Military: Korea & Vietnam				
Year	Percentage in the Active-Duty Military	Total Number of Women in the Active-Duty Military	Total Non-Nursing Women Service Members in Theater	Total Nursing Women Service Members in Theater
1950	1.5	22069	Korea: 0	Korea: 5397 Army & Navy Nurses
1951	1.2	39625		
1952	1.3	45934		
1953	1.3	45485		
1954	1.2	38600		
1955	1.2	35191		
1961	1.3	32071	Vietnam: 160 WACs, 36 Women Marines, & no more than 2 WAVES per year	Vietnam: 5000-6000 Army, Navy, & Air Force Nurses
1962	1.1	32213		
1963	1.1	30771		
1964	1.1	29795		
1965	1.2	30610		
1966	1.1	32589		
1967	1.0	35173		
1968	1.1	38397		
1969	1.1	39506		

Figure 7.2: Women in the U.S. Military: Korea & Vietnam, 1945-1973¹⁰⁶

Their numbers were in the hundreds but soon swelled to over five thousand, many of which served in close proximity to the war's everchanging frontlines in Mobile Army Surgical

¹⁰⁶ Washington Headquarters Services: Directorate for Information Operations and Reports (1999). Holm (1983), 214-218, 228. Reeves (1996), 106.

Hospital (MASH) units. Thanks in part to these nurses, as well as doctors and the advent of air evacuation, of the 77,778 wounded men of the Korean War, only 1,957 died.¹⁰⁷

Even though roughly an equal number of nurses served in the Korean and Vietnam Wars, the sheer intensity and the length of the war in Vietnam demanded much more of women military nurses. Of all the active-duty American women who served in Vietnam, eighty percent were military nurses.¹⁰⁸ Unlike the Korean War, where there are no recorded nurse casualties, the names of eight female military nurses are among the more than 58,000 names on the Vietnam War memorial. More so than Korea, the war in Vietnam was hardly characterized as a war with a fixed front at any given time. The thousands of women service members in such a conflict, in contrast to the ideational constraints placed on their non-nursing female service member counterparts, “highlights the inconsistency and irrational nature of the service policies. The dangers and inconveniences routinely endured by the nurses in the field, for instance, were generally greater than those experienced by clerks.”¹⁰⁹

In addition to their service in hospitals and the units that replaced MASHs, Medical Unit Self-Contained Transportable (MUST) units, women military nurses were also used to train South Vietnamese military nurses. They served in every American military region during the war and, despite their non-combatant status, they were very much “in a combat situation and saw more death and destruction than the average soldier” in Vietnam. Similar to their contributions in

¹⁰⁷ Reeves (1996), 106-107.

¹⁰⁸ Enloe, C. (1983). *Does Khaki Become You? The Militarization of Women's Lives*. South End, 109.

¹⁰⁹ Holm (1983), 228, 207.

Korea, but on a much larger scale, of the 133,447 wounded male soldiers in Vietnam, only 2.6 percent died.¹¹⁰

Despite the further historical and institutional knowledge though, as exemplified by American military nurses in Vietnam, women service members' contributions would become a subdued history for decades to come. As Cynthia Enloe has argued, women Vietnam Veterans "have suffered from their invisibility. They have been pushed to the back of the bureaucratic filing cabinet."¹¹¹ This is also somewhat emblematic of why the Vietnam Women's Memorial took more than a decade longer to come into being after the Vietnam War Memorial itself.¹¹² Women military nurses, as well as their male counterparts, also found their history difficult to share. For many, since their primary duty was to save lives, that 2.6 percent, became a painful reason not to celebrate their achievements. Colonel Margarethe Cammermeyer, an Army nurse and Vietnam veteran, expressed unease after her first visit to the Vietnam War Memorial, writing that "I was proud because I'd been there as a healer, I felt guilt at having survived without physical pain, and I struggled with shame because we'd lost so many."¹¹³ Acknowledging and reconciling the reality of women in combat would have to wait more than two more decades.

¹¹⁰ Reeves (1996), 108-110.

¹¹¹ Enloe (1983), 109.

¹¹² Schmitt, E. (1993) "A Belated Salute to the Women Who Served." *The New York Times*, 12 Nov, A1.

¹¹³ Cammermeyer, M. (1994). *Serving in Silence*. Viking Press, 133.

Conclusion

Whenever the American military has employed military force, whether, in revolution, civil war, or projected military force abroad, that force is most accurately understood as a literal body of bodies. As with certain ideas about race and sexual orientation, certain ideas about gender also matter in understanding how those bodies are composed. Women have been involved in every American military conflict since the American Revolution and civilian and military elites' belief systems helped define the relationship between women and military service. Systemic factors do matter and often force the hands of elites to make use of womanpower during military conflict. However, certain ideas and beliefs about what is essential to women, what are appropriate roles for women, meanings associated with marriage and motherhood, what is feminine, and the corresponding assumed associated dichotomies of maleness, masculinity, etc. have also constrained the realm of the possible when attempting to make the most of all able-bodied individuals. The origins of informal and formal gender-based discriminatory military personnel policies are neither functions of systemic pressures nor military necessity, they are entirely ideational in origin and often negatively impact military effectiveness.

During the American Revolution elites were initially reluctant to imagine that the American Army needed the support of women. A combination of weak regulation and military necessity meant that many women physically fought in military engagements. The conflict was also emblematic of how gender is socially constructed, as many women could "perform" as men so long as they assumed masculine names and attire, with none the wiser. During the American Civil War, many of these dynamics continued. Some military roles that were once considered feminine became masculinized, the possibility of performativity continued, and military nursing

began to emerge as a more essential military task. As had occurred after the Revolution though, elites were also quick to demobilize nurses in peacetime.

The years prior to and Spanish American War marked the end of the possibility of performativity and a strengthening of the delineation of certain logics of appropriateness that dictated roles for men and women during conflict. It also was characterized by a somewhat more formal inclusion of civilian contract nurses into military organizations. Elites were initially reluctant to accept women civilian nurses into the military but eventually did. Their contributions were significant and resulted in institutional reforms within the military that made military nursing a permanent aspect of the American military, one not subject to complete demobilization during peacetime. This change was possible because nursing had become firmly established as both essential for the American military as well as an appropriate occupation for women.

The massive manpower recruitments of World War I re-introduced a Revolution-era concept of “freeing men for combat.” While military elites in the Army struggled to imagine a world with women in uniform even if only performing clerical and administrative tasks, the Navy and Marines experimented with small numbers of women doing precisely this. The sheer carnage of modern warfare placed incredible demands upon military nurses and introduced a paradox within the military. Whereas combat was deemed inappropriate for women, the Army had no qualms about placing military nurses in combat conditions.

World War II was much larger in scale and required even more manpower, so much so that it exceed the supply of male volunteers and conscripts. As a result, the American military turned to women and the formation of women’s auxiliary components, and over a quarter-million women volunteers would put on military uniforms to perform a number of state-side and

overseas assignments that would “free” men for combat service. Systemic pressures induced civilian elites in Congress to accept their formation, but both civilian and military elites placed numerous conditions on their service, some of which would give as the war progressed, but many of which hampered the military’s ability to make the most effective of its women service members. Nevertheless, women proved themselves of military value and after the war, military elites pressed Congress to make women’s service a permanent component of the American military. That said, despite the demonstrated talent the women service members displayed during the war, civilian and military elites again placed limits on their service that would constrain their ability to recruit, train, equip, and effectively use women service members in subsequent wars.

The wars in Korea and Vietnam demonstrated the impact those constraints had. Non-nursing women service members struggled to be taken seriously by military elites. The American military reduced their training relative to their experience during World War II, refused to send most of its non-nursing women service members overseas, even when they were needed in understrength areas, and, most importantly, the number of women volunteers imagined simply never materialized. While American men also lacked the patriotic zeal that elites anticipated, the recruitment of women was made more difficult than necessary. The military insisted upon higher qualifications than men in most respects and would also not accept women that were not deemed physically attractive enough. As with both world wars, military elites again made military nursing an exception. Because military nursing was understood to be essential to the health, fitness, and readiness of combat forces and because nursing was considered an appropriate occupation for women, military nursing stood as the exception to the rule. As a result, even

though women service members were excluded from combat and most were excluded from combat theaters, military nurses regularly served in combat conditions.

What each of the conflicts demonstrated was the interactive effects of both systemic and ideational factors in how the American military constructs force. In particular, it also demonstrates that historically, women have always performed military service, sometimes performing as men and sometimes in occupations where they were subjected to more combat conditions than many of their male service member counterparts. Even with historical institutional knowledge though, elites often reverted to greater degrees of discriminatory military personnel policies defies traditional realist logic. The impact that civilian and military elites' belief systems had on the shape and nature of these policies was detrimental to military effectiveness, especially as their numbers grew after the establishment of the AVF after the Vietnam War.

CHAPTER VIII: CERTAIN IDEAS & BELIEFS ABOUT WOMEN IN THE AMERICAN MILITARY

“That’s right. As you know better than anyone, you’re in danger from the time you roll out that gate until the time you return. If you’re not *here*, you put your entire convoy at risk. And you need to make sure everyone in this convoy is as focused as you are.”¹

Army General Martin Dempsey, 2003
Conversation with a soldier in Baghdad

“When you have to cover an either traumatic experience or your true identity, it takes a lot of cognitive energy. When your brain is supposed to be focused on your mission, it can have a negative impact.”²

Marine Lieutenant Colonel Kate Germano, 2021
On sexual assault and harassment

The end of conscription and the establishment of the All-Volunteer Force (AVF) after the Vietnam War had a dramatic impact on the gendered composition of the American military. Women service members³ participation rates in the American military exploded and as their numbers increased, so did their presence in non-traditional jobs. During the American invasion of Panama and the Gulf War, many women service members found themselves in combat and

¹ Dempsey, M. (2020). *No Time for Spectators: The Lessons That Mattered Most From West Point to the West Wing*. Missionday, 41.

² Lieutenant Colonel Kate Germano, (2021). *Personal Interview*, 6 December.

³ The term “service member” is used throughout this chapter as an inclusive term when referring to soldiers, sailors, marines, and airmen.

for decades afterward, civilian and military elites struggled to reconcile with that reality. Certain ideas and beliefs about what is essential to women, femininity and masculinity, marriage, and motherhood constrained what elites could imagine was possible for women service members. Those ideas and beliefs gave rise to and ensured the continuity of gendered discriminatory military personnel policies. Systemic factors did shape women's participation rates as well elites' ability to abolish restrictions for air and naval combat assignments, but ideational constraints were greatest for ground combat assignments. Barring women from ground combat simply did not make military sense though. It not only automatically disqualified half of the American population from consideration for important and demanding assignments, but it also meant that when the American military deployed to Afghanistan and Iraq its lack of gender diversity hampered its ability to competently navigate through local cultural constraints. In both wars, the American military needed military women in ground combat units.

Gender-based discriminatory military personnel policies and broader belief systems about women have also manifested into another limit to military effectiveness and national security. Sexual assault, sexual harassment, and gendered discrimination have plagued the American military since its inception and as the military's dependency upon women service members has grown, so has the magnitude of these problems. Such behaviors are not only morally and ethnically wrong, but they are also antithetical to military effectiveness. Survivors are limited in their ability to focus on their work, unit cohesion and trust are shattered, and retention of highly qualified women service members becomes more difficult than need be. Sexual assault, harassment, and gender discrimination are also intimately related to combat exclusion. In essence, the inability of elites to imagine women service members as a serious source

of manpower not only limits the realm of possibilities and mission capabilities but also fosters a belief system that women are second-class service member citizens and permits additional harm to military effectiveness and national security.

The first section of this chapter will briefly outline the dramatic changes in the gender composition of the American military that the establishment of the AVF made possible. It will argue that the AVF was in part a function of neoliberal ideas, did not initially envision the necessity of needing women recruits to meet recruitment goals, but after elites realized they did, in fact, need women, they became both essential and necessary. Greater numbers and greater opportunities still came with limits and women were still barred from air, naval, and ground combat.

The second section will briefly review women's participation in the American invasion of Panama and in the Gulf War. The section will largely draw from existing historical literature but will also engage with primary archival source material from the Congressional Record. It will also summarize the ideas and beliefs expressed by civilian and military elites in the 1991 Senate hearings, the 1993 Presidential Commission, and the 1993 House hearing that followed the Gulf War. Defining combat and limiting women's exposure to combat were both nearly impossible tasks in modern warfare and women's combat experience during both wars required elites to re-think combat exclusion. The section will argue that the hearings that followed offered the military a key opportunity to re-imagine women's military roles in their entirety and at minimum, could have resulted in an empirical approach to assessing the effects of gender integration in ground combat. But ground combat was for elites, a bridge too far. Gender-based discriminatory military personnel policies for ground combat remained in place for more than two decades.

The third section will provide an overview of analytical frameworks for understanding ground combat exclusion, provide an overview of the most common arguments made in support of ground combat exclusion—women do not belong, women are not physically fit for ground combat, and they would harm unit cohesion. This section will make use of existing historical literature, numerous government and think tank research report findings, and personal interviews of service members to demonstrate that ground combat exclusion justifications not only defied military history and experience but that the practice was also antithetical to military effectiveness.

The fourth section will cover the military's use of Lioness, Female Engagement Teams (FETs), and Cultural Support Teams (CSTs) in Afghanistan and Iraq. It will largely draw from existing scholarly work and will augment some areas with primary source material such as findings from Defense Advisory Committee for Women in the Services (DACOWITS) focus groups. It will argue that local cultural constraints in these countries made women's participation in ground combat units essential but that unfortunately the decision to use these teams instead of ending ground combat exclusion meant that the practice was never employed on a large scale. These teams were largely organized in an ad-hoc manner and received less training relative to the men in the units to which the women service members were attached. In other words, had the outcome of the 1993 congressional debates been different, the military could have been substantially more effective in its ability to leverage the unique contributions that women service members could provide in Afghanistan and Iraq.

The fifth section of this chapter will focus on sexual assault, sexual harassment, and gendered discrimination in the American military. It will provide an exhaustive review of

government and think tank research that had since the late 1970s demonstrated to the military that it had a serious problem in these areas. Yet the problems were widely ignored and solutions were merely reactive to problems while failing to address underlying causes. It will also make extensive use of personal interviews of individual service members and DACOWITS focus group findings to demonstrate precisely how these behaviors undermine military effectiveness and national security.

The final section of this chapter will review the key findings of this chapter and provide concluding remarks.

The Establishment of the All-Volunteer Force

Despite women's "integration" as a result of the 1948 Women's Armed Forces Integration Act, for the decades that followed the 1948 act, women were largely a token force within the American military. Even with the two percent cap on women's participation rate that civilian and military elites put into place, their numbers also remained below that limit. The end of conscription and the establishment of the AVF in 1973 resulted in an explosion in women's participation rates in the American military. As women service members' numbers and the military's dependence on them grew, so did elite support for their participation as well as the number of military jobs open to women service members.

The establishment of the AVF was the result of three factors. First, it was related to a large decline in the American public's support for conscription after the Vietnam War and President Richard Nixon's promise to "end the draft." Second, it was partly a function of a larger trend in modern western military transitions from mobilization-based forces that arose in response to

conflicts, to a large “force in being.”⁴ Third, it was also shaped by the rise of neoliberal economic beliefs and ideas. The Gates Commission, which was tasked with studying the viability of an AVF and providing both the President and Congress options on how to achieve it, was composed of not only military elites like former Secretary of Defense Thomas Gates Jr. but also economists such as Milton Friedman and Alan Greenspan. The commission identified, among other things, that increases in military pay and benefits would make military pay competitive with civilian pay and could provide sufficient economic incentives for maintaining America’s military manpower requirements. The commission debated whether an AVF might dramatically change the racial composition of the American military but nowhere in the report did it mention or predict changes in gender composition.⁵

Linking the task of recruiting American military manpower to market forces and doing so in an era that coincided with the removal of the two percent cap in 1967, the disbanding of the women’s auxiliary military organizations, an increased emphasis on equal employment for women in the American economy, and a decline in American birthrates and in the number of young eighteen-year-olds in the American population had the effect of increasing women’s participation rates in the American military.⁶ In the first five years of the AVF, women’s total

⁴ Janowitz, M., & Moskos, C. (1979). Five Years of the All-Volunteer Force: 1973-1978. *Armed Forces & Society*, 5(2), 171–218. Carreiras, H. (2006). *Gender and the Military: Women in the Armed Forces of Western Democracies*. Routledge.

⁵ President’s Commission on an All-Volunteer Armed Force (1970). *The Report of the President’s Commission on an All-Volunteer Armed Force*. Washington D.C., U.S. Government Printing Office.

⁶ Janowitz & Moskos (1979). Holm, J. (1982). *Women in the Military: An Unfinished Revolution*. Presidio Press, 247-258. Segal, D. (1989). *Recruiting for Uncle Sam: Citizenship and Military Manpower Policy*. University Press of Kansas, 102-124.

number in the active-duty force rose from 55,402 to 134,312, or from 2.5 percent of the total force to 6.5 percent.⁷ While it was an unintended consequence that the members of the Gates Commission had not anticipated, “without the greater number of women in the labor force generally, the relative success of the initial phase of the all-volunteer force would not have taken place.”⁸

Shortly after the AVF’s initial success though, youth unemployment rates in the United States dropped, and manpower shortages began to plague both the Army and the Marine Corps. In the latter half of the 1970s, the Department of Defense (DoD) commissioned a number of studies, both internally and externally and the results tended to tell offer a uniform solution to the military—recruit more women. In 1976 Brookings argued that accepting more women recruits could also raise the average mental capability of the military and at a lower cost. Military recruiters were exhausting the pool of young men with high mental aptitude and women high achievers were still an under-targeted pool of potential recruits. Brookings also argued that common arguments against recruiting more women “centered on emotionalism” and were “supported by unsubstantiated generalities, or isolated examples.”⁹ In 1976, an Army study found that even after accounting for pregnancy that “lost time” for women service members was less than for men and that women service members had higher retention rates. Male service

⁷ Washington Headquarters Services: Directorate for Information Operations and Reports (1999).

⁸ Janowitz & Moskos (1979), 181.

⁹ Holm (1982), 251-255.

member “lost time” rates were higher because of higher rates of desertion, alcohol and drug abuse, and confinement.¹⁰

Some civilian and military elites balked at the gendered demographic changes in the American military. General William Westmoreland espoused that the government “is trying to use the military as a vehicle to further social change in our society . . . in utter disregard for potential fighting effectiveness” and that “no man with gumption wants a woman to fight his battles.”¹¹ One Marine Corps general argued that “Radical, overnight changes will promote ‘women’s lib in uniform.’”¹²

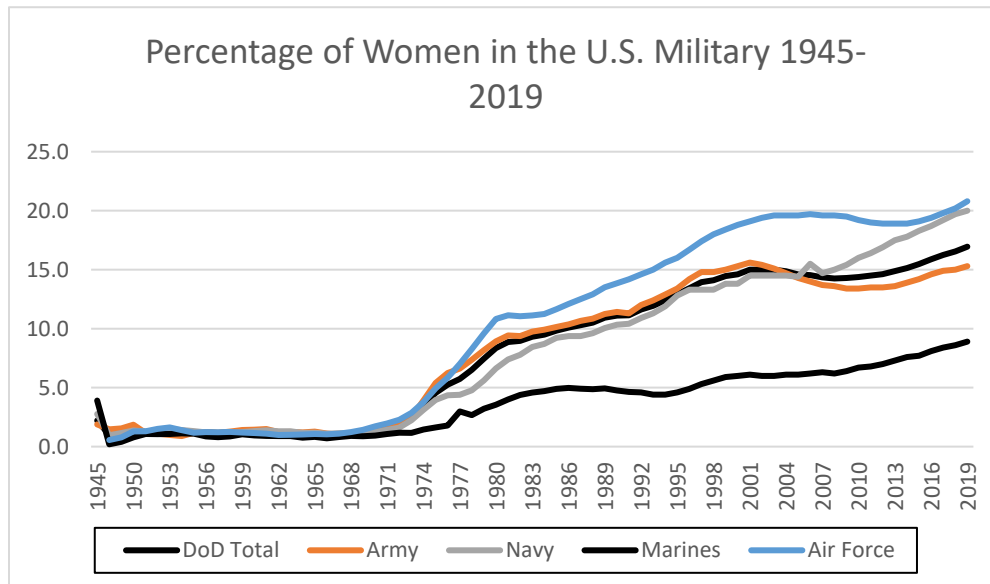


Figure 8.2: Percentage of Women in the U.S. Military, 1945-2019¹³

¹⁰ Ibid, 257, 303.

¹¹ Ibid, 341.

¹² Ibid, 285.

¹³ Washington Headquarters Services: Directorate for Information Operations and Reports (1999). Office of the Deputy Under Secretary of Defense for Military Community and Family Policy, (2004-2019). *Demographics: Profile of the Military Community*. Washington D.C., Department of Defense.

Yet many others disagreed with any attempt to slow or halt women's increasing presence in the American military. In 1978 Army Chief of Staff General Barnard Rogers said "The Army cannot operate effectively in this manner. Women are an essential part of our force; they will deploy with their units, and they will serve in skills in which they have been assigned to" and that their presence was necessary for "the mission of the Army itself."¹⁴ MCs generally backed Rogers' view and were dumbfounded by attempts to limit women service members' roles. Representative Donald Fraser (D-MN) argued, "How cynical that while we make an effort to recruit women into the forces . . . we are denying them access to the best educational program of their profession. We are squandering our human resources."¹⁵ Proponents of accepting more women were in the majority and not only did women's numbers continue to grow, but military recruiters began to set higher recruiting goals for women, began integrating training, and opened more non-combat military occupations for women.¹⁶ The explosion of the number of women service members in the American military and their presence in previously closed military jobs would have profound effects when mixed with American military conflicts where clearly defined front and rear lines failed to emerge.

Women in Combat: Panama & The Persian Gulf War

The establishment of the AVF after Vietnam had the effect of increasing the number of women service members in the American military, broadening the types of military occupations they

¹⁴ Ibid, 286,

¹⁵ Ibid, 308.

¹⁶ Brown, M. (2012). *Enlisting Masculinity: The construction of gender in US military recruiting advertising during the all-volunteer force*. Oxford University Press. Holm (1982).

worked in, and increasing the military's dependency on women service members. Once many of these women were exposed to combat in the American invasion of Panama and the Persian Gulf War, their experiences also led many in Congress to question the wisdom of combat exclusion. As a result of both conflicts, restrictions were lifted for women serving members serving in air and naval combat. Ideational resistance to ending gendered discriminatory personnel policies for ground combat would require more than two more decades and two additional wars.

The section will outline these events and the belief systems associated with them in several subsections. The first two subsections will demonstrate how impractical combat exclusion was in practice during the American invasion of Panama and the Gulf War, and how military elites struggled to reconcile with that reality. The third, through sixth subsections, will review the belief systems expressed by civilian and military elites during the 1991 Senate hearings, and how beliefs about appropriate roles for women had shifted for air and naval combat, but similar beliefs for ground combat remained strongly in favor of retaining gendered discrimination. The seventh and eighth subsections will review the composition, findings, and issues with the 1993 Presidential Commission that followed the 1991 Senate Hearings, as well as the 1993 hearing held by the House. They will demonstrate the dramatic change in beliefs about air and naval combat as well as again demonstrate how resistant changes in beliefs about women in ground combat were. The final subsection will summarize the key elements of this section and provide concluding remarks.

CAPTAIN LINDA BRAY & OPERATION JUST CAUSE

When Congress drafted the 1948 Women's Army Forces Integration Act both civilian and military elites included language in the legislation that banned women from serving in combat. When

elites imagined “combat” for the Navy and the Air Force it was a relatively straightforward solution—ban women from serving on most of the Navy’s ships and ban women from flying aircraft. For the Army though, “combat” was much more difficult to imagine, and MCs decided to leave the definition to the discretion of the Secretary of the Army.¹⁷ By 1988 women soldiers composed more than ten percent of the active-duty Army¹⁸ and in response to their growing numbers, the DoD decided to clarify its interpretation of combat. That year the DoD published the Risk Rule, which prohibited women service members from serving in units that had a “high probability of engaging in ground combat, hostile fire, or capture.”¹⁹

The problem with this revised policy though was the same problem that elites faced in 1948. Defining “combat,” much less calculating the probability of hostile fire, was a fleeting task. Elites could designate service members’ occupations and duties as “combat” and even designate certain operational areas as such, but it takes two to tango. The American military’s definition of combat bore a strong assumption that future enemy forces, wherever and whoever they be, would understand and honor this distinction as well. The definition also did not make sense from a military perspective because actions in combat are time-sensitive and fraught with uncertainty. The availability of military resources at any given time in any given location and reactions to hostile fire often necessitate what units and personnel are used, not their occupational specialty

¹⁷ See chapter seven.

¹⁸ Washington Headquarters Services: Directorate for Information Operations and Reports (1999).

¹⁹ Burrelli, D. (2013). *Women in Combat: Lessons for Congress*, Washington, DC: Congressional Research Service.

designation—this is precisely why every soldier in the Army, regardless of their job, is trained in small arms.

When the American military deployed to Panama in Operation Just Cause to dispose of Manuel Noriega with a military force of 27,000 service members, that force included combat and combat support personnel, and more than eight hundred women service members. Additionally, Noriega's forces did not consult the DoD's Risk Rule when planning their own combat operations. During the American operation, many women service members were either in direct combat or exposed to combat conditions. Army women helicopter pilots that were flying non-combat aircraft to ferry soldiers across the battlefield were exposed to ground fire and Army women military police soldiers found themselves under sporadic spire fire while manning checkpoints in city streets.²⁰ One woman soldier became the first woman to lead soldiers in combat.

Captain Linda Bray, commander of the 998th Military Police Company, had over a hundred male and female soldiers under her command. Given her unit's proximity to a dog kennel that her commanders wanted to be secured, she was tasked with sending her company to do so. During the mission though, her company began to receive intensive resistance from Panamanian soldiers at the site and Bray found herself leading soldiers in a three-hour-long firefight. Most of the Panamanian forces managed to flee but a few were killed, and one was taken

²⁰ Francke, L. (1997). Panama, the Press and Army Politics: The Sacrificing of Captain Linda Bray. In *Ground Zero: The Gender Wars in the Military* (pp. 22–45). Simon & Schuster. Gordon, M (1990). *Noriega's Surrender: Army; For First Time, a Woman Leads G.I.s in Combat*. *New York Times*. Jan 4, A13. Jehl, D. (1990). 2 *U.S. Women Pilots Came Under Heavy Panama Fire: Combat: The disclosure is a new indication of the extent that women took part in the invasion*. *Los Angeles Times*. Feb 9, [Online]. Available at: <https://www.latimes.com/archives/la-xpm-1990-02-09-mn-216-story.html> [Accessed 6 January 2022].

as a prisoner of war (POW). After the site was secured, her company discovered the site had in fact been used by Panamanian special forces who had cached hundreds of weapons and left a wealth of currency and intelligence. And just like that, Bray became a reluctant part of American military history.²¹

Senior Army commanders were initially excited about Captain Bray's performance and tasked her with speaking with all the press they could get her in front of. Unfortunately for Bray though, the type of press coverage the Army got was not the type they wanted. Journalists were highlighting "women in combat" and Representative Patricia Schroeder (D-CO) began to question the wisdom of combat exclusion in all the military services. The DoD was befuddled, even though "the Army had been training women for years in the combat skills they might have to use, it had not anticipated the magnitude of public reaction when women actually used them." The Army and the DoD quickly began a counter media offensive, downplayed the incident, denied Bray was even there, and would later even falsely accuse her of shooting dogs that were locked away in the kennel. Women had been in combat, performed admirably, but could not have been "in combat" because civilian and military elites claimed they could not be.²²

In 1982 DACOWITS had recommended to the Secretary of Defense that a review of combat exclusion be undertaken to determine if additional military jobs could be made available to women. It did so again in 1983 and 1984, and in 1989 went a step further and recommend the Army in particular "conduct a 4-year test program under which women in the Army will be

²¹ Francke (1997), 48-50.

²² Ibid, 50-71.

allowed to enter all military occupational specialties (including combat and combat support).”²³ But DACOWITS was only an advisory board and neither the DoD nor the Army had to implement any of their recommendations. An act of Congress is different though and in March of 1990 Schroeder introduced H.R. 3868, legislation that would require the DoD to do exactly what DACOWITS recommended—require the Army to “carry out a four-year test program to examine the implications of the removal of limitations on the assignment of female members of the Army to combat and combat-support positions.”²⁴ The bill received nineteen co-sponsors, including four Republicans, but the bill never made it out of the House Armed Services Committee. Lisa Moreno, one of Schroeder’s aides stated, “There were hearings, but everybody laughed at the concept of actually opening up infantry, armor and artillery positions to women. It was just too much for people. And that was the end of it.”²⁵

THE PERSIAN GULF WAR AND AMERICA’S 40,000 WOMEN WARRIORS

American military operations in Panama were brief, the total force deployed was relatively small, and women service members’ experiences, despite defying civilian and military belief systems, were too little to produce meaningful changes to gender-based discriminatory military personnel policies. The Persian Gulf War, while also relatively short, was massive in scale. The United States deployed over 700,000 service members to help defend Saudi Arabia and remove Iraq’s army

²³ Defense Advisory Committee on Women in the Services (1989), *DACOWITS 1989 Annual Report*. Department of Defense: Washington, D.C.

²⁴ Requiring Study Of Limitations On Assigning Females To Combat (1990), H.R. 3868, 136th Cong.

²⁵ Francke (1997), 78.

from Kuwait. Among those hundreds of thousands of American service members were over 40,000 women service members serving in combat support roles on the land, sea, and in the air.²⁶

As in Panama, the distinction between combat and non-combat duty was often difficult to delineate. By law, women were constrained to serving in positions that would not expose them to hostile fire, but women service members were thrust into combat environments all the same and they performed just as well as their male service member peers. As in Panama, Iraqi forces did not take occupational assignments or gender into account in the planning of its military operations and there often was no clear distinction between “front” and “rear” lines. Numerous women found themselves engaged in combat, five were killed in action, and two became POWs.²⁷ As in the previous conflict, military elites also struggled to reconcile belief systems with reality and were fearful of public outcry over women in combat. Women that were killed in combat conditions often had the circumstances of their death re-classified as non-combat related. The first female service member killed during the war died after driving over a landmine in Iraq and the Army classified it as non-combat but was eventually forced to re-classify her death as combat-related after her parents protested the Army’s downplaying her role in the war. Women who became POWs were also initially classified as neither missing in action nor as POWs, even when American military intelligence and the Iraqi government said otherwise. As with those killed, the

²⁶ MacKenzie, M. (2015). *Beyond the Band of Brothers*. Cambridge University Press, 11-41.

Francke (1997), 66-67. Stiehm, J. (1996). Just the Facts, Ma’am. In J. Stiehm (Ed.), *It’s Our Military, Too!: Women and the U.S. Military* (pp. 60–70). Temple University Press.

²⁷ Sadler, G. (1997). Women in Combat: The U.S. Military and the Impact of the Persian Gulf War. In L. Weinstein & C. White (Eds.), *Wives and Warriors: Women in the Military in the United States and Canada*. (pp. 79–98). Bergin & Garvey. Stiehm (1996), 69.

Army did not appropriately classify either until families protested the Army's refusal to classify them as POWs.²⁸

One of those POWs was Brigadier General, then Major, Rhonda Cornum. As an Army flight surgeon who was being flown on a utility helicopter, Cornum was not considered "in combat" despite being a part of missions that flew into Iraq, including some missions where her crew found themselves taking Iraqi POWs who were surrendering to American military helicopters overhead. On her final mission, Cornum's helicopter was shot down while attempting to conduct a rescue of a downed Air Force fighter pilot before Iraqi forces could reach him. After being shot down Iraqi forces captured her, the other sole survivor of the crash, and eventually the Air Force pilot they were attempting to rescue and held them until the end of the war.²⁹ According to Cornum, despite the hardships associated with being seriously wounded from the crash and her treatment as a POW, she thought there was nothing about her experience that was exceptional, she said ". . . it seems my being captured and being held as a prisoner of war was a big deal. Personally, I couldn't see why. I hadn't done anything different from what everybody else did. I wasn't any more or less brave than anybody else." Her gender also did not matter, "it made much more difference to the American media than it did to the U.S. soldiers in the Gulf or the Iraqis."³⁰

²⁸ Francke (1997), 73-103.

²⁹ Cornum, R. (1993). *She Went to War: The Rhonda Cornum Story*. Presidio Press.

³⁰ Cornum, R. (1996). Soldiering: The Enemy Doesn't Care If You're Female. In J. Stiehm (Ed.), *It's Our Military, Too!: Women and the U.S. Military* (pp. 3-23). Temple University Press, 20-23.

Military elites' fears concerning the prospect of negative public opinion over women in combat, women service members dying in war, and even women service members becoming POWs turned out to be unfounded. The DoD was surprised as well as relieved that the American public voiced no more sorrow or indignation over the deaths of women service members than they did for male service members. The war had been so massive in scale and media coverage so extensive that imagining women service members operating forklifts, working on ships, and flying military aircraft had become normalized. Still, many civilian and military elites balked at their inclusion and the prospect of further integration. Phyllis Schlafly, chair of the conservative Eagle Forum, remarked, "It's absolutely ridiculous to have women in combat. It's an embarrassment to our country."³¹ Others, including military elites, thought differently, and the ideational battlefield shifted from the sands of the Middle East to the floors of Congress.

THE 1991 SENATE HEARINGS

The House moved quickly on the issue of women in combat and Representatives Les Aspin (D-WI), Patricia Schroeder (D-CO), and Bev Byron (D-MD) included language in the following fiscal year's National Defense Authorization Act to repeal the federal statute which barred women from combat aircraft in the Air Force and the Navy as well as establish a presidential commission to study combat assignments for women service members across the American military. It passed with overwhelming support with 329 to 82 votes in favor.³² The Senate Armed Services Committee, and its powerful chair Senator Sam Nunn (D-GA), insisted upon hearings though.

³¹ Francke (1997), 73-103, 96.

³² National Defense Authorization Act (1991), H.R. 2100, 102nd Cong.

CIVILIAN ELITES

MCs in the Senate were in general agreement with MCs in the House that the experience of the Gulf War demonstrated that the time has come to remove combat restrictions for air combat assignments but most also drew a firm line and distinction between air and ground combat assignments. Despite the recent experience, imagining women service members in ground combat was still a bridge too far. Senator Edward Kennedy (D-MA) was the sole senator that expressed the belief that *all* combat assignments should be determined by individual qualifications not by gender, noting “if we do not put the right person in the job, we are not fulfilling our real national security interests. What is in the security interests is having the right person, man or woman, in the right job.”³³ The more conservative members of the committee though, while open-minded with respect to air combat, could not imagine ground combat as an appropriate role for women. They were careful not to denigrate women service members, given their recent contributions during the Gulf War, but used coded language that harkened back to similar debates in the past about racial integration and foreshadowed the language that would be used when the same body debated “Don’t Ask, Don’t Tell.” Women service members’ supposed negative impact on cohesion and readiness served to justify their exclusion from ground combat.

Senator John McCain (R-AZ) expressed that the Gulf War not only demonstrated how “blurred” the distinction between “in combat” and “not in combat” had become, but Congress then needed to re-evaluate the combat exclusion policy for women. He stated, “Clearly, women

³³ Sen. Edward Kennedy, speaking at S.Hrg. 102-255, 102nd Cong., 1st sess., Congressional Record (June 18, 1991), 815.

have demonstrated again that they can perform any role that they are called upon that any male is called upon to do.”³⁴ Senator John Glenn (R-OH) agreed with McCain that women had “proven themselves to be just as capable as men in flying the aircraft” and should be allowed to fly combat aircraft but that there were serious questions that need to be answered about assigning women to ground combat units in the Army and Marines Corps.”³⁵ Glenn cited cohesion and eluded that women in such units would have a negative impact, stating, “If you start breaking up those teams at a critical time, you do reduce combat readiness or combat effectiveness.”³⁶ Senator J. James Exxon (D-NE) also agreed and could see “no reason why a woman would not make an excellent combat fighter aircraft pilot” but he also expressed that he could not “envision a situation where we would be advocating a combat role for assault Marine forces or infantry forces for women . . . that would not be best for the overall operations of an assault force.”³⁷

MILITARY ELITES

Civilian and military elites were generally less receptive. Existing combat restrictions for women in the Air Force and the Navy were congressionally mandated and the Army’s policy was left to the discretion of the Secretary of the Army. What the Senate was proposing to military elites was repealing the entire federal statute and granting all the services the same discretion the Army

³⁴ Sen. John McCain, speaking at S.Hrg. 102-255, 102nd Cong., 1st sess., Congressional Record (April 17, 1991), 62.

³⁵ Sen. John Glenn, speaking at S.Hrg. 102-255, 102nd Cong., 1st sess., Congressional Record (June 18, 1991), 797-798.

³⁶ Ibid, 901.

³⁷ Sen. J. James Exxon, speaking at S.Hrg. 102-255, 102nd Cong., 1st sess., Congressional Record (June 18, 1991), 817-818.

had. Yet greater autonomy in this policy area was something that most military elites simply did not want because the status quo gave them greater protection from future presidential administrations that might relax rules by executive order. In other words, Congress had been giving the military cover for gender-based discriminatory personnel policies. As with their civilian counterparts in the Senate, military elites drew their ideational battlelines at ground combat.

The most senior civilian DoD official present at the hearing was Christopher Jehn, the Assistant Secretary of Defense for Manpower Management and Personnel. Jehn acknowledged that women service members had become essential to the American military but was reluctant to support any change to the status quo. He said, "At the moment, we have a policy we understand and that works quite well combat effectiveness and readiness are our first priority." When pressed by McCain to provide recommendations to Congress, Jehn hesitated to say more than no change was necessary and that "Based on what I know today, I do not have any hesitation but I certainly do not feel comfortable advocating it [women in combat aircraft]."³⁸ Air Force Chief of Staff General Merrill McPeak expressed reluctant support for women serving in combat aircraft, "Personally, I am not eager to increase the exposure of our women to additional risk. However the Air Force does not believe in artificially barring anybody from doing any job I will recommend the 'best qualified' man or woman for each position." But in another exchange with Senator William Cohen (R-ME), McPeak also indicated that even if presented with two pilots, a male pilot, and a more highly qualified female pilot, he would pick the male pilot. To

³⁸ Asst. Sec. Christopher, testifying before the Senate Committee on Armed Services, 102th Cong., 1st sess., Congressional Record (June 18, 1991), 805-819.

which Cohen asked, "So in other words you would have a military less effective situation because of a personal view?" McPeak replied, "Well, I admit, it does not make much sense, but that is the way I feel about it."³⁹

Admiral Frank Kelso, Chief of Naval Operations also expressed reluctant support. Kelso recognized that the Navy needed women sailors, was expanding roles for women sailors, and that he supported policy changes that would allow women to fly combat aircraft. But for Kelso though, women naval aviators posed another problem, they would need to serve on combat ships, and he believed the presence of women on naval combat ships would have negative impacts. Kelso expressed, "The environment of a combatant ship at sea for long periods is difficult for men. Living accommodations are very close and privacy is very hard to ensure The law I believe as written recognizes these issues and has served us well. I believe it should be continued."⁴⁰

Army elites, like Lieutenant General William Reno, the Army's Deputy Chief of Staff Personnel, acknowledge that its women soldiers had "performed magnificently" but did not support, much less imagine, ground combat as appropriate for women. Even though repeal of the federal statute would have no impact on the Army, Reno could not see "any compelling reason to change [the law]."⁴¹ The Marine Corps commandant, General Al Gray, was less coded.

³⁹ Gen. Merrill McPeak, testifying before the Senate Committee on Armed Services, 102th Cong., 1st sess., Congressional Record (June 18, 1991), 827-838.

⁴⁰ Adm. Frank Kelso, testifying before the Senate Committee on Armed Services, 102th Cong., 1st sess., Congressional Record (June 18, 1991), 825-833.

⁴¹ Lt. Gen. William Reno, testifying before the Senate Committee on Armed Services, 102th Cong., 1st sess., Congressional Record (April 17, 1991), 63.

For Gray, the Gulf War was not a real war and not “the ultimate test in terms of sustained combat.” He magnanimously spoke for all women marines and noted, “We do not find our women Marines wanting change. They seem satisfied with what they do” and expressed that gender differences were real and mattered. Gray said, “We believe that our women understand that you need women and you need men and they are different, thank goodness. And it will always be that.”⁴²

Retired Marines Corps General Robert Barrow also testified before the committee, but Barrow was even less guarded than Gray. He also leaned into beliefs about gender differences as well as the belief that women’s mere presence in ground combat units would destroy cohesion. He noted that Congress should not focus on equal opportunity but instead on combat effectiveness, which women were inherently unfit to participate in, having said, “I may be old fashioned, but I think the very nature of women disqualifies them from doing it [combat]. Women give life, sustain life, nurture life, they do not take it.” Barrow also expressed that the presence of women would harm the process of male bonding, unit cohesion, and the ability of combat service members to form a “band of brothers.” He said, “If you want to make a combat unit ineffective, assign some women to it If women are placed in combat units in the Marines Corps it would destroy the Marines Corps, something no enemy has been able to do in over 200 years.”⁴³

⁴² General Al Gray, testifying before the Senate Committee on Armed Services, 102th Cong., 1st sess., Congressional Record (April 17, 1991), 828-831.

⁴³ General Robert Barrow, testifying before the Senate Committee on Armed Services, 102th Cong., 1st sess., Congressional Record (April 17, 1991), 895-897.

OTHERS

In addition to military elites, representatives from DACOWITS, the National Women's Law Center, and the conservative Coalition for Military Readiness also testified. Becky Constantion, DACOWITS Chair, noted that while there were some physical differences between men and women, removing gender as a proxy and evaluating both men and women based upon individual performance would give the military the flexibility to "utilize all qualified resources." In other words, the military could become more effective if it removed the last formal vestige of gendered discriminatory military personnel policies and made assignments purely a function of merit and ability.⁴⁴ Shirley Sagawa of the National Women's Law Center also linked the removal of gender discrimination within the military to increased efficiency, but also noted that the "Repeal of combat exclusions will go a long way towards ending the second-class status of women which has led to harassment and discriminatory treatment."⁴⁵ Elaine Donnelly of the Coalition for Military Readiness echoed the Marine Corps' thoughts and concerns. According to Donnelly, no women in Gulf War were actually in combat, gender integration would harm unit cohesion and readiness, and any policy change that allowed women to serve in combat units would bring considerable harm to American families.⁴⁶

⁴⁴ Becky Constantion, testifying before the Senate Committee on Armed Services, 102th Cong., 1st sess., Congressional Record (April 17, 1991), 860-861.

⁴⁵ Shirley Sagawa, testifying before the Senate Committee on Armed Services, 102th Cong., 1st sess., Congressional Record (April 17, 1991), 864-866.

⁴⁶ Elaine Donnelly, testifying before the Senate Committee on Armed Services, 102th Cong., 1st sess., Congressional Record (April 17, 1991), 869-833.

THE 1993 PRESIDENTIAL COMMISSION

Congress did not immediately decide on whether to repeal the women's combat exclusion statute until after the Presidential Commission on the Assignment of Women in the Armed Forces, which was established by H.R. 2100 and S.1515 presented its findings. The commission though, which was selected by President George H.W. Bush, while containing several military service members of varying ranks, also included partisan officials from the Bush Administration, a past editor of the *National Review*, and Elaine Donnelly. Among the civilian appointees, was one who published works such as *Women Who Make the World Worse: and how Their Radical Feminist Assault Is Ruining Our Schools, Families, Military and Sports*. The commission, in other words, was largely designed to report on existing belief systems and not to constructively study women in combat and present options to Congress.

The commission's findings spent a considerable amount of time articulating that placing women in any combat roles was a "reckless act," would harm unit cohesion and that women's roles as mothers made them unfit for combat duty. For ground combat, the commission unanimously recommended codifying the ban, and argued that women were physically unfit to serve in such roles, they would harm cohesion, their presence would cause unnecessary sexual tension, and pregnancy would make women unavailable for duty for prolonged periods of time. For air combat, the commission was split, but a slight majority disagreed with both Congress and the service chiefs, again citing cohesion and pregnancy. For combat naval vessels, the commission

was again split and cited similar issues—it would be too expensive to reconfigure ships to allow women to billet on them and pregnancy was again a disqualifying factor for all women.⁴⁷

The commission's dissenting remarks highlighted several issues with both the composition of the commission itself as well as its rationale for several of its recommendations. Commissioner, Marine Corps Brigadier General Thomas Draude expressed frustration that many of the commissioners consistently denigrated the performance of women service members of the Gulf War by describing it as "not a real war." He was also disappointed with the commission's majority recommendation against allowing women to serve in air combat roles, having remarked, "What do we have to fear – success?" For Draude though, ground combat was simply too different. He noted that women's presence in ground combat units would be disruptive:

"This is simply because their presence, regardless of their performance, would be disruptive. This is simply because the fabric of unqualified love necessary to hold men together in infantry combat would be torn by the sexual tension caused by the presence of women. It's not anyone's fault, it's just the way men are. That women are forced to pay the price for this reality is unfortunate to say the least. However, military effectiveness could be threatened as a result of the almost assuredly negative effect that would result from the integration of women into the infantry."⁴⁸

In remarks before the House Armed Services Committee, Draude, who had a son and daughter serving as Navy officers, also struggled to reconcile the commission's rationale with his faith in his children. "My son is at sea . . . [and] My daughter flies F/A-18s It seems pretty strange that the Navy can use fully the leadership, talent, enthusiasm, and goodness of only one of them.

⁴⁷ The Presidential Commission on the Assignment of Women in the Armed Forces (1993), *The Presidential Commission on the Assignment of Women in the Armed Forces report to the President*. Maxwell Macmillan Co., 7-

⁴⁸ *Ibid*, 104-105

Does this mean I'm willing to let my own daughter serve [in combat]? Absolutely—I trust her and I trust the Navy. What more do I need?"⁴⁹

Another dissenting option was offered by Commissioner Army Captain Mary Finch. She shared much of the same frustrations that Draude had with the commission and echoed sentiments expressed by DACOWITS during the Senate hearings. Finch declared, "As a Commission member and active-duty Army officer, I believe that the work of this Commission has been an insult to all servicewomen . . . all in the name of preserving the supposed high status of women in American society and American family values." For Finch, "Military readiness is best accomplished by selecting the best American for the job, not just the best "man" for the job."⁵⁰ The constant reference to "cohesion" by the majority of commissioners also disturbed Commissioner Army Colonel Darryl Henderson because the claims made about cohesion were based upon commissioners' belief systems, and not upon empirical evidence.⁵¹

THE 1993 HOUSE HEARING

Following the publication of the commission's findings, the Senate did not hold additional hearings, but the House Armed Services Committee did, and they were brief. Military elites were in strong agreement that Congress needed to lift the ban on combat aviation, the Navy was requesting that Congress also lift the ban on women's service on combat ships, and very little was

⁴⁹ Brig. Gen. Thomas Draude, testifying before the House Armed Services Committee, 103rd Cong., 1st sess., Congressional Record (May 12, 1993), 98.

⁵⁰ The Presidential Commission on the Assignment of Women in the Armed Forces (1993), 106.

⁵¹ Ibid, 107.

discussed about ground combat. MCs, with few exceptions, did not challenge military elites' preferences.

Few MCs expressed dissent to the prospect of formally ending the congressionally mandated gender-based military discriminatory personnel policies for either air or naval combat service. Some questioned the practicality of mixed-gender living quarters on naval vessels but Representative Roscoe Bartlett (R-MD) struggled to imagine a military world with more women because of personal beliefs about gender differences. Bartlett expressed, "Maybe I am old-fashioned . . . until men start having babies, I am going to believe there is a fundamental difference between men and women. Recognizing that fundamental difference as a father and grandfather, I don't want my daughters and granddaughters placed in a position where they could easily become prisoners of war." Bartlett, while supporting the broad notion of greater equal opportunity thought the military was simply different, he said, "there may be, will be, and are places in the military that are inappropriate for women to serve simply because women and are different than men."⁵²

Military elites were unfaltering in their support for ending the gender-based discriminatory personnel policies for air and naval combat service. Secretary of Defense Les Aspin did not attend in person but remarked in a statement read before the committee that his decision to override the commission's recommendations in many areas boiled down to military effectiveness. He wrote, "We must ensure that we have the most effective and ready force

⁵² Rep. Roscoe Bartlett, speaking at H.Hrg. 201-6, 102nd Cong., 1st sess., Congressional Record (May 12, 1993), 39-40.

possible, drawn from the largest pool of qualified individuals.”⁵³ Lieutenant General Billy Boles, the Air Force’s Deputy Chief of Staff for Personnel remarked that experience had demonstrated that women pilots were more than capable. He also expressed gender was becoming somewhat moot for the Air Force, remarking that, “. . . we should stop talking about male or female pilots. Our system for assigning people is gender-neutral and the way we refer to them should be too.”⁵⁴

Navy elites were even more unwavering in their belief that statutory change was needed for the Navy to function effectively and that gender discrimination simply did not make sense. Women had become an essential part of the Navy’s force and it wanted to assign the best possible people where needed. Vice Admiral Ronald Zlatoper, the Navy’s Deputy Chief of Naval Operations expressed that, “. . . the debate over whether or not women can do the job should have ended an awful long ago as far as the Navy is concerned.” He also linked issues of gender discrimination and sexual harassment to discriminatory military personnel policies, having remarked, “The biggest problem is that not every many [sic] in the Navy has had the opportunity to serve alongside Navy women. Education and training can help, but actually serving with women is the best way to erase stereotypes and prejudices. Everyone soon learns that cohesion is a function of shared purposes . . . and good leadership, not a function of some mystical male-bonding.”⁵⁵ Rear Admiral Philip Quast, the Navy’s Assistant Chief of Naval Operations for

⁵³ Les Aspin, written testimony read before the House Armed Services Committee, 103rd Cong., 1st sess., Congressional Record (May 12, 1993), 3.

⁵⁴ Lt. Gen. Billy Boles, testifying before the House Armed Services Committee, 103rd Cong., 1st sess., Congressional Record (May 12, 1993), 6.

⁵⁵ Vice Adm Ronald Zlatoper, testifying before the House Armed Services Committee, 103rd Cong., 1st sess., Congressional Record (May 12, 1993), 11-37, 48-49.

Surface Warfare, shared Zlatoper's sentiments and articulated that current law was keeping the Navy from assigning some of its most highly qualified personnel where they were needed the most. Current personnel policies, according to Quast, were ". . . counterproductive, they are wasteful, and frankly, they are dumb."⁵⁶

Shortly after the House hearing, MCs were largely not moved by the commission's more robust discriminatory military personnel policy recommendations. In November of 1993 without additional hearings in the Senate and without floor debates on the House floor, Congress repealed the federal statute that barred women from serving in air combat roles. Since MCs also could not rationalize allowing women to serve as naval aviators and not be allowed to serve on naval ships, they also repealed combat ship exclusion policies.⁵⁷ The National Defense Authorization Act for the next fiscal year passed both houses of Congress with overwhelming bipartisan support. Even in Sam Nunn's Senate, the legislation passed with 92-7 votes. And with that, women could serve in air and naval combat assignments, and each of the service secretaries was given discretion similar to the Army's to make determinations about ground combat, with the condition that Congress had to be notified of any changes.⁵⁸ In other words, military elites now had the authority to end the remaining combat exclusion policies at any time, but if they did so with an unreceptive Congress, military elites could expect to be overruled. The following year, Secretary of Defense Aspin issued a memorandum that ended the old Risk Rule and established the Combat Exclusion

⁵⁶ Rear Adm. Philip Quast, testifying before the House Armed Services Committee, 103rd Cong., 1st sess., Congressional Record (May 12, 1993), 51-52.

⁵⁷ Sadler, G. (1997).

⁵⁸ National Defense Authorization Act (1993), H.R. 2100 & S.1298, 103rd Cong.

Policy which barred women from being assigned to units “whose primary mission is to engage in direct combat on the ground.”⁵⁹

The establishment of the AVF combined with the experience of women service members in the American invasion of Panama and the Persian Gulf War had a dramatic effect on ending military discriminatory personnel policies that barred women from naval and air combat, but ground combat remained an ideationally stubborn area for civilian and military elites to image as appropriate for women. Not only was defining combat in the 1990s no easier than it was in 1948, when women were in combat, many military elites regularly found it necessary to re-define combat and declare that neither war was a real war and that women were not in real combat. Ground combat, according to many military elites, was a special realm that required a type of cohesion that could only come about through male bonding. As the subsequent sections will demonstrate, not only did such a belief system about ground combat defy empirical evidence but it was also antithetical to military effectiveness. The combat exclusion rule meant that gender would be used as a proxy to keep highly qualified women from serving in ground combat units, denied the military the benefits that having a gender-diverse force could entail in Afghanistan and Iraq, and that it would be a contributing factor to another set of behaviors that were harmful to military effectiveness—sexual harassment, sexual assault, and gender discrimination.

The Combat Exclusion Rule

Discriminatory military personnel policies that have historically restricted women’s military service are entirely ideational in nature, they neither serve a particular military purpose nor are

⁵⁹ Skaine, R. (2011). *Women in Combat: A Reference Handbook*. ABC-CLIO, LLC, 1-32.

they responses to systemic pressures. In many instances though, the relaxation of such policies does arise in response to some systemic pressures, generally manpower constraints during conflict and peacetime. That said, their stubborn persistence during times of conflict cannot be reconciled with systemic-level explanations alone. With respect to women service members, the most noteworthy and persistent discriminatory military personnel policy after the 1993 House hearings was that of exclusion from ground combat. The combat exclusion rule was not a pre-ordained policy either. Some women donned military uniforms during the American Revolution, many had “performed” as men from the Revolution until the years prior to the Spanish American War, and military nurses had a long history of performing remarkably well under hostile conditions. The more recent conflicts in Panama and the Gulf War also demonstrated how difficult it was to qualify precisely what “combat” was and women service members like Captain Bray frequently found themselves performing well in combat operations similar to those of infantry units. In addition to the military’s own experience with women in combat, DACOWITS and some MCs had frequently pressed both civilian and military elites to adjust policies. Even the possibility of experimenting with a limited number of gender-integrated ground combat units was not outside the realm of the possible had the domestic balance of ideas and beliefs been different in Congress. And yet, certain ideas and beliefs about what is essential to women, femininity, marriage, and motherhood limited the range of what most elites could imagine was possible.

Combat exclusion policies are also a function of many historical societal factors. The social position of American women is neither a fixed nor natural construction, it is part of a larger web

of socio-economic and political relationships.⁶⁰ Given the strong historical relationship between military service and citizenship, the relationship between gender and citizenship upon military service is also hard to ignore.⁶¹ Similarly, societal notions between the public versus the private spheres also matter,⁶² especially where they reflect understandings of marriage⁶³ as well as child-rearing and the division of household labor.⁶⁴ Frequent debates about women and conscription in the United States have also had powerful impacts on how women's military service has been historically framed.⁶⁵

All these related societal factors matter. Former Army Chief of General George Casey, when asked about the combat exclusion rule noted that "The Army is a mirror of society and as the role of women in society has changed and expanded, so has the role of women in the Army

⁶⁰ Brennan, T., & Pateman, C. (1998). Mere Auxiliaries to the Commonwealth: Women and the Origins of Liberalism. In A. Phillips (Ed.), *Oxford Readings in Feminism: Feminism and Politics* (pp. 93–115). Oxford University Press.

⁶¹ Tobias, S. (1990). Shifting Heroisms: The Uses of Military Service in Politics. In J. Elshtain & S. Tobias (Eds.), *Women, Militarism, and War: Essays in History, Politics, and Social Theory* (pp. 163–187). Rowman & Littlefield Publishers Inc. Kerber, L. (1990). May All Our Citizens Be Soldiers and Soldiers Citizens. In J. B. Elshtain & S. Tobias (Eds.), *Women, Militarism, and War: Essays in History, Politics, and Social Theory* (pp. 89–103). Rowman & Littlefield Publishers Inc.

⁶² Dietz, M. (1998). Context is All: Feminism and Theories of Citizenship. In A. Phillips (Ed.), *Oxford Readings in Feminism: Feminism and Politics* (pp. 378–400). Oxford University Press.

⁶³ Vogel, U., & Moran, M. (Eds.). (1991). Is citizenship gender specific? In *The Frontiers of Citizenship* (pp. 58–85). Palgrave Macmillan. Yamin, P. (2015). *American Marriage: A Political Institution*. University of Pennsylvania Press.

⁶⁴ Okin, S. (1998). Gender, the Public and the Private. In A. Phillips (Ed.), *Oxford Readings in Feminism: Feminism and Politics* (pp. 116–141). Oxford University Press.

⁶⁵ Jones, K. (1990). Dividing the Ranks: Women and the Draft. In J. B. Elshtain & S. Tobias (Eds.), *Women, Militarism, and War: Essays in History, Politics, and Social Theory* (pp. 125–136). Rowman & Littlefield Publishers Inc. Mansbridge, J. (2015). *Why We Lost the ERA*. Chicago University Press.

changed and expanded.”⁶⁶ Understanding societal factors do help us understand the lengthy historical shadow that such belief systems have cast. It also aids in our understanding of the timing of when the air and naval combat bans were lifted and when the ground combat exclusion policy was finally lifted in 2016. But the persistence of such policies after 1993, the military’s refusal to even experiment with a limited number of units, and the persistence of these policies well into the years that encompassed both the wars in Afghanistan and Iraq are somewhat more difficult to reconcile through societal factors alone. Understanding these policies after 1993 requires a stronger focus on civilian and military beliefs about women, femininity and masculinity, and their relationship with war.

The remainder of this section will proceed in seven subsections. It will begin with a broad discussion about the gendered nature of the combat exclusion rule and what analytical frameworks are best used to understand the policy. The second subsection will introduce the three common justifications—women simply do not belong, women are not physically fit for combat, and their presence would harm unit cohesion—that have been used by civilian and military elites to justify the last remaining gender-based discriminatory military personnel policy. The third, fourth, and fifth subsections will briefly demonstrate how none of these justifications stands up to empirical evidence and experience that elites had on hand or the reality on the ground during the wars in Afghanistan and Iraq. The sixth subsection will review the evidence, experiences and belief systems that were obtained through personal interviews as well as a sampling of 2009 and 2012 DACOWITS focus group findings. The final subsection will provide

⁶⁶ General George Casey (2021), *Personal Interview*, 27 October.

concluding remarks and will outline how a focus on both sameness and difference is needed to fully understand how the combat exclusion rule harms military efficiency.

GENDER, WAR & COMBAT EXCLUSION

Both at the domestic and individual level, beliefs about masculinity and femininity both shape military force and define appropriate roles for men and women. The redefining of ideal types of masculinity and linkages to notions of heroism have identified war itself as a state performance where power is valorized,⁶⁷ shed light on what can make war more likely,⁶⁸ and even help us better understand causal mechanisms within power transition theory.⁶⁹ Gender has also been linked to the formation of particular types of military doctrine such as counterinsurgency,⁷⁰ preferences for offensive doctrine,⁷¹ and even the very technology designed and used by militaries.⁷² Beliefs about masculinity, rites of passage into manhood, and masculinity's relationship with the myth that women require the protection of male warriors also shape

⁶⁷ Wadley, J. (2010). Gendering the state: Performativity and protection in international security. In L. Sjoberg (Ed.), *Gender and International Security: Feminist perspectives* (pp. 38–58). Routledge.

⁶⁸ Hoganson, K. (1998). *Fighting for American Manhood: How Gender Politics Provoked the Spanish-American and Philippine-American Wars*. Yale University Press.

⁶⁹ Sjoberg, L. (2010). Gendering power transition theory. In *Gender and International Security: Feminist perspectives* (pp. 83–102). Routledge.

⁷⁰ McBride, K., & Wibben, A. (2012). The Gendering of Counterinsurgency in Afghanistan. *Humanity: An International Journal of Human Rights, Humanitarianism, and Development*, 3(2), 199–215.

⁷¹ Wilcox, L. (2010). Gendering the cult of the offensive. In L. Sjoberg (Ed.), *Gender and International Security: Feminist perspectives* (pp. 61–82). Routledge.

⁷² Wilcox (2010). Richman-Loo, N., & Weber, R. (1996). Gender and Weapons Design. In *It's Our Military, Too!: Women and the U.S. Military* (pp. 136–155). Temple University Press.

military behavior.⁷³ Beliefs about masculinity and femininity also shape behavior at the individual level. Strongly held beliefs by civilian and military elites about a male warrior ethos serve to discredit women as potential warriors⁷⁴ and shape the strategies women service members have had to employ to “fit in” male-dominated institutions.⁷⁵

Combat exclusion and its relationship to the shape that military force takes, while tied directly to all these areas, is best and most directly understood through an essentialist ideology and a logic of averages. An essentialist ideology is what civilian and military elites conceptualize, justify, and craft policies that limit the roles of women in the military through beliefs and claims about factors that are uniquely inherent to women, such as motherhood, an inherent predisposition to nurture, etc. A logic of averages is used to make assumptions about *all* women based upon the average abilities of women, like upper-body strength and physical build.⁷⁶

⁷³ Goldstein, J. (2001). *War and Gender*. Stringer US. D’Amico, F. (1997). Policing the U.S. Military’s Race and Gender Lines. In L. Weinstein & C. White (Eds.), *Wives and Warriors. Women in the Military in the United States and Canada* (pp. 199–234). Bergin & Garvey. Stiehm, J. (1983). *Women and Men’s Wars*. Pergamon Press.

⁷⁴ Howard, J., & Prividera, L. (2004). Rescuing Patriarchy or Saving “Jessica Lynch”: the Rhetorical Construction of the American Woman Soldier. *Women and Language*, 27(2), 89–97.

⁷⁵ Crowley, K., & Sandhoff, M. (2017). Just a Girl in the Army: U.S. Iraq War Veterans Negotiating Femininity in a Culture of Masculinity. *Armed Forces and Society*, 43(2), 221–237. Mitchell, B. (1996). The Creation of Army Officers and the Gender Lie: Betty Grable or Frankenstein? In J. Stiehm (Ed.), *It’s Our Military, Too!: Women and the U.S. Military* (pp. 35–59). Temple University Press.

⁷⁶ Collins-Dogrul, J., & Ulrich, J. (2018). Fighting Stereotypes: Public Discourse About Women in Combat. *Armed Forces & Society*, 44(3), 436–459. Peach, L. (1996). Gender Ideology in the Ethics of Women in Combat. In J. Stiehm (Ed.), *It’s Our Military, Too!: Women and the U.S. Military* (pp. 156–194). Temple University Press.

JUSTIFICATIONS

Civilian and military elites themselves had long alluded to three central justifications for women's exclusion from combat that reflect such an ideology and logic: 1) that women simply "don't belong" in combat, 2) that women are physically less capable than men, and 3) their presence would harm unit cohesion. Each fits within the framework of an essentialist ideology and a logic of averages. Arguments that women do not belong in combat units tend to be based upon emotional-based reactions that women's presence somehow violates "god's law," the natural order of things, and women's presence also has a negative impact on men's ability to perform their special role as protector of the state.⁷⁷ Those that have argued that women are not as physically fit as men largely fail to appreciate the subjective nature of physical capabilities, justify exclusion based on the average ability of women, and also make claims that if women were allowed into combat units, that standards would have to be lowered.⁷⁸ The final type of argument is associated with the evocation of fears about unit cohesion. It shares a striking similarity with justifications for racial segregation and claims about the harmful effects of the presence of gay and lesbian service members. Arguments about cohesion have suggested that the presence of women in combat units would harm male-bonding and effective group formation. These arguments are not about qualities inherent to women, but instead, articulate that men's attitudes towards women would cause insufferable social and sexual tension in military units.⁷⁹

⁷⁷ MacKenzie, M. (2015). *Beyond the Band of Brothers*. Cambridge University Press, 75-97.

⁷⁸ Ibid, 98-133.

⁷⁹ Ibid, 134-154.

The problem with these justifications—which are exemplified in remarks and arguments made by numerous civilian and military elites made during the 1942 House debates on the formation of women’s auxiliaries, the 1948 House debates on women’s formal integration, the 1991 and 1993 congressional hearings on women in combat—is that they defy the military’s historical experience and decades of military research. In 1998 the General Accounting Office (GAO) assessed the DoD’s rationale for excluding women from combat and the reasons were far from compelling. The GAO reported that the DoD justified women’s exclusion from ground combat because there no was military need, i.e., there were plenty of men, that the concept lacked sufficient public support, and that DoD believed that most women simply did not want to serve in those positions.⁸⁰ Much like the civilian and military elite discourse on the floors of Congress, the GAO’s findings were difficult to reconcile with reality.

WOMEN DON’T BELONG

That women simply “did not belong” ran counter to extensive historical military experience. Military elites most likely did not celebrate much less recall the history of women in combat from the Molly Pitchers of the Revolution to the Cathy Williams of the post-Civil War era. But the military did have over a hundred years of exposing women military nurses to hostile fire and decorating them for valor. Military elites also had more direct and recent experience with women service members performing valorously as well as their male counterparts in the American invasion of Panama and the Gulf War. Regardless of what military elites thought, women have

⁸⁰ U.S. General Accounting Office. (1998) GENDER ISSUES: Information on DoD's Assignment Policy and Direct Ground Combat Definition. Washington, D.C: U.S. General Accounting Office.

always been in and would continue to be in ground combat. Women service members' experience in combat would also explode in terms of numbers and the scope of their combat duties during the wars in Afghanistan and Iraq and yet the policy would not formally end until 2016, nearly fifteen years after the September 11th attacks.⁸¹

NOT FIT FOR COMBAT

On average, most women are not as physically fit as men in certain respects, such as upper-body strength and endurance.⁸² But applying a logic of averages in this respect ignores the fact that many women are stronger than the average male and that not all men are automatically by virtue of their gender physically fit for combat. Differences in physical capability are also functions of conditioning and the belief systems that dictate what type of physical activities are appropriate for young men and women. In a 1997 study conducted by the U.S. Army Research Institute of Environmental Medicine, the Army discovered that while only twenty-four percent of women soldiers were initially able to perform physical tasks normally conducted by male soldiers, after twenty-four weeks of training, the figure rose significantly to seventy-eight percent.⁸³ Senior military officers in training units were also re-discovering this phenomenon in more recent years. Lieutenant Colonel Kate Germano, who commanded the Marine Corps' gender-segregated basic training battalion at Paris Island discovered after assuming command in 2014 that women's less

⁸¹ See Chapter Seven and previous sections.

⁸² Goldstein (2002), 127.

⁸³ Harman, E., et al. (1997) *Effects of a specifically designed physical conditioning program on the load carriage and lifting performance of female soldiers*. Natick, MA: Military Performance Division, U.S. Army Research Institute of Environmental Medicine.

than stellar physical performance and high injury rates in the Marine Corps' gender-segregated basic training were not a function of inherent ability but was rather a result of segregated training itself, poorly-fitted equipment, poor physical conditioning and overall lower expectations of women. Germano found that after addressing many of these issues that women Marine recruits' injury rates dropped, performance improved dramatically, and in some instances exceeded average male Marine performance.⁸⁴

Germano observed that the very nature of segregated training meant that women marines did not receive the benefit of being trained and instructed by marines that have served in combat. In other words, the system perpetuated itself. Women were excluded from combat occupations and assignments in the Marines Corps and thus were largely not serving in combat units in Afghanistan and Iraq. This dynamic also meant that the Marine Corps could not recruit women drill instructors with combat experience. Women marine recruits were then trained by personnel largely drawn from administrative roles. Segregation also meant that male marines often had little or no experience working with female marines and viewed them as less than full marines.⁸⁵ Germano described segregated training as self-perpetuating, "The irony in all of that . . . the Marine Corps believes that separate boot camp for everyone is necessary to indoctrinate kids who join into the culture . . . and then you separate men and women in that training because you have an unvalidated belief that women can't train with men and be successful, then you're teaching

⁸⁴ Germano, K. (2018). *Fight Like A Girl: The Truth Behind How Female Marines Are Trained*. Prometheus Books.

⁸⁵ Ibid.

people, you're indoctrinating them into values and a value system that is based on a bunch of false information."⁸⁶

Recent experiences with physical fitness becoming normalized for women have also defied the belief that women are not inherently physically fit for combat. For example, the rise in popularity of CrossFit, while normativity problematic in its reinforcement of the hegemonic archetype of an attractive female body, has nonetheless expanded possibilities for women.⁸⁷ CrossFit also had an enormous impact for normalizing a higher degree of fitness for women in the American military. It was a workout regimen of choice for women who would later become selected to serve as Cultural Support Team (CST) attachments into special forces units in Afghanistan.⁸⁸ A female marine that served in a Female Engagement Team (FET) noted a similar dynamic. Having come from a support occupation, she was already at a disadvantage in the infantry unit she was assigned to because, unlike in her own military occupation, infantrymen were conducting non-stop and year-round fitness training, something that support occupation marines do not do.⁸⁹ Germano noted activities like CrossFit had "done more to level the playing field for women in the military than anything else" and had "really helped to progress the idea

⁸⁶ Lieutenant Colonel Kate Germano (2021). *Personal Interview*, 6 December.

⁸⁷ Washington, M., & Economides, M. (2016). Strong is the New Sexy: Women, CrossFit, and the Postfeminist Ideal. *Journal of Sport and Social Issues*, 40(2), 143–161.

⁸⁸ Lemmon, G. (2015). *Ashley's War: The Untold Story of a Team of Women Soldiers on the Special Ops Battlefield*. HarperCollins Publishers.

⁸⁹ McNulty, S. (2012). Myth Busted: Women are Serving in Ground Combat Positions. *The Air Force Law Review*, 68, 156.

that women can be tough and strong, and do it without injury.”⁹⁰ In sum, both evidence from the 1997 study and contemporary experience from women service members themselves had demonstrated that physical fitness was in large part of a function of expectations and conditioning, and less so inherent physical abilities of men and women.

COHESION

Historically concerns about cohesion have been the go-to justification for discriminatory military personnel policies. Civilian and military elites have cited these concerns as a justification to exclude and segregate African American men and to exclude openly gay and lesbian service members. It has historically also been a difficult argument to counter because evidence that could prove otherwise cannot be obtained because of the concern itself. In the 1991 Senate hearings, Senator Ted Kennedy (D-MA) pressed military elites on precisely this point, having noted, “Well that is not the egg—we cannot do it because we have not got evidence, and we have not got evidence because we have not done it? I mean, that seems to be a circuitous kind of reasoning on it.”⁹¹

This type of argument was equally problematic in real-world experience as well. In 1977 American military forces in the NATO REFORGER exercise experimented with gender-integrated units, and “to the surprise of and the consternation of others, that women in support and combat-support units and in combat unit headquarters above battalion level did not

⁹⁰ Lieutenant Colonel Kate Germano (2021). *Personal Interview*, 6 December.

⁹¹ Sen. Edward Kennedy, speaking at S.Hrg. 102-255, 102nd Cong., 1st sess., Congressional Record (June 18, 1991), 817.

adversely impact unit performance.”⁹² Twenty years later a 1997 RAND report after an assessment of gender integration in military units noted that the presence of women in military units had a “relatively small effect on readiness, cohesion, and morale in units that were studied” and that other factors, such as leadership and training were “fare more influential on readiness, cohesion, and morale.”⁹³ Ten years later, another RAND report reiterated the same findings and noted that “Military effectiveness and flexibility entail adapting to new changes in enemy strategy, tactics, and weapons, and this implies that commanders may need to employ military resources, including individual women and units with women.”⁹⁴

In other words, not only did the assignment of women service members have a minimal effect on unit cohesion but that gender-diversity could actually make military units more effective in a combat operational environment. In addition to these reports, a similar position was made abundantly clear by Navy elites in the 1993 House hearings—the presence of women was not harmful, it was in fact both helpful and necessary for the Navy to be able to accomplish its missions.⁹⁵ Furthermore, women had been serving in integrated combat aviation assignments in the Air Force since 1993 and the Air Force had zero complaints to give to Congress or the DoD about potential negative effects on unit cohesion as a result of gender integration. Civilian, Army, and Marine Corps elites had extensive experience, history, and military research to draw from in

⁹² Holm (1982), 258.

⁹³ National Defense Research Institute. (1997) *New Opportunities for Military Women: Effects Upon Readiness, Cohesion, and Morale*. Santa Monica, CA: RAND Corporation.

⁹⁴ National Defense Research Institute (2007) *Assessing the Assignment Policy for Army Women*. Santa Monica, CA: RAND Corporation.

⁹⁵ See previous sections.

order to make an informed decision about combat exclusion but stuck to their ideational guns for decades because of certain ideas and beliefs about women and ground combat.

SERVICE MEMBER'S ATTITUDES

For service members, both male and female, who served while the combat exclusion rule was in place, the policy largely did not make sense. Some of the most common themes that service members expressed were that: 1) it took time, experience, and maturity until they could understand the implications of the policy, 2) that women were more than physically and mentally able to serve in combat arms, 3) that while some physical differences existed between male and female service members, those differences should not bar qualified women from serving in combat arms, and 4) combat exclusion had a negative impact on military effectiveness

On combat exclusion, General Casey has noted that it took time for society and the military alike to change belief systems. He noted that the experience of women in prior conflicts helped start a gradual change in the public and military's mindset, "It started changing in the first Gulf War, women went into combat and performed well, and people started saying, 'I wonder why they can't go into more skillsets.' We finally got past the cultural stigma of having women in combat. I think by in large, that's a good thing." When the exclusion rule was finally ended in 2016, Casey thought an even more dramatic change had finally occurred, "After what women had done in Iraq and Afghanistan, there was probably your standard ol' curmudgeon of complaints, but I think the vast majority of the military was ready to move on, including the

leaders And I think that [combat exclusion] was an arcane idea that outlived its time, and it was time for a change.”⁹⁶

One female Army captain noted that it took time for her to develop an opinion on combat exclusion but once she had, she was adamantly for allowing qualified women to serve in combat arms. She said, “I can’t really say I gave it too much though . . . it didn’t really affect me . . . [but] looking back now, knowing that some women were excluded from some of those positions, I do feel that if someone wants to go do whatever job they want to do, I think they should be allowed to as long as they can successfully and satisfactorily complete the job.”⁹⁷ A female Army staff sergeant expressed a similar perspective, having said, “I didn’t really question it, as a woman it was my understanding that this was something a man would be able to do or has to do. But as I’ve grown older and as I’ve matured in my career, I’ve realized there’s things that we can accomplish and that we can be in combat jobs.” The staff sergeant also expressed sentiments similar to Casey’s, having said, that the combat exclusion policy “Reflects society . . . those ideas came from generations of men growing up thinking [that] women only had one role, and that’s that. I believe these ideas come from a patriarchal society, where maybe society didn’t know better, this is what we grew up with, our parents taught us that women should be the primary caregivers, our grandparents taught us that, our great grandparents taught us that.”⁹⁸

⁹⁶ General George Casey, (2021). *Personal Interview*, 27 October.

⁹⁷ Anonymous, (2021). *Personal Interview*, 16 November.

⁹⁸ Ibid.

Many service members also quickly dismissed opposing arguments. General Casey said, “You hear all kinds of arguments about women in combat, they can’t carry the heavy ruck, they don’t have good arm strength. That’s all a bunch of baloney. I had plenty of guys in my platoons when I was a lieutenant that could hardly lift an ammo can.” He also expressed that in combat, gender differences were easily displaced by job competency, “When you’re in combat, all you care about is getting the job done, and taking care of each other. So, whether there’s a woman or a guy, it really doesn’t make any difference to you. If someone can do the job that helps the organization, you’re all for them.”⁹⁹

Other service members also noted that while they believed that physical differences between men and women did matter to some extent, it should not be an excuse to exclude all women. Army Colonel Lisa Constanza said that “Pound for pound, most men are stronger than women [but] if you can physically do the job, I don’t think your gender should matter.” She also noted not all men are inherently qualified either, “There’s some men that can’t do ground combat work, it should be job specific, can you do the job?”¹⁰⁰

A male Army first sergeant expressed something similar, he said, “Can they carry the weight? In combat units, there’s a lot of requirements for strong physical strength. Some females just don’t have the physical ability to take on that effort. And some do though. There’s a few, there’s those ten percent that will prove everyone wrong. Should those ten percent be allowed to serve in those positions? Absolutely. I think if the ten percent can pass, absolutely, why would

⁹⁹ General George Casey, (2021). *Personal Interview*, 27 October.

¹⁰⁰ Colonel Lisa Constanza, (2021). *Personal Interview*, 9 December.

we say no? They've proven they can do it. If we didn't, it would just be bigotry.¹⁰¹" A female Army sergeant first class agreed, "I've seen female soldiers sometimes be a little more tough than male soldiers, so I don't think someone's sex should prevent them serving in those roles, because there are females out there that can do it just as a man can. I don't think that because we're born with a certain sex, we should be prevented from [serving in ground combat] because we are a female. We should have the same opportunities, for those that want to do it."¹⁰²

Many service members also expressed the combat exclusion rule was antithetical to military effectiveness in that it denied the military the ability to put the best service members in certain jobs and that discriminatory military personnel policies themselves furthered the wrongful notion that women were not full citizen service members and fostered an environment that could lead to sexual harassment. Another female Army captain was frustrated with policy while she was serving, she said that her academic and physical performance at West Point qualified her to be an armor officer, but she could not get such an assignment because of her gender. "It really bothered me when I couldn't be in a role that I really wanted to be in strictly because of my gender." For her the entire policy was "baseless" and she "thought it was all bullshit, because I wanted to [serve in combat arms], and there were a lot of women like me who wanted to serve in those roles and were more than qualified to do so."¹⁰³

¹⁰¹ Anonymous, (2021). *Personal Interview*, 24 November.

¹⁰² Ibid.

¹⁰³ Ibid.

A female Marine master sergeant agreed and thought the policy was harmful to military cohesion. “I think it follows an old school mentality that we were only here for support roles, rather than being a part of the actual fighting force. And it created friction between the males and females It created an illusion that females were not doing the same” and that “it makes them [male marines] look at us differently.¹⁰⁴” Marine Staff Sergeant Jennifer Esparza expressed that, exclusionary policies were “rooted in misogyny, and patriarchy [and were] toxic to the environment.” She also noted that “Locker room talk doesn’t build cohesion, it fosters sexual harassment.”¹⁰⁵

Many service members who were a part of a DACOWITS focus group in 2009 expressed that even with the ground combat exclusion rule in place “women in combat” was already a reality. One junior female service member said, “I was set up to do entry control when I got to Iraq so we were responsible for checking the [Iraqi] females and some vehicles. I wasn’t expecting to do this at all. We had on-the-spot training. They put me in this role because I was female and they needed me to do this right away.”¹⁰⁶ A senior female service member recalled an incident where another female service member performed heroically under fire. She said, “We had a female who received a Bronze Star. She was on the team while an IED exploded and killed her team. She was there in direct combat, and she administered self-aid and medical aid to help save some of folks from worse injuries . . . Women in some career fields were exposed to it every single

¹⁰⁴ Ibid.

¹⁰⁵ Staff Sergeant Jennifer Esparza, (2021). *Personal Interview*, 8 December.

¹⁰⁶ Defense Advisory Committee on Women in the Services (2009), *DACOWITS 2009 Annual Report*. Department of Defense: Washington, D.C., 58.

day and they were in combat and in convoys where they face danger going to the location, in the location, and coming back from the location. It doesn't get more into the line of combat than that."¹⁰⁷

Three years later in another DACOWITS focus group, some service members shed light on why, after more than a decade of women in combat, the combat exclusion rule remained stubbornly in place. A junior enlisted woman said, "We were physically ready. I did five to six months of training. The females were physically ready, but how do you train males to be mentally ready? You can stick females in grunt units, but they're going to think that she is a wife, she has a child. But, like, did I get treated differently? Yes. It wasn't like I couldn't pull my weight, but they were very protective of me. I was like their sister. I don't see how you can mentally train males for that."¹⁰⁸ A junior enlisted man agreed, "We [men] are all children. We have a child's mentality. We do the stupidest things on the face of the earth . . . If you bring women in, that's going to start messing with the Feng Shui. Those women in there start to ruin our fun. [We will] be like, 'you just ruined the little bit of fun that we had.'"¹⁰⁹

The combat exclusion rule was an ideational construct based upon civilian and military elite belief systems that remained unchanged even after the experiences of the American invasion of Panama and the Gulf War. The rule did not reflect the long arc of women service members' historical contributions and experiences and was antithetical to military effectiveness because it

¹⁰⁷ Ibid, 63.

¹⁰⁸ Defense Advisory Committee on Women in the Services (2012), *DACOWITS 2012 Annual Report*. Department of Defense: Washington, D.C., 121.

¹⁰⁹ Ibid, 122.

automatically used gender as a proxy to automatically disqualify women of exceptional talent. But in order to fully understand how harmful the rule was to military effectiveness; one must also understand how a failure to have a gender-diverse force also harmed military effectiveness on a much larger scale. American civilian and military elites' failure to imagine how gender differences, however constructed, might become necessary in ground combat units did so at their own peril during the wars in Afghanistan and Iraq.

Lioness, Female Engagement, and Cultural Support Teams

Aside from the normative issues associated with combat exclusion, criticisms of its justifications, unfortunately, tend to rely too narrowly upon liberal feminist perspectives that articulate sameness and equality. As a result, they generally discount how *differences* and *diversity*, can also enhance the effectiveness of ground combat units. The combat exclusion rule that existed since 1993 ensured that the American military forces that deployed to Afghanistan and Iraq deployed without women in units whose primary mission was ground combat. A failure to imagine value in differences, however constructed, between men and women also meant that American military forces had to respond to the gendered constraints of Afghani and Iraqi cultures in a small-scale and ad-hoc manner, often with dubious legal standing. This section will discuss and analyze the military's use of Lioness Teams, FETs, and CSTs in Afghanistan and Iraq. The first subsection will review the origin of the first Lioness Teams and the specific operational need they sought to address in Iraq. The second subsection will review the overall scope of Lioness Teams, FETs, and CST and will demonstrate that despite the great operational need, they were never developed these teams on a large scale. The third subsection will review the ad-hoc manner in which most

of these teams were organized, especially in their earlier years. The fourth subsection will outline how women service members who served in these teams often received little or no training in their earlier years and that once they were developed, their training was still less relative to the men in the units to which they were attached to. Throughout the entirety of this section common argument threads through all of the subsections—had the combat exclusion rule not been in place, there most likely would have already been women service members in most ground combat units, with more training, and with greater unit cohesion.

ORIGINS: TEAM LIONESS

In late 2004 when American Army and Marine Corps forces in Iraq began conducting intensive offensive operations in Ramadi, they quickly learned that Iraqi belief systems about women were highly constraining. The presence of male service members in Iraqi homes made local women uneasy, some women refused to allow service members to search them, and insurgents exploited this cultural dynamic by hiding weapons and other sensitive items under local women's clothing. In some cases, male insurgents snuck through American military checkpoints by disguising themselves as women. The response by American military commanders was the formation of Team Lioness. Twenty women soldiers serving in various support occupations in already deployed Army units were temporarily attached to Army and Marine Corps combat units to assist male service members in raids, security patrols, and vehicle checkpoints. These women soldiers not only helped to mitigate cultural constraints on military operations in Iraq by allowing

the military to search and interact with local Iraqi women, but they often also found themselves engaged in combat with the units they were attached to.¹¹⁰

By being “attached” instead of “assigned” military commanders were technically not in violation of the DoD’s combat exclusion rule and would not have to notify Congress. But even though the American military in Iraq was learning that women were needed in ground combat units, the solution was very imperfect. While all American Army soldiers essentially go through the same integrated basic training, Army ground combat arms soldiers’ basic training is lengthened to include additional combat training and those in ground combat units train on more weapon systems, battle drills, and combat missions and do so much more frequently since it is their primary mission. As a result, many of the Army women attached to these units expressed that there was “a pretty steep learning curve” in learning to operate with Marine Corps units they were attached to and that they were undertrained for direct ground combat operations. Army Captain Anastasia Breslow, a member of Team Lioness, recalled an exchange with a male infantryman she had during a hostile engagement, she said, “When we were out in the firefight, there was a TOW missile on top of the Humvee. And I asked the soldier, well, how the heck do I fire that thing if one of you gets hurt because I would like to know to fire the biggest weapon we’ve got. I felt we needed to know more.”¹¹¹

The women soldiers that served in Team Lioness did a remarkable job, given what training they had, but three issues stand out from their experience. First, had the combat exclusion

¹¹⁰ Lubold, G. (2004). “Coed combat hits Corps Marines rely on Army ‘Lionesses’ to help them get the job done. *Army Times*, 16 August, 20.

¹¹¹ McLagan, M., & Sommers, D. (2008). *Lioness*. Docurama, Cinedigm.

rule not been in place and had Congress acted differently in 1993 or nudged the Army and Marines to experiment with gender integration in ground combat, there likely would have been some women already in ground combat units with appropriate ground combat training. Second, had women already been in these units they would have had the benefit of a much longer period of team development and not been subject to a “steep learning curve.” Third, had women already been in these units, the American military in Iraq would have more than likely had substantially more than twenty women in combat units in a threat of operations with over 130,000 service members in 2004.¹¹² In other words, the American military entered the Iraq War with self-imposed ideational constraints that made combat operations more difficult and dangerous than they needed to be.

The concept of Team Lioness was gradually expanded over time, training became more formalized, and the concept extended into practice in Afghanistan. Team Lioness also evolved into two more specialized groups—FETs and CSTs. FETs were mostly used with ground combat units to search and interact with Iraqi and Afghan women and CSTs were mostly attached to either special forces or civil affairs units to assist with raids, intelligence gathering, and developing relationships with women in local villages. But even with these changes, the concept was never practiced on a large scale, continued to be conducted in a mostly ad-hoc manner, and women service members’ training relative to their male counterparts remained much shorter and less intensive.

¹¹² Congressional Research Service. (2009). *Troop Levels in the Afghan and Iraq Wars, FY2001-FY2012: Cost and Other Potential Issues*. Washington D.C.: Library of Congress.

SMALL SCALE APPLICATION

The exact extent to which women service members were assigned to Team Lioness, FETs, and CSTs is difficult to measure. Service in these units was not associated with a formal military occupational specialty and in the practice's earliest years, women service members were often pulled from desk jobs, without replacements, and served as attachments to ground combat units for a day, several days, or several weeks at a time.¹¹³ Military elites were also presumably reluctant to make these teams too visible given their borderline legal standing and did not seek to press their luck with Congress. By 2005 conservative MCs in Congress were becoming aware of the large number of women service members who were being used in ground combat and had threatened to pass legislation that would have further restricted women service members' roles in Afghanistan and Iraq. DoD and Army elites strongly protested that restrictions would have a dramatically negative impact on the military's ability to carry out operations in Afghanistan and Iraq, and the conservative MCs eventually backed off.¹¹⁴ Nevertheless, the prospect of congressional action introduced an element of uncertainty and could account for why the military neither gave these teams high publicity nor kept centralized records of their operations.

¹¹³ Walter, B. (2018). Women in Special Operations Forces: A Battle for Effectiveness amidst the Pursuit of Equality. *University of San Francisco Law Review*, 52(1), 187. McNulty, S. (2012). Myth Busted: Women are Serving in Ground Combat Positions. *The Air Force Law Review*, 68, 137.

¹¹⁴ Tyson, A. (2005). *Bid to Limit Women in Combat Withdraw*. Washington Post. May 26, [Online]. Available at: <https://www.washingtonpost.com/archive/politics/2005/05/26/bid-to-limit-women-in-combat-withdrawn/85878f74-ad9a-43c0-aa81-f939723169fb> [Accessed 13 January 2022]. Bender, B. (2005). *US women get closer to combat. Some say move imperils units, violates law*. Boston Globe. Jan 26 [Online]. Available at: http://archive.boston.com/news/world/articles/2005/01/26/us_women_get_closer_to_combat [Accessed 13 January 2022].

In addition to the initial twenty women soldiers who formed Team Lioness in 2004, the Marine Corps gradually began selecting some marine women officers and enlisted marines to serve in their own Lioness teams instead of using Army women soldiers. In 2004 a handful of women service members were also selected to serve in an early version of FETs in Afghanistan, called “Team Xena” and later “The Women’s Shura.”¹¹⁵ Between December 2006 and January 2008, Lioness Teams in Iraq grew from five women service members to twenty-four.¹¹⁶ In 2006 the Marine Corps also expanded the scope of the mission of its teams to include a focus on civil affairs missions.¹¹⁷ In 2009 FETs in Afghanistan were becoming a more formalized military entity, but still remained small in numbers. The year began with fourteen FETs in use with forty-five more in training for future use.¹¹⁸ But even with so many in the pipeline for use, the common practice was to have a pool of twenty trained and available women service members to draw from for missions at any given time.¹¹⁹ In subsequent years in Afghanistan, these numbers did not change dramatically. There were thirty CSTs serving in 2011¹²⁰ and twenty-three in 2015.¹²¹

¹¹⁵ McNulty (2012), 135, 141.

¹¹⁶ Beals, G. (2010). *Women Marines in Counterinsurgency Operations: Lioness and Female Engagement Teams*. Marine Corps University, 6.

¹¹⁷ Katt, M. (2014). Blurred Lines: Cultural Support Teams in Afghanistan. *Joint Forces Quarterly*, 75(4), 107.

¹¹⁸ Beals (2010), 16.

¹¹⁹ McNulty (2012), 139.

¹²⁰ Ibid, 163.

¹²¹ Katt (2014), 110.

Between 2003 and 2016 in Afghanistan and Iraq, the total number of women attached to ground combat units never totaled more than a few dozen at a time.

AD-HOC DESIGN

Lioness Teams, FETs, and CSTs were never formal military units or organizations. In their earliest conception, women service members were temporarily removed from their primary occupations and assigned to these teams on a short-term basis, sometimes only for a single day's mission. During the Lioness years, the longest that women service members could be attached to a ground combat unit was thirty days, with the possibility of extending their temporary duty another thirty days. In one rare instance, one woman service member served in a team in Iraq for 120 days. Ideally, after thirty days teams would be replaced with another Lioness team with two days of overlap.¹²² But this was not always the case and often there was "no continuity between the FETs themselves or between the FET and the unit they support."¹²³

After 2009, FETs and CSTs in Afghanistan became more formally organized in practice. Some Marine Corps units identified marine women prior to departing for Afghanistan and made FET assignments more long-term.¹²⁴ CSTs, which had more training relative to their FET counterparts and were often attached to special forces units were still limited in how they were assigned and for how long they could be used. CSTs were in reality a pool of personnel that individual commanders could request for limited periods of time and many women service

¹²² McNulty (2012), 139. Beals (2010), 5.

¹²³ Beals (2010), 14-15.

¹²⁴ McNulty (2012), 142.

members were transferred from unit to unit.¹²⁵ Such frequent rotations made it difficult for CSTs to gain the trust and confidence of the units they were assigned to and for leaders to understand how to best use them.¹²⁶ Where they were attached, women service members were not allowed to spend more than forty-five days outside of a major deployed base. Although some clever commanders worked around this requirement by having their CSTs out for forty-four days, sending them away for a single evening at a major base, and then bringing their CSTs right back out.¹²⁷ The lack of continuity among FETs also limited their ability to form strong relationships with local Afghan women. FETs would rarely revisit the same area, promises that might have been made often went unfilled.¹²⁸

LESS RELATIVE TRAINING

In addition to their limited numbers and the ad-hoc way most Lioness Teams, FETs, and CSTs were organized, they were also constrained by the limited amount of training they had relative to the male service members in the units to which they were attached. In the early years of the Lioness Teams, women service members received little to no training prior to being attached to ground combat units. Often women service members were typically taught “on the job.”¹²⁹

¹²⁵ Lemmon, G. (2015). *Ashley's War: The Untold Story of a Team of Women Soldiers on the Special Ops Battlefield*. HarperCollins Publishers.

¹²⁶ Katt (2014), 110-112.

¹²⁷ Gasca, F., Voneida, R., & Goedecke, K. (2015). Unique Capabilities of Women in Special Operations Forces. *Special Operations Journal*, 1(2), 105–111.

¹²⁸ Pottinger, M., Jilani, H., & Russo, C. (2010). Half-Hearted: Trying to Win Afghanistan without Afghan Women. *Small Wars Journal*, 1–10.

¹²⁹ Walter (2018), 186. Katt (2014), 107. Beals (2010), 5. McLagan & Sommers (2008).

For FETs, as the program evolved, military commanders began to see the need for some additional training, but the training was also split between ground combat tasks and cultural training specific to the theater they were assigned to. In 2006, senior military commanders in Iraq formally established Task Force Lioness and implemented training problems that covered weapons, battle drills, and cultural training that lasted anywhere from five to ten days.¹³⁰ In some cases during that same period though, Marine Corps FETs training grew from six days to three months and included ground combat training.¹³¹

CSTs attached to special forces units, such as the Army's Green Berets and Rangers, had the most extensive training but nonetheless still had relatively less training than the male service members in the units they were assigned to. CSTs went through a very demanding selection process known as "100 hours of hell" to qualify for additional follow-up training and assignment but it did not come anywhere near the selection process and the years-long additional training that male service members receive to qualify for a special forces assignment.¹³² Even had it been possible to provide CSTs with more combat training, the demand for CSTs in Afghanistan was so great that commanders "were impatient for the skills the female soldier could provide, and they wanted the women out doing their jobs *now*."¹³³

¹³⁰ McNulty (2012), 136-137. Beals (2010), 5.

¹³¹ Allen, A., Ladenheim, G., & South, K. (2011). Training Female Engagement Teams: Framework, Content Development, and Lessons Learned. *Army-Marine Integration*, 3, 15-19.

¹³² Walter (2018), 188. Lemmon (2015), 100-133.

¹³³ Lemmon (2015), 100.

Differences in relative training also worried some commanders. Some commanders thought FETs could not be used unless they also tasked additional service members as security for FETs. Other commanders were apprehensive about using FETs and CSTs because their shorter training cycles also made them seem like potentially dangerous liabilities to the safety of the forces they were attached to.¹³⁴

Lioness Teams, FETs, and CSTs were necessary. They helped mitigate Afghani and Iraqi cultural constraints on American military operations, gave the military access to half of the local populations that had been previously neglected, and with that access came greater intelligence. They were also essential for the success of counterinsurgency campaigns that required winning the hearts and minds of the local population. At the unit level, these teams also saved lives. CSTs in Afghanistan were often credited with obtaining information from local women that identified hidden insurgents in homes and even the placement of improvised explosive devices that otherwise would have killed the special forces during their missions.¹³⁵ The mission work for these teams was hardly safe either, it took special skill and dedication, made team members targets for insurgents, and claimed the lives of many Lionesses, FETS, and CSTs.¹³⁶ But as Colonel Martha McSally noted in 2011, “If you want the have the best fighting force, why would you exclude 51% of your population from even being considered for any particular job?”¹³⁷ The sad

¹³⁴ Ibid, 167-168. Katt (2014), 108.

¹³⁵ Lemmon (2015), 204-209, 272-273.

¹³⁶ Ibid, 225—246. McNulty (2012), 140.

¹³⁷ Military Leadership Diversity Commission. (2011). *Military Leadership Diversity Commission Final Report, From Representative to Inclusion: Diversity Leadership for the 21st-Century Military*. Arlington, VA: Department of Defense, 72.

reality was that so many more women service members with greater unit cohesion and continuity, and with more ground combat training could have been on hand. But certain ideas and beliefs about appropriate roles for women in 1993 were locked into policy that barred them from ground combat even after the September 11th attacks.

The combat exclusion rule that barred women service members from serving in combat units whose primary duty was ground combat did not make military sense and limited the American military's ability to ensure that it had the best-qualified individuals in ground combat positions. The belief systems that helped shape this rule were not based upon military history, experience, or military necessity, they rested upon faulty assumptions about women based upon essentialist beliefs about women and a faulty logic of averages. The wars in Afghanistan and Iraq also demonstrated that gender-diverse combat forces were a military necessity given local cultural constraints and the nature of counterinsurgency missions but the American military was not in an initial position to best address these constraints and the solution to these constraints was never practiced on a large-scale, was performed in an ad-hoc manner, and women service members who carried out these duties had less training relative to the men in the units to which they were attached. The combat exclusion rule was antithetical to military effectiveness. The combat exclusion rule also had a much broader impact on the military as a whole. Exclusion from the Army and Marine Corps ground combat units, their *raison d'être*, also helped foster a second-class service member citizen status that is intimately related to sexual harassment, sexual assault, and gender discrimination in the American military. Such behaviors are only morally wrong, but they are also highly damaging to military effectiveness.

Sexual Assault, Sexual Harassment, & Gender Discrimination

Sexual assault, sexual harassment, and gender discrimination are different phenomena than what has been addressed in previous chapters and sections in this chapter. They are not necessarily discriminatory military personnel policies like segregation or restrictions on service of gay and lesbian service members, but they are important for this chapter's analysis in two ways. First, each of these behaviors is partly a function of the combat exclusion rule. Second, these behaviors are also functions of the same factors which shaped the rationale for the combat exclusion rule itself—certain ideas and beliefs about women. Institutionalized conditions which disincentivize reporting by women and disincentivize commanders to take such behaviors seriously are entirely a function of civilian and military elites' inability to imagine women service members as serious members of the American military. Sexual assault, sexual harassment, and gender discrimination are *all* forms of discrimination in which the absence of meaningful policy, law, and military culture permit to occur. These belief systems and the negative impact they have on the military are antithetical to military effectiveness and national security.

This section will address the sensitive subjects of sexual harassment and sexual assault, as well as gender discrimination. Sexual harassment and sexual assault have no place in society or the military. Such behaviors are morally wrong, have negative effects on both the individuals who are victimized and negatively impact the overall health of our armed forces and society. These behaviors are worth taking active measures to combat wherever they occur for both the sake of individuals and national security. While these behaviors are not unique to the American military, it is worth understanding their historical pervasiveness within the military and their overall impact on military efficiency.

Within the context of the military, such behaviors are functions of an institutionalized culture in the American military which has traditionally treated women as second-class citizen service members and trivialized both criminal and inappropriate behavior which has disproportionately targeted women service members. It should be acknowledged that neither sexual harassment nor sexual assault are entirely female service member experiences. Male service members experience both as well, albeit significantly less in both absolute and relative terms. For that reason, this section will predominately focus on women service members. This behavior is also a function of what the American military refers to as “command climate.” When senior military leadership and lower-level military commanders are committed to zero tolerance, effectively communicate their command philosophy, and are quick to support victims and punish perpetrators, the overall command climate of their units becomes positive, and incidents are significantly reduced. When commanders fail in these endeavors the command climate of their units suffers along with military cohesion, individual job efficiency, and retention—all of which are essential to overall military effectiveness, especially when deployed abroad for combat operations. Both are also intimately tied to the policy of combat exclusion and the ideas and beliefs about women.

This section will proceed in five parts. The first subsection will historicize sexual harassment and sexual assault in the American military. It will demonstrate that these behaviors have not only been pervasive but have also been known by civilian and military elites who have historically been reluctant to study and address these issues in a constructive and meaningful way.

The second subsection will summarize available descriptive statistical data and draw from internal and external military research and reporting programs including data summarized in the 1968-2020 DACOWITS annual reports, the 2014 report by the RAND Corporation, and the 2002-2019 Sexual Assault and Prevention Response Office (SAPRO) annual reports. These statistical summaries, while being imperfect research products, can nonetheless powerfully demonstrate that sexual harassment and sexual assault have been painfully widespread even in the years which followed serious pressure from Congress and internal institutional reforms by the military.

The third subsection will make use of fourteen personal interviews of both female and male service members, ranging from junior enlisted to senior flag-level officers, to humanize the descriptive statistical data and demonstrate, at both the individual-level military unit group-level, precisely how sexual harassment and sexual assault have negatively impacted military effectiveness. These interviews will also be augmented with selected panel interview data from various DACOWITS annual reports that addressed these issues.

The fourth subsection will combine data from those interviews, a select number of DACOWITS annual reports, and the 2014 RAND report to lay out the effects of negative and positive command climates as well as cultural barriers that have constrained individual service members' willingness to report sexual assault and sexual harassment.

The fifth subsection will combine data from the same sources to discuss the long-term impact of sexual assault and harassment on military retention. Lastly, the final section will provide concluding remarks and revisit the connection between sexual harassment and sexual assault with combat exclusion.

THE LONG HISTORICAL SHADOW OF DISCRIMINATION

Women have been a part of America's military forces in every major military engagement—they have always been there. They have also been subjected to inappropriate and often criminal behavior by their male service member peers—their brothers in arms. During World War II, despite societal and military discourse about “protecting women's virtue, chastity, and reputation,” women service members during the war were often subjected to sexual harassment. For many women service members, such behavior produced a “climate of hostility and fear.” One female Women's Army Auxiliary Corps (WAAC) corporal distressfully described the experience as, “You feel naked and you want to hide. It doesn't do any good to complain to your boss about it. He just shrugs it off as a joke.”¹³⁸

As the previous chapter covered, women service members were also subjected to a horrendous slander campaign that originated from their male service member peers. Men simply did not believe that women belonged in uniform and often “treated them like prostitutes.”¹³⁹ From today's perspective, the “slander campaign” is probably better understood as wide scale institutionalized sexual harassment and gender discrimination. In the 1970s despite twenty-two years of “integration,” not much had changed. When Army Chief of Staff General William Westmoreland promoted America's first two female generals, Anna Mae Hays and Elizabeth

¹³⁸ Holm, J. (1982). *Women in the Military: An Unfinished Revolution*. Presidio Press, 70.

¹³⁹ *Ibid*, 85.

Hoisington, from colonel to brigadier general during a televised broadcast, he declared a “new army protocol” for promoting female general officers and kissed both flatly on the mouth.¹⁴⁰

In 1979 two women soldiers were murdered in their barracks shower at an American Army base in Germany. The event convinced Army elites to gauge whether they were dealing with a broader phenomenon and surveyed three-hundred women soldiers from the 3rd Infantry Division in Germany. The survey found that over half reported that they were “victims of unwanted sexual overtures.”¹⁴¹ Eight years later, the DoD conducted a larger service-wide survey, and the results were disturbing. Over fifty-four percent of respondents indicated that they knew individuals who had experienced sexual harassment in the military and over seventy-three percent of women reported that they had experienced some form of sexual harassment during the past twelve months. The results also noted a major divergence between male and female responses. When asked if “sexual talk or behavior at work during the past year . . . created an offensive, hostile, or intimidating environment” a little more than a third of men indicated yes while more than seventy percent of women indicated so.¹⁴²

It was not until the 1991 Tailhook Scandal that Congress also began to give attention to the problem of sexual harassment and sexual assault in the military. Tailhook was an annual private convention of reserve, active duty, and retired Naval and Marine aviators that took place

¹⁴⁰ Ibid, 203.

¹⁴¹ O’Neill, W. (1998). Sex Scandals in the Gender-Integrated Military. *Gender Issues*, Winter/Spring, 64–85.
Kilborn, P. (1997) “Sex Abuse Cases Sting Pentagon, But the Problem Has Deep Roots.” *The New York Times*, 10 Feb, A1.

¹⁴² Firestone, J., & Harris, R. (1994). Sexual harassment in the US military: individualized and environmental contexts. *Armed Forces & Society*, 20(1), 25–43.

in Las Vegas for eighteen years, and in 1991 was attended by over 4000 individuals, thirty-two of which were active-duty generals and admirals, including the Navy's Chief of Naval Operations. During that year's event over a hundred sexual assaults took place. Women service members were groped, attacked, and many were lured into a "gauntlet" where two lines of male sailors and marines grabbed and tore their clothing off. After the first report was made by a woman naval officer, the Naval Investigative Service (NIS) investigated but only identified two suspects. Neither Congress nor Navy Secretary H. Lawrence Garrett were satisfied with the integrity of the investigation by NIS and requested the DoD Inspector General (IG) conduct its own investigation. DoD IG's report concluded that 175 aviators should face disciplinary action, but few would.¹⁴³

The main efforts that followed by Congress were to hold hearings and commission a congressional investigation through its Military Personnel and Compensation Subcommittee. The final report was relatively short and expressed that the incident "probably constituted a one-of-a-kind event" but also expressed that "the attitudes that permitted it to occur are not isolated." The report placed the blame on senior naval leadership for failing to provide oversight and an appropriate command climate. It also noted that the problem was not new or novel to the military. In 1986 and 1987, respectively, DACOWITS had visited US military installations overseas and found sexual harassment to be a major problem and that many "women did not believe [their]

¹⁴³ O'Neil, (1998). McMichael, W. (1997). *The Mother of All Hooks: The Story of the U.S. Navy's Tailhook Scandal*. Transaction Publishers. Bond, R. (1993). *Conversations: Barbara Spyridon Pope; The Civilian Old Salt Who Took On The Navy's Cover-Up of Tailhook*. *New York Times*, 16 May, 4:7.

chain of command would be responsive to grievances and felt that in some cases, the services condoned negative behavior towards women.”¹⁴⁴

In the Tailhook report, Representative Patricia Schroeder (D-CO) was highly critical of the DoD. She remarked:

“. . . the response to sexual harassment can't just a 'check the box' on one's fitness report, where one is checked off as being sensitive to sexual harassment. Nor is the solution as simple as the pro forma training sessions that currently exist. An effective policy can only result from strong training with strong sanctions to back it up. Existing training has not worked and must be reevaluated. Strong sanctions are not represented with verbal reprimands, and a 'wink' that boys-will-be-boys.”

Schroeder also noted that the DoD was fundamentally failing to act constructively to address the problem. She noted that the DoD was not consistently collecting regular data, was not making sufficient reports, and was not making the dispositions of investigations known. She also linked the issue to combat exclusion, noting “. . . a key underlining factor in eliminating sexual harassment is to remove the restrictions on women in all parts of the service” and until that happened “the restrictions should be no excuse for sexual harassment.”¹⁴⁵

Further evidence of the extent of the problem of sexual harassment and sexual assault in the military came from studies from the Department of Veterans Affairs (VA). In 1995 the VA published research on women military veterans conducted in 1992 and 1993. Of the 500 women service members they randomly selected, ninety percent said they had been sexually harassed

¹⁴⁴ U.S. House Committee on Armed Services. (1992) *Women in the Military: The Tailhook Affair and the Problem of Sexual Harassment Report of the Military Personnel and Compensation Subcommittee*. Washington, D.C: U.S. Government Printing Office, 1-14.

¹⁴⁵ Ibid, 24-25.

while in the military, and a quarter indicated they were victims of sexual assault.¹⁴⁶ The following year the GAO also reported that sexual harassment was pervasive within the military service academies. The GAO reported that half of the women at the Naval Academy reported experiencing sexual harassment, fifty-nine percent at the Air Force Academy, and sixty-six percent at the U.S. Military Academy at West Point.¹⁴⁷

Near the end of the decade, both the aggregate numbers and individual incidents got worse. In 1997 the Army released an internal report that found that forty-seven percent of women that responded indicated they had experienced sexual harassment while in the Army. It also stated that sexual misconduct and sexual harassment were widespread within its ranks, were a result of leadership failures, and that most incidents went unreported because of fears by victims of retribution against them if they reported incidents.¹⁴⁸ The year prior the Army found itself in a public relations fiasco when investigations of sexual misconduct of trainees by a drill sergeant at the Aberdeen Proving Ground discovered that twenty-eight women service members had been raped, assaulted, and subjected to various verbal threats. The abuse went unreported for so long because it was also discovered that the drill sergeant's commander was also abusing trainees. That same year also it was also discovered the drill sergeants at Fort Leonard Wood were sexually assaulting female trainees. The internal Army task force charged with looking into incidents at both installations was plagued with problems that further exposed the extent of the problem. The

¹⁴⁶ O'Neill (1998), 77-78.

¹⁴⁷ U.S. General Accounting Office. (1994) *DOD SERVICE ACADEMIES: More Action Needed to Eliminate Sexual Harassment*. Washington, D.C: U.S. General Accounting Office.

¹⁴⁸ O'Neill (1998), 78-79.

Sergeant Major of the Army, who was part of the task force, was forced to resign after it became known that he was being charged with sexually assaulting one of his aides.¹⁴⁹

The decade for the military closed out with another series of VA reports that found among those surveyed in 1999 that twenty-three percent of women veterans reported being sexually assaulted¹⁵⁰ and in 2000, among those surveyed forty-eight percent reported having been sexually assaulted and fifty-five percent reported having been sexually harassed.¹⁵¹ The end of that decade marked over two decades of horrendous incidents, numerous surveys, and research showing that the military had a serious problem with sexual harassment and sexual assault, and that was making little effort and progress in combating either. Further compounding the problem was the military's inability to heed Schroeder's advice and consistently collect hard and regular data to measure the extent of the problem and to measure the effectiveness of reforms. As evident by the gaps in time between studies and the various institutions involved—no single entity was studying this issue from year to year and monitoring progress. Instead, the military was largely responding to individual instances as they occurred.

PAINFULLY PLAIN NUMBERS

A single point of accountability was not established by the DoD until Secretary of Defense Donald Rumsfeld mandated one in 2004 after an investigation of over one hundred incidents of sexual

¹⁴⁹ Ibid, 67-69.

¹⁵⁰ Frayne, S., et al (1999). Medical profile of women Veterans Administration outpatients who report a history of sexual assault occurring while in the military. *Journal of Women's Health and Gender-Based Medicine*, 8, 835-845.

¹⁵¹ Skinner, K., et al (2000). The prevalence of military sexual assault among female Veterans' Administration outpatients. *Journal of Interpersonal Violence*, 15, 291-310.

assault against women service members deployed overseas during Operations Enduring Freedom and Iraqi Freedom.¹⁵² The DoD then established the Joint Task Force for Sexual Assault Prevention and Response Office (SAPRO). In its initial years, SAPRO’s annual reports consisted of very short summaries of reported data from the individual services which were submitted to both houses of Congress. It would not be until 2007 that SAPRO would begin also outlining what policies the DoD was actually implementing, as well as measuring their effectiveness. From its first annual report in 2002 until its most recent (as of this writing) in 2019, reported sexual assaults in the American military grew from 901 to 6290 reported cases, or more than 570 percent increase.

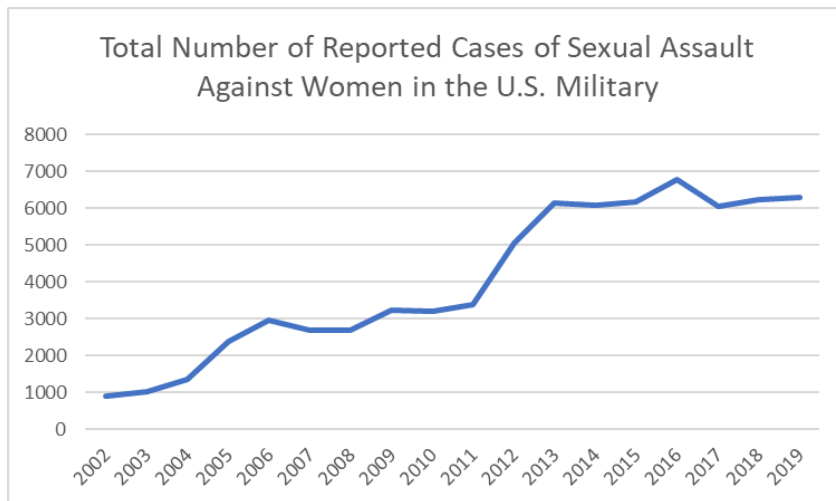


Figure 8.2: Total Number of Reported Cases of Sexual Assault Against Women in the U.S. Military¹⁵³

Two fundamental flaws were inherent in the DoD’s approach. First, merely collecting data still did not address the major issue of underreporting. In a 2014 report, RAND estimated that the

¹⁵² Stout, D. (2005). Pentagon Toughens Policy on Sexual Assault. *New York Times*, 5 Jan, A21.

¹⁵³ U.S. Department of Defense. (2002-2019) *Annual Report on Sexual Assault in the Military*. Arlington, VA: U.S. Department of Defense.

2013 data from SAPRO was vastly incomplete. RAND estimated that seventy-seven percent of incidents went unreported and the actual figure was closer to 20,3000 incidents.¹⁵⁴ Despite DoD already knowing that many women service members were reluctant to report incidents out of fear of retribution from their commanders, peers, and even their assailants, there were no major attempts in its early years at addressing underreporting much less service members' trust in the reporting process itself.¹⁵⁵ The second major shortcoming was that SAPRO was only tasked with measuring and analyzing the issue of sexual assault, not sexual harassment.

Not addressing sexual harassment has been a major deficit in DoD's approach because sexual harassment *leads* to sexual assault¹⁵⁶ and relatedly, sexual harassment is also a function of command climates. Commanders who explicitly communicate zero tolerance and take immediate action against individual instances can foster environments where sexual harassment occurs much less often and as result, make sexual assault much less likely.¹⁵⁷ Indeed, in SAPRO's program training slides for 2010, there were zero mentions of the relationship between sexual

¹⁵⁴ U.S. Department of Defense. (2013) *Annual Report on Sexual Assault in the Military*. Arlington, VA: U.S. Department of Defense.

¹⁵⁵ National Defense Research Institute. (2014) *Sexual Assault and Sexual Harassment in the U.S. Military*. Santa Monica, CA: RAND Corporation.

¹⁵⁶ Peach, L. (1997). Behind the Front Lines: Feminist Battles over Women in Combat. In L. Weinstein & C. White (Eds.), *Wives and Warriors. Women in the Military in the United States and Canada* (pp. 99–136). Greenwood Publishing Group, Inc. Peach, L. (1996). Gender Ideology in the Ethics of Women in Combat. In J. Stiehm (Ed.), *It's Our Military, Too!: Women and the U.S. Military* (pp. 156–194). Temple University Press. Towell, P. (1992). "Women's Combat Role Debated as Chiefs Denounce Sex Scandal." *Congressional Quarterly*, 1 August, 2292. Devilbiss, M. (1985). "Gender Integration and Unit Deployment: A Study of G.I. Jo." *Armed Forces and Society* 11, 4: 532-33

¹⁵⁷ Titunik, R. (2000). The First Wave: Gender Integration and Military Culture. *Armed Forces and Society*, 26(2), 229–257.

harassment and sexual assault. The program's goals were largely directed toward discouraging bystander silence when sexual assault did occur, educating service members on resources for survivors, and establishing a hotline.¹⁵⁸ In other words, SAPRO's solution for prevention was not a change in culture or addressing the root causes of sexual assault, but rather simply encouraging service members to intervene once sexual assault occurred and to educate on the resources available to survivors. In that same 2014 report, RAND found that 21.4 percent of women reported being sexually harassed in the past year. RAND also found sexual harassment, as well as gender discrimination, to be strongly correlated with sexual assault in the military. At the time of the study, it was noted that women service members who have been sexually harassed in the past year were fourteen times more likely to have been sexually assaulted than women who were not sexually harassed. RAND also reported that a third of women service members who reported being sexually assaulted stated that their assailant had previously sexually harassed them.¹⁵⁹

In addition to these DoD-wide numbers, the 2014 RAND report also highlighted painful variations across the services and gathered data that shed light on areas outside the scope of mere annual reporting. In their findings, they also found much higher rates if respondents were also asked if they had experienced sexual assault not just within the past year, but since joining. Air Force respondents reported the lowest amount at 11.94 percent of women, followed by the Army at 14.49, then the Navy at 16.71, and the Marine Corps stood as the worst offenders, at 19.48.¹⁶⁰ It

¹⁵⁸ Defense Advisory Committee on Women in the Services (2010), *DACOWITS 2010 Annual Report*. Department of Defense: Washington, D.C, 126-133.

¹⁵⁹ National Defense Research Institute (2014).

¹⁶⁰ *Ibid.*

is very difficult to assess the relationship between the percentage of women in a given branch and sexual assault, as well as the role of other variables, but it is interesting to note that the Air Force in 2013 was the branch with the highest percentage of women, with 18.9 percent and the Marines with the least, at seven percent.¹⁶¹

Army victims advocates, those specifically trained and tasked to provide support and guidance for service members who are survivors of sexual assault, have expressed concerns about the relationship between sexual harassment and sexual assault. One advocate expressed that sexual assault can be prevented, “It starts with [sexual] harassment. When you start allowing people to harass others, you are now coming into an unhealthy environment. And what happens is people will keep pushing their luck until they cross the line of assault. Now they are not just harassing someone, now they’re trying to touch someone, and depending on where they’re touching them, they’re assaulting them.” The advocate articulated that perpetrators “test the waters” to see what they can get away with and when they are allowed to get away with sexual harassment their behavior often escalates. Zero tolerance by commanders of sexual harassment can and does break that chain of events.¹⁶²

INDIVIDUAL AND GROUP-LEVEL EXPERIENCES

Sexual assault in the American military is more than just horrendous numbers. Estimates and reports are a collection of brutal individual, sometimes related, experiences that have a devastating impact on the physical and emotional well-being of each and every one of the survivors. Sexual

¹⁶¹ Washington Headquarters Services: Directorate for Information Operations and Reports (1999).

¹⁶² Anonymous, (2021). *Personal Interview*, 24 November.

assault also damages the trust, cohesion, morale, and the effectiveness of survivors' military units, diverts commanders' attention from their primary military missions, and negatively impacts the ability of the American military to retain highly qualified and skilled personnel. Failure to take sexual assault seriously thus has a negative impact not only on individual service members but also on military effectiveness and national security.

Army Colonel Lisa Constanza, who served as a brigade commander while deployed to Iraq in 2010 and 2011, noted that seven sexual assaults happened on her base alone during that year alone. One of the victims was a female Army Major serving as a nurse for service members in their area of operations. On one evening during that deployment, a military contractor tricked her into opening the door of her small single room dwelling, held her at knifepoint, and raped her. After the attack, the nurse was so traumatized that she had to be flown back to the United States. Constanza said the incident not only affected the nurse, but it also had a devastating impact on the local morale. Women service members were no longer allowed to be alone, even to go to the bathroom. "Who do you trust? These are fellow Americans assaulting fellow Americans!"¹⁶³

The trauma of sexual assault also extends to others who are close to survivors, both in familiarity and by physical proximity to incidents. While also deployed to Iraq in 2010, a female senior Army non-commissioned officer's roommate was sexually assaulted by someone she knew, while she slept in the dwelling. The experience had a devastating impact on the survivor, but it also had a traumatic impact on her roommate as well, "even though I wasn't the victim . . . I went through all the same emotions, I had guilt, shame, depression . . ." The impact on the unit

¹⁶³ Colonel Lisa Constanza, (2021). *Personal Interview*, 9 December.

was equally damaging. It not only devastated morale, but it divided the unit, “because there were people that sided with him and people that sided with her.” And soldiers were frequently distracted and drawn away from their duties, “[soldiers] were pulled from their jobs because they had to testify as witnesses or be interviewed [by the Army’s Criminal Investigative Division].”¹⁶⁴

As mentioned previously, sexual harassment often leads to sexual assault. Sometimes the behavior occupies a gray area that makes it hard for service members, whether they be survivors or bystanders to internalize. If they do not sufficiently understand the nature of sexual harassment or sexual assault, they may write it off as a “boys will be boys” kind of behavior, which results in a failure to report it. Even if the behavior is stopped or does not manifest into more egregious behavior, it still affects a service member’s ability to do their job or be taken seriously in their work.

Colonel Constanza, who began her career as an enlisted woman described other incidents where she was the target herself. During her basic training, one of her drill sergeants found her alone one evening, forced himself on her, and kissed her. The incident was highly unnerving, she said, “you’re scared to death of your [drill sergeants]!” After she pushed him away the drill sergeant accused her of being a lesbian because she turned down his advances and threatened to report her. Constanza though retorted, “all this proves is that you’re a lousy kisser and this is very inappropriate.” She had just gone through a divorce and told the drill sergeant that the Army could call her ex-husband. Constanza also described other incidents, like supervisors attempting to give her unwanted massages while on duty, which she vocally rejected and was subsequently

¹⁶⁴ Anonymous, (2021). *Personal Interview*, 24 November.

left alone. The behavior was emblematic of a larger problem that manifested in gender discrimination when she was a younger enlisted woman. Despite high performance and physical fitness evaluations, she and other women in her unit were often not being promoted when lesser qualified men were. Problems like these plagued her even when she was a senior commissioned officer and male peers were promoted over her when she was higher on promotion lists. She said, "I always felt as a female, that the odds were not in our favor, so you not only had to meet the standards, you had to exceed them."¹⁶⁵

Not all service women could navigate hostile terrain as well as Constanza though. A female Army junior non-commissioned officer discussed how some men abused their rank in the course of sexually harassing their women service member peers. She described two disturbing experiences. In the first, when she was younger and held a lower rank, her immediate supervisor had continuously made inappropriate comments and regularly asked for pictures of her in a bikini as evidence that she was improving on her physical fitness training. She said, "I thought it was really inappropriate . . . [and] because he was a senior NCO [non-commissioned officer] . . . I didn't know if I could say no, I didn't know what the right answer was, because we're always taught you respect your NCOs. I felt really confused . . . I felt [that leaders] were supposed to take care of you and when they're grooming you, it's hard to see, it's hard to draw the line." It made her work more difficult. She regularly did not want to show up for work and constantly felt uncomfortable around the NCO who was supposed to be taking care of her. She also never reported incidents because, as she said, "I didn't have any faith or trust in my unit at the time. I

¹⁶⁵ Colonel Lisa Constanza, (2021). *Personal Interview*, 9 December.

figured, do what I got to do, keep my head down, and try not to cause too much attention on me until I get an opportunity to leave the unit.”¹⁶⁶

Inappropriate behavior continued even when she deployed in 2016 to Kosovo. A male lieutenant colonel “made some unwanted sexual advances to me while we were driving [to a mission], he put his hand on my leg and insinuated that I was sending him signals that I wanted to engage in a sexual act with him and I was honestly just being nice to him Yes sir, no sir, do you need anything sir? I think because he was an officer, and because I was giving him the respect that the rank deserved, he used it to his advantage, he abused it.” After the incident, she said, “I didn’t even want to show up to work I was scared to even go to the chow hall, to even eat breakfast, out of fear that he would be there and want to sit down with me.” During briefings and meetings, she said she had a difficult time focusing, “I didn’t want to be there. I wasn’t focused on what the tasks for the day were.”¹⁶⁷

For some women inappropriate behavior was pervasive and at every duty station they served at. Jennifer Esparza, a former Marine staff sergeant, and veteran of eleven years of service said she experienced sexual harassment “almost at every single unit” she was assigned to. While serving as an administrative specialist at an artillery unit Jennifer described how her sergeant major initially seemed to treat her as a consummate professional. He said he was impressed with her work and physical fitness test scores and made her a platoon sergeant and gave her, her own office. Not long after doing so though the sergeant major would regularly come into her office

¹⁶⁶ Anonymous, (2021). *Personal Interview*, 16 November.

¹⁶⁷ Ibid.

after a workout without his shirt, would play around with the drawstring of his shorts, make comments about his body, and ask questions about work. He would also pull her into his office and ask about her dating life and Jennifer quickly found herself making up having a boyfriend because the conversations made her so uncomfortable.¹⁶⁸

At one point Esparza asked another marine in confidence if the sergeant major's uncomfortable behavior was normal or if he was targeting her. The marine broke confidence though, told another NCO who was also serving as the unit's Sexual Assault Prevention and Reporting (SAPR) coordinator. Instead of acting upon the information though, the SAPR coordinator asked the sergeant major "are you trying to hit that?" After learning that Jennifer told another marine, the sergeant major reprimanded her, threatened to file charges against her, and fired her from her position without any explanation. Behavior like this is typical Esparza said, "It's the small things that someone tried to see if they can get away with . . . until they hear it's getting around . . . [then] the perpetrator uses their power to then suppress what's happening. They are very good at turning it on you to make you feel like you're the problem." She added, "it starts with a flirtatious gesture or something in their eyes seems harmless. But you're putting the victim in a position to have to make a choice—do I accept your advances and risk being ridiculed by my peers, or do I reject your advances and risk putting my career on the line? Ya, it's fucked up." Experiences like these frustrated Esparza and over time it had negative effects on her mental and physical health. "I didn't want to lose my position, I didn't want to be threatened anymore.

¹⁶⁸ Staff Sergeant Jennifer Esparza, (2021). *Personal Interview*, 8 December.

I just want to go about my life, my job, my business So, you shut down and say nothing.” After doing that for over eleven years it manifested in her beginning to have panic attacks.¹⁶⁹

Another Army victims advocate shed light on the cascading effects that such behavior can have. The advocate spoke of a particular incident where two male sergeants were initially committing gender discrimination against a young female soldier. They would not let her do certain types of work she was qualified to do and when she objected, was told “you’re a female, you’ll do what you’re told to do.” A civilian who was also working on their mission site observed how the sergeants treated her and began to make a number of inappropriate comments and requests for sexual behaviors. Since the two sergeants were also her supervisors, the behavior went on for over a month before she could find another NCO to talk with. The advocate explained, “They were in charge of her and trust in these guys went out the door. She was isolated and the civilian saw how she was treated and took advantage of that The sergeants knew it was happening and did nothing about it.” In addition to the unnecessary stress it caused the female soldier, the advocate also noted for her unit, “The impact was huge.” The entire company and battalion command became involved, the female service member demanded a transfer, and the larger effect on the unit moral was “. . . a buzz kill. You don’t want anyone in your unit trying to get out because they don’t feel safe, that they don’t feel like they can trust people, and that the people that should have their back, don’t. We’re supposed to be a band of brothers, but we’re also supposed to be a band of sisters.”¹⁷⁰

¹⁶⁹ Ibid.

¹⁷⁰ Anonymous, (2021). *Personal Interview*, 24 October.

In military deployments in general, the advocate also noted how damaging sexual harassment can become. The advocate stated it is “determinantal to the entire unit. You’re already missing your family, you’re missing your loved ones. And now the only loved ones you have are the ones that sleep in the same houch [living quarters] or right next door to you. And now all of a sudden you find out about this? God damn, you know? We’re already buzz-killed because we’re deployed and now instead of focusing on a combat mission, now we have to worry about people who can’t keep their hands to themselves?” The advocate also expressed the impact it has on work and morale. Once personnel are removed from duty, whether it be the survivor or the perpetrator, other service members have to “cover down.” The advocate said, “Once you’ve established a battle rhythm, nobody wants to do extra work,” once that happens, “morale is going to go down.”¹⁷¹

The effect upon individual commanders, even those devoted to doing the right thing, also draws away from the valuable finite time they have to focus on military missions. Army Lieutenant Colonel Seth Goldberg, who served as an armor battalion commander in Iraq in 2008 and 2009, talked about how harmful the impact of a single bad junior officer could be. One of his lieutenants made sexual advances toward a female soldier in an out-going unit upon their arrival in Iraq. The female soldier was upset, Goldberg said, “she was taken aback, she was upset, ‘why would [he] as an officer do something like this?’” The soldier reported the incident and the investigation that followed Goldberg said, “fucked up an inordinate amount of my time [while in Iraq] having to deal with his bullshit.” The officer was eventually relieved, and Goldberg

¹⁷¹ Ibid.

wanted to have the lieutenant, who was already insubordinate and causing issues elsewhere, sent back to the states. But the brigadier general above Goldberg overruled him, insisted the lieutenant be reassigned elsewhere, and stated, “we don’t send people home for this.”¹⁷²

Looking back on their experiences, some women are shocked at what they tolerated. Marine Lieutenant Colonel Kate Germano talked about her time as the commanding officer of the Marine Corps recruiting station at San Diego. “One of my peers thought it was funny every time we went out for dinner or a bar after work . . . to unzip his pants and show his privates, and that was his thing, he thought it was hilarious, his peers thought it was hilarious, and I was the only women in the group.” At the time she wrote it off and thought her fellow marine was “just a stupid idiot” but looking back upon the incidents, “I’m like what the hell, I never wanted to see his genitals” and views it as a form of sexual harassment. Germano also talked about another incident that troubles her in hindsight. While she and her husband, another marine officer, were off-duty and out for a walk, in civilian attire, in downtown San Diego, she was “smacked on the ass” by another marine walking with a group of other marines. She informed the marine who she was, reprimanded him, and later “reported it to his unit and nothing happened. It was like a double slap on the face.” Germano thought that had her husband called it in, the reaction and response would have been different.¹⁷³

As Germano’s experience demonstrates, the privilege of rank is not always sufficient for many to mitigate inappropriate behavior from even male subordinates. According to the 2014

¹⁷² Lieutenant Seth Goldberg (2021). *Personal Interview*, 30 November.

¹⁷³ Lieutenant Colonel Kate Germano (2021). *Personal Interview*, 6 December,

RAND finding, while junior enlisted service members were more likely to experience sexual harassment, at twenty percent, even commissioned officers were subjected to sexual harassment, at ten percent. In terms of gender discrimination, rates were similar across all ranks for women at twelve percent.¹⁷⁴ In other words, the persistent presence of both gender discrimination and sexual harassment against women who hold much higher rank suggests that the military's own military ideas and beliefs about rank hierarchy are often trumped by ideas and beliefs about women.

A female Army captain, engineer, and West Point graduate's experience further demonstrates both these problems and their impact. When she arrived at her first duty assignment as a freshly minted Army lieutenant, she found her male commander to be difficult to work with. She sought out career and professional mentorship, as all young officers do, but was regularly given "the cold shoulder." Her commander also regularly made inappropriate jokes about sex and his genitalia at work, but the young lieutenant also "didn't want to ruffle any feathers," thought that senior leadership liked her commander, and decided to "lay low and let it go." After the behavior went on for more than a year, she decided to speak with her commander privately and ask why she was not getting mentorship, while the other male lieutenants were. Her commander blatantly stated, "Honestly, when you first walked into the unit, I thought you were going to be trouble. I thought you were going to be sleeping with your whole platoon." The experience frustrated and enraged her, she said, "he thought that me being an attractive young woman automatically meant that she was trouble" regardless of the quality of her work. She then

¹⁷⁴ National Defense Research Institute (2014), xxi.

decided to go directly to the battalion command for help. The male battalion commander, after hearing her concerns simply said, “I have to think about this” and never got back to her. Her commander was later promoted, given a Meritorious Service Medal, and got all the “supports the Army’s SHARP [sexual harassment/assault response and prevention] Program boxes checked on his OERs [officer evaluation reports].”¹⁷⁵

Sexual harassment directed towards that female Army captain not only came from above, but it also came from below. She talked about how enlisted men in her unit would hit on her because there was “always this understanding that if an enlisted man could sleep with an officer, it gave them clout in the ranks.” Whenever this happened though, she would “lock up” the soldier and tell them to “get the fuck out of my face.” The practice helped her develop a reputation that she, especially as a commissioned officer, had to be respected. But having to treat her soldiers in this manner also had negative consequences. On a personal level, she felt she always had to be forced to continuously be defensive and establish explicit boundaries. She said, “It felt like I could never really get close or be causal with people” because she was “always worried about leading someone on or giving them the wrong impression.” She even self-policed how she dressed when off-duty because she was concerned about how the cut and fit of her clothing might be interpreted. The need for her to have to carefully traverse this troubling environment also had an impact on her unit as well. She said, “You’re navigating this world of being a female officer, and you’re in charge, and you can’t let the enlisted male soldiers get too close because you don’t want any rumors starting about you in the unit. And you also can’t be too standoffish that people can’t

¹⁷⁵ Anonymous, (2021). *Personal Interview*, 10 December.

come talk to you when they need something. There was always this delicate balance of, are you approachable enough and that you keep your hard boundaries.” The dynamic bothered her, she said, “It shouldn’t matter if it’s a male or female assigned to my unit. Your part of my head count, your MOS [military occupational specialty] says this is your job, just fucking do it.” Even small “passing comments” were distracting and took away from the general ability of individual service members to focus on their jobs.¹⁷⁶

COMMAND CLIMATE & BARRIERS TO REPORTING

One of the biggest obstacles to combating sexual harassment and sexual assault in the American military is faith in command and trust in the reporting processes’ effectiveness. Many commanders do not take women’s claims seriously and/or take the parochial view that they are preserving combat strength by not punishing perpetrators harshly, if at all, while ignoring the significant impact that sexual harassment and sexual assault have upon individual service members and their overall command climate. Victims also often struggle to reconcile addressing the issue with their desire to not “rock the boat” or because of a perception of shame.

In its 2004 Annual Report, DACOWITS identified that more than thirty-eight percent of victims felt that the greatest barrier to reporting incidents was “a distrust of leadership” to do the right thing.¹⁷⁷ In their 2011 report, DACOWITS identified the centrality of leadership in preventing both sexual assault and harassment by clearly communicating expectations, taking ownership of important programs, and establishing a positive commander climate. In that year’s

¹⁷⁶ Ibid.

¹⁷⁷ Defense Advisory Committee on Women in the Services (2004), *DACOWITS 2004 Annual Report*. Department of Defense: Washington, D.C., 61.

report, Air Force Major General Mary Hertog stated, “the right command climate is critical to prevention, reporting, and prosecution of sexual assault.”¹⁷⁸

Commanders who fail in that regard make both prevention and reporting more difficult. An Army victims advocate remarked, “if [soldiers] believe their leadership doesn’t support a good SHARP program and doesn’t do what it takes to stop those things . . . people are going to look the other way and they have a difficult time reporting.”¹⁷⁹ According to former Army Chief of Staff, General George Casey, matters can be made worse when it is the commander that is the perpetrator. He noted that not only does it negatively impact the unit but that a lack of trust can create a barrier for reporting. “It can be extremely disruptive when it involves a leader in the organization. You have a member of the team who feels that they have been wronged by a member of the chain of command, at its core, it gets at the trust that holds the unit together. Without trust, you don’t have a team.”¹⁸⁰ Esparza agreed, whenever sexual harassment came from a superior, noting when it is “my higher up, how do I go higher than him to complain about him without getting in trouble?”¹⁸¹

Conversely, commanders who genuinely support SHARP and SAPR programs can have immensely positive effects. A female junior Army non-commissioned officer noted that in some units that reporting sexual harassment “. . . would be wasting my time” and that she didn’t trust

¹⁷⁸ Defense Advisory Committee on Women in the Services (2011), *DACOWITS 2011 Annual Report*. Department of Defense: Washington, D.C., 5.

¹⁷⁹ Ibid.

¹⁸⁰ General George Casey, (2021). *Personal Interview*, 27 October.

¹⁸¹ Staff Sergeant Jennifer Esparza, (2021). *Personal Interview*, 8 December.

the process in those units, adding, “it’s hard for me to believe that a good male NCO with a good reputation is going to be punished.” But in other units, she’s believed differently, having said, “Some of the best commanders I’ve had didn’t put up with anyone’s shit, they were clear about their expectations [about SHARP], they were involved” and that it had a very positive effect on the command climate.¹⁸² A female senior Army non-commissioned officer indicated the same, that SHARP programs were “most effective when commanders take ownership of the program.”¹⁸³

Many service members, either observers or survivors themselves, fear the potential social consequences of reporting. In that same 2004 DACOWITS report, they observed that seventy-nine percent of victims did not report out of fear of negative repercussions. Marine Lieutenant Colonel Germano indicated that for some service members going along with the status quo, and even in some cases, contributing to a sexist dialogue, is how they survive in the culture, she said, “you have to survive in that organizational culture, if you don’t, your road won’t be an easy one. There’s a lot of status at risk and this makes you less likely to do things that would rock the boat.”¹⁸⁴ Similarly, a female Army captain expressed that the “fear of losing friends, [and] the fear of dividing the unit” was a common reason for victims not to report incidents.¹⁸⁵ DACOWITS focus group participants regularly expressed similar concerns. One female officer stated, “Sexual

¹⁸² Anonymous, (2021). *Personal Interview*, 16 November.

¹⁸³ Anonymous, (2021). *Personal Interview*, 24 November.

¹⁸⁴ Lieutenant Colonel Kate Germano, (2021). *Personal Interview*, 6 December.

¹⁸⁵ *Ibid.*

assault is a problem. Sexual harassment is a problem. And if your name is associated with sexual assault or sexual harassment, your name is associated with a problem.”¹⁸⁶ Another participant in a previous focus group, a junior female Air Force officer, described “Silence” as “more of code. If you blow the horn, you’ve just ostracized yourself. If you ever complain about anything, you’re ostracized, even if you’re right. No one wants to be associated with you, because you’re the one that’s caused the rolling rock.”¹⁸⁷

Even for individuals other than the survivors who either observe or become aware of incidents find it difficult to speak up. A female marine master sergeant described this problem as a bystander effect. She said, “Not a lot of people have the courage to say something. It’s not their business, let someone else handle it.”¹⁸⁸ Esparza described how the bystander effect not only creates a barrier for reporting but also puts victims through additional grief, having said, “I get it, if you say something, you also face consequences” but “when people aren’t willing to stand up for you, it’s an isolating experience and can make you feel like the plague, like you’re the problem.”¹⁸⁹

Other strong barriers to reporting are shame and self-blame. DACOWITS identified this factor in nineteen percent of victims who did not want to make an official report.¹⁹⁰ A male Army

¹⁸⁶ Defense Advisory Committee on Women in the Services (2004), 148.

¹⁸⁷ Defense Advisory Committee on Women in the Services (2015), *DACOWITS 2015 Annual Report*. Department of Defense: Washington, D.C, 63.

¹⁸⁸ Anonymous, (2021). *Personal Interview*, 19 November.

¹⁸⁹ Staff Sergeant Jennifer Esparza, (2021). *Personal Interview*, 8 December.

¹⁹⁰ Defense Advisory Committee on Women in the Services (2004), 61.

first sergeant and past victims advocate stated, “There’s a level of shame where females, even males, who are the victims, they feel like it’s their fault, the command had nothing to do with it, they believe they put themselves in that situation and they didn’t.” DACOWITS focus group members expressed similar sentiments. A senior enlisted woman noted, “Some people don’t want to be looked down on by turning in one of their [peers], so it’s a shame thing as well.”¹⁹¹

IMPACT ON RETENTION

Sexual assault, sexual harassment, and gender discrimination have an immensely negative impact on individual women service members and their units, and they have a tremendous impact on the American military as a whole. This is especially true in the era of AVF, where the task of not only convincing ordinary Americans to enlist and commission into a stressful, demanding, and often dangerous occupation is difficult but so is retaining the experienced individuals who are currently serving at any given time. Experience and talent in a modern all-volunteer military come at a premium. Women service members who are sexually assaulted, sexually harassed, and discriminated against are less likely to remain in the American military.

The 2014 RAND report found a strong relationship between sexual harassment and gender discrimination and women service members’ desire to remain in the active-duty military. Of those in the survey that said they had experienced sexual harassment in the past year while in the military, twenty-three percent indicated they were “very unlikely” to remain in service. Of those that said they experienced gender discrimination in the past year, twenty-seven percent also indicated they were “very unlikely” to remain. These numbers are startling especially when

¹⁹¹ Defense Advisory Committee on Women in the Services (2015), 230.

compared to survey results of those who had indicated they had experienced neither sexual harassment nor gender discrimination in the past year. Their response rates to the same question stood at eleven percent.¹⁹² When accounting for this difference and the total number of women on active duty, it can be estimated that approximately twelve-thousand women service members in 2013 were choosing not to remain in the military, in large part, because of sexual harassment. If these numbers were survey numbers were assumed constant in other years, this would also mean the American military was losing more than two brigades, or a small division, of service members every year because of sexual harassment alone. This does require somewhat of a leap of statistical faith but given that RAND's estimates were made ten years after the establishment of SAPRO and seven years into #MeToo, it is not hard to imagine retention was impacted *at least* as much in previous years. DACOWITS, while far less rigorous in its methodology, had found similar retention issues as far back as 2003. In its 2003 annual report, sexual harassment and gender discrimination were among the most common reasons cited for women wanting to leave the military. Many cited concerns such as "a lack of respect for women," "mishandling of sexual harassment in the workplace," and "poor work environment for women." One female officer stated, "I am not listened to as an equal. Male officers get away with aggressive personalities but if I am aggressive, I'm considered very hard to work with."¹⁹³

When asked specifically about the impact of sexual assault and sexual harassment on retention, General Casey expressed that "It has an adverse impact. I've run in women since I've

¹⁹² National Defense Research Institute (2014).

¹⁹³ Defense Advisory Committee on Women in the Services (2003), *DACOWITS 2003 Annual Report*. Department of Defense: Washington, D.C, 12-15.

retired who got out because they were sexually assaulted, and they didn't think it was handled properly." Casey also believed that it also had a negative impact on military recruiting, having said, "There can be a perception in society that women in the Army can be harassed or assaulted. That may cause some people to question whether or not the Army is the right thing for their daughter, or for the woman herself."¹⁹⁴ Lieutenant Colonel Germano expressed that the problem was two-folded. In one sense, "there's distrust, this is the saddest thing to me, a lot of men in the Marines are brought up thinking they can't trust women" and "this had a huge impact on comradery, and it takes a mental toll on women" service members. In another sense Germano articulated, that for "all of us who join to be a part of something bigger, there's a betrayal happening, you're never fully considered something you thought you were a part of when you joined."¹⁹⁵

An Army victims advocate stated that where sexual assault and harassment occurs that it "shatters" unit retention. The advocate expressed, "No one is going to want to stay in after something like that has happened, whether it's sexual harassment, whether it's sexual assault."¹⁹⁶ A female Army captain indicated that even when reports are handled properly, retention is still negatively impacted. She stated that "If leadership doesn't do the right thing, you're going to lose good soldiers. Even if everyone does everything they can right, you still may lose that individual because they feel that should never have happened or they can't trust the organization

¹⁹⁴ General George Casey, (2021). *Personal Interview*, 27 October.

¹⁹⁵ Lieutenant Colonel Kate Germano, (2021). *Personal Interview*, 6 December.

¹⁹⁶ Anonymous, (2021). *Personal Interview*, 7 December.

anymore.”¹⁹⁷ One female marine master sergeant linked retention to the 2017 “Marines United” scandal—which involved a private Facebook group of over 30,000 active duty and veteran Marines who posted pictures, some nude, names, ranks, and duty locations of thousands of female Marines with their consent¹⁹⁸—and retention. She knew some of the victims and said, “A lot of them think that we’re not doing enough to help them, and it makes them want to go, and a lot of them do, and I don’t blame them.”¹⁹⁹

One female Army captain described how her reason to leave the service was related to an experience she had when she was instructed by her male commander to reprimand another female soldier who, while even on birth control, became pregnant during a deployment to Iraq in 2005 while cohabitated with her husband. The captain, “I got out because I got pregnant, and I didn’t want to have to deal with an asshole telling me it was wrong for me to have a baby. There are other women that were in that category, they just didn’t want to deal with it, and they were great officers.”²⁰⁰

For Esparza, the decision to leave after eleven years of service in the Marines Corps was not an easy one. She noted, “Sexual harassment was the thing that pushed me out, I struggled with it for a long time. The decision to get out of the Marine Corps was one of the hardest

¹⁹⁷ Ibid.

¹⁹⁸ Philipps, D. (2017). “Inquiry Opens Into How a Network of Marines Shared Illicit Images of Female Peers.” *New York Times*. 6 Mar, A1.

¹⁹⁹ Anonymous, (2021). *Personal Interview*, 19 November.

²⁰⁰ Ibid.

decisions I've ever had to make. I loved being a marine, and I just felt myself falling part."²⁰¹ A female Army junior commissioned officer expressed a similar tension, having said, "I think it negatively affects retention, because if you have a female soldier who was driven, who was ambitious in the military, and suddenly she realized that her looks or her body is directly connected to the job she gets or the attention she gets, or even a consideration for an extra once. Once that female soldier realizes that, they don't want to be a part of this team, they don't want to be part of the family." For that female soldier, "the military is supposed to be a family" and betrayal by family is a painful experience for anyone.²⁰²

Pinning down the exact origins of sexual assault, sexual harassment, and gender discrimination is a difficult task but MCs, many military elites, military organizations like DACOWITS, and research institutes such as RAND have consistently linked it in part to gendered discriminatory military personnel policies that have excluded women from combat. The same individuals, as well as individual service members themselves, have also linked these behaviors to command climate and have noted that they occur in substantially fewer numbers where commanders effectively communicate zero-tolerance, take accusations seriously, and punish offenders. Military commanders who take a parochial attitude that "boys will be boys" do individual survivors a great disservice and do so at the expense of military effectiveness. Individual military victims advocates and research institutes like RAND have also identified that tolerance of sexual harassment in military units leads to sexual assault, but unfortunately, the

²⁰¹ Staff Sergeant Jennifer Esparza, (2021). *Personal Interview*, 8 December.

²⁰² Anonymous, (2021). *Personal Interview*, 16 November.

DoD's main efforts have mostly been reactive to sexual assault while failing to address underlying causes.

Even by conservative estimates, the sheer numbers of incidents of sexual harassment in the American military are staggering. Individual service members and RAND have also identified the negative effect these behaviors have on military effectiveness—survivors struggle to focus on their work, unit trust and cohesion are shattered, morale is diminished, precious finite time is diverted from commanders' primary duties, and every year large numbers of highly qualified talent, who are survivors inappropriate and often criminal behavior, understandably decide that a military career is not right for them. Sexual assault, sexual harassment, and gender discrimination in the American military are the result of the inability of the military as an institution to imagine women as serious members of the American military and a failure to understand that such behaviors are detrimental to military efficiency and national security.

Conclusion

Gender-based discriminatory military personnel policies are not functions of systemic factors or based upon military necessity and have only served to diminish military effectiveness. They are entirely a function of certain ideas and beliefs held by civilian and military elites about what is essential to women, femininity and masculinity, marriage, and motherhood. It is difficult to ignore the fact that these belief systems are not limited to the American military; the military in many ways reflects broader societal belief systems. But while societal factors can help us understand timing, they fall short in their explanatory power to explain their persistence in contemporary years, especially in years long after the American military understood that women

could perform as well as men in combat. As Air Force General McPeak put it in 1991, “Well, I admit, it does not make much sense, but that is the way I feel about it.”²⁰³

In a broader sense, gender-based discriminatory military personnel policies also highlight to some degree the relationship between elite and mass societal understandings of male and female roles in society. It could be argued that since ground combat has been historically constructed as a male citizens’ obligation²⁰⁴ that the entrance of women into that special role undermines men’s relationship with society. Judith Stiehm has argued that, since “men cannot (at least yet) bear and nurse children” women’s specialized roles are thus secure, and women need not defend womanhood. But in contrast, “men’s special role is one that women *can* do. Indeed, some women can do it better than a significant number of men” and “As a result, the boundaries of manhood require defense and there is a continuing danger that they will be breached, because men’s special role, unlike women’s, is not protected, is not defined by biology.”²⁰⁵ If this is in fact the case, the path to gender equality and greater military effectiveness will demand much more substantive change than merely legal equality that the end of the combat exclusion rule brought in 2016.

What makes these ideational constraints even more painfully evident is that they bear a striking resemblance to the same discourse evoked to justify racial segregation policies and

²⁰³ Gen. Merrill McPeak, testifying before the Senate Committee on Armed Services, 102th Cong., 1st sess., Congressional Record (June 18, 1991), 827-838.

²⁰⁴ Goldstein (2001).

²⁰⁵ Stiehm, J. (1996). The Civilian Mind. In J. Stiehm (Ed.), *It's Our Military, Too!: Women and the U.S. Military* (pp. 270–294). Temple University Press, 290.

discrimination against open gay and lesbian service members. The lengthy shadow of history has demonstrated that segregation and discrimination were antithetical to military effectiveness. Differential treatment has always resulted in lower-quality training and make it difficult for individual service members to focus on the mission at hand and lowered retention rates. A failure of imagination has also often denied the American military all the benefits that come with having a diverse force. Modern warfare requires relationship building with local civilian and military forces, requires leveraging diverse skills and experience, and in many cases having a diverse body of bodies that can also respond to cultural constraints in deployed environments. A monochromic all-heterosexual male military force by its very nature cannot competently meet these operational requirements.

Since military force is literally a body of bodies, the military's treatment of individual service members cannot be ignored. Inappropriate and criminal behavior such as sexual assault, sexual harassment, and gender discrimination serves no purpose but to harm military effectiveness. They limit individuals' ability to focus on the mission at hand, constrain the ability to develop necessary trust and cohesion within units, create unnecessary impediments to developing trust and confidence in commanders, and in the era of the AVF, result in lower retention rates for much needed and highly qualified individuals. One can count tanks, aircraft, missiles, satellites, radars, and small arms to kingdom come, but without the appropriate and focused manpower and womanpower to "man" the equipment and fire the bullets, no amount of latent power can be transformed into the most efficient projection of force. Systemic factors do sometimes shape how responsive civilian and military elites are to personnel requirements but often the weight of ideational factors matters more.

CHAPTER IX: AUTHENTIC AND PRODUCTIVE SERVICE

“The President has expressed concerns since this Obama policy came into effect, but he’s also voiced that this is a very expensive and disruptive policy. And based on consultation that he’s had with his national security team, came to the conclusion that it erodes military readiness and unit cohesion, and made the decision based on that.”¹

Trump Press Secretary Sarah Huckabee Sanders,
2017
On Trump’s Transgender Military Ban Tweet

“Nothing changes, tweets aren’t policy, and this won’t last. There’s no way this can be legal. We will continue to support you and you will continue to do your job.”²

Navy Ship Captain, 2017
*Reassuring transgender sailor, Lieutenant Kris Moore,
after Trump’s July 27 tweets.*

Analyzing the historical experiences of African American, gay and lesbian, and women service members in the American military, how elite beliefs about these groups shape discriminatory military personnel policies, and how they impact military effectiveness is an intensely complex endeavor. Numerous other groups of Americans have faced discrimination in the American military and with similar deleterious effects on military efficiency. This work has

¹ Huckabee Sanders, S. (2017). “Press Briefing by Press Secretary Sarah Sanders.” *The White House*, July 27. Accessed March 5, 2022. <https://trumpwhitehouse.archives.gov/briefings-statements/press-briefing-press-secretary-sarah-sanders-072617>

² Embser-Herbet, M., & Fram, B. (2021). *With Honor and Integrity: Transgender Troops in Their Own Words*. New York University Press, 150.

not discussed discriminatory personnel policies that targeted Japanese-American service members during World War II,³ much less the massive purging of Japanese-American service members who were intelligence and linguistic experts at the outbreak of the war.⁴ It does not address the discrimination encountered by the highly essential Navajo Code Talkers of World War II,⁵ discrimination against Mexican American service members during World War II,⁶ or how other factors, such as immigration status interact with military personnel policies.⁷ The three previous case studies presented thus far are also inherently reductivist and do not bring to light how multiple categories of identity and discrimination interact and affect military personnel policies and effectiveness. The intent of the limited and narrow focus of each of the previous case studies was to momentarily leave what would have been an overly detailed and complex analysis of the broader subject of discrimination in the American military to the side so that individual discriminatory personnel policies themselves could be studied in depth. This chapter seeks to overcome some of these shortcomings, focus on the more recent changes in the status of open

³ McCaffrey, J. (2017). Nisei versus Nazi: Japanese American Soldiers in World War II. In D. W. Bristol & H. M. Stur (Eds.), *Integrating the US Military: Race, Gender, and Sexual Orientation since World War II* (pp. 36–54). Johns Hopkins University Press. Sterner, C. (2015). *Go For Broke: The Nisei Warriors of World War II Who Conquered Germany, Japan, and American Bigotry*. American Legacy Historical Press.

⁴ Sayer, I., & Botting, D. (1989). *America's Secret Army: The Untold Story of the Counter Intelligence Corps*. Grafton Books. McNaughton, J. (2007). *Nisei Linguists: Japanese Americans in the Military Intelligence Service During World War II*. US Army Center of Military History.

⁵ Paul, D. (1998). *The Navajo Code Talkers*. Dorrance Pub Co. Nez, C., & Avila, J. (2012). *Code Talker: The First and Only Memoir By One of the Original Navajo Code Talkers of WWII*. Dutton Caliber.

⁶ Gutierrez, D. (2019). *Patriots from the Barrio: The Story of Company E, 141 Infantry: The Only All Mexican American Unit in World War II*. Westholme Publishing.

⁷ Strader, E., Lundquist, J. & Dominguez-Villegas, R. (2021) 'Warriors Wanted: The Performance of Immigrants in the US Army', *International Migration Review*, 55(2), pp. 382–401

transgender military service and do so using intersectionality to highlight important areas of nuance. It will demonstrate that discriminatory military personnel policies which targeted the American transgender community were ideational in origin and were neither a function of systemic pressures nor military necessity. It will also demonstrate that at the individual level, the negative effects of these policies bore a striking resemblance to individual experiences during the era of Don't Ask, Don't Tell (DADT) as well as demonstrate the interactive effects of homophobia, sexism, *and* transphobia.

The remainder of this chapter will proceed with three main sections. The first section will provide a brief literature review on intersectionality. Given the dearth of literature on intersectionality in security studies, and even more broadly in international relations, the section will move a few steps higher on the ladder of abstraction⁸ and address literature from other fields, primarily feminist theory. This brief literature review will help make two areas in the subsequent sections will become clearer. First, the incompleteness of the repeal of DADT, given elites' focus on the LGB community. Second, the complicated social and political spaces that individual transgender service members have had to navigate in addition to their transgender identity, e.g., gay and lesbian identity, gender identity, etc.

⁸ Bevir, M., & Kedar, A. (2008). Concept Formation in Political Science: An Anti-Naturalist Critique of Qualitative Methodology. *Perspectives on Politics*, 6(3), 503–517. Collier, D., & Mahon, J. (1993). Conceptual “stretching” revisited: Adapting categories in comparative analysis. *American Political Science Review*, 87(4), 845–855. Sartori, G. (1970). Concept misformation in comparative politics. *American Political Science Review*, 64(4), 1033–1053.

The second section will review the history of recent personnel policy changes concerning the status of transgender military service members including the end of DADT, repeal under the Obama administration, reinstatement of a ban under the Trump administration, and the eventual re-repeal under the Biden administration. This section will draw from the limited existing pool of academic literature available thus far, augment many subsections using newspaper coverage from the New York Times, and make use of the Congressional Record's archives to further develop key areas that demonstrate the role that civilian and military elite ideas and beliefs had in shaping policy outcomes.

The third section will draw primarily from personal interviews. It will first highlight individual belief systems expressed by cis-gender military service members that came up during personal interviews conducted for earlier casework. Following that review, it will then focus on the lived experiences of six transgender military veterans and current military service members. The evidence presented will demonstrate the disconnect between belief systems of conservative elites that supported the Trump-era ban and reality, how discriminatory military personnel policies that banned open transgender military service were harmful to military efficiency, and how open transgender military service actually makes the military more efficient.

Intersectionality Literature Review

While the bulk of the literature used in the previous case studies on racial formation, the development of sexual orientation, and gender, is helpful in illuminating the underlying social aspects of group and individual identities and corresponding institutionalized discrimination, the literature when employed within reductivist case studies can obscure interactive effects.

Intersectionality can help us bridge this analytical gap. Intersectionality can help guide us to a better and more nuanced understanding of "how intersecting power relations influence social relations across diverse societies as well as individual experience in everyday life" as well as how numerous categories such as race, sexuality, gender, and transsexuality are often interrelated and mutually influential. In other words, "intersectionality is a way of understanding complexity in the world, people, and human experiences."⁹

Intersectionality came into prominence in the social sciences after Kimberly Crenshaw coined the term and employed its logic to critique the American legal system's tendency to treat race and gender as "mutually exclusive categories of experience." Using American federal case law, her work demonstrated that the "double discrimination" that women of color experienced was not merely the "sum of race and sexual discrimination," and that unidimensional focus on either category not only failed to meaningfully address the unique issues that women of color experienced, but that such a practice also served to reinforce discrimination.¹⁰ It is worth noting though that Crenshaw's work owes much to past activists¹¹ ranging from Anna Julia Cooper, who in 1892 noted that the "colored woman is confronted by both a woman question and a race problem, and is yet an unknown or an acknowledged factor in both"¹² to Civil Rights activist

⁹ Collins, P., & Bilge, S. (2020). *Intersectionality*. Polity Press, 2.

¹⁰ Crenshaw, K. (1998). A Black Feminist Critique of Antidiscrimination Law and Politics. In D. Kairys (Ed.), *The Politics of Law: A Progressive Critique* (3rd ed., pp. 356–380). Basic Books.

¹¹ Cooper, B. (2016). Intersectionality. In L. Disch & M. Hawkesworth (Eds.), *The Oxford Handbook of Feminist Theory* (pp. 385–406). Oxford University Press. Collins & Bilge, (2020).

¹² Cooper, A. (1988). *A Voice from the South by a Black Woman of the South*. Oxford University Press, 134.

Pauli Murray who coined the term “Jane Crow.”¹³ Earlier scholarly work also introduced similar frameworks that included the logic of “double jeopardy” which has also been applied to highlight the double discrimination that women of color have experienced¹⁴ and “multiple jeopardies” which could be used to analyze and understand the experiences of Native American, Chicana, and Asian American women¹⁵ as well as the conceptualization of a “new mestiza” that could be employed to understand numerous overlapping identities and experiences.¹⁶ Subsequent works have also been employed to shed further analytical light on transsexuality and transgender identity¹⁷ and even contributed to a more nuanced analysis of the interactive effects of ethnicity/race, class, gender, and sexuality which are used by states to justify conflict and imperial projects.¹⁸

Scholarly work on intersectionality is not without criticism. It has received disapproval for its overall lack of an “epistemological punch” in its inability to highlight “fiscal, emotional, psychological, and other conditions” endured by the individuals within those groups which have

¹³ Murray, P. (1987). *Song in a Weary Throat*. Harper & Row, 183.

¹⁴ Beale, F. (1970). Double Jeopardy: To Be Black and Female. In B. Guy-Sheftall (Ed.), *In Words of Fire: An Anthology of African American Feminist Thought* (pp. 146–155). New Press.

¹⁵ King, D. (1986). Multiple Jeopardy, Multiple Consciousness: The Context of Black Feminist Ideology. *Signs: Journal of Women in Culture and Society*, 14, 42–72.

¹⁶ Anzaldúa, G. (1987). *Borderlands/La frontera: The new mestiza*. Aunt Lute Books.

¹⁷ Bettcher, T. (2016). Intersectionality, Transgender, and Transsexuality. In L. Disch & M. Hawkesworth (Eds.), *The Oxford Handbook of Feminist Theory* (pp. 407–427). Oxford University Press.

¹⁸ Peterson, V. (2007). Thinking Through Intersectionality and War. *Gender & Class*, 14(3/4), 10–27.

been the focus of analysis,¹⁹ the potentially essentialist nature of intersectional analysis itself,²⁰ the possibility of overgeneralization for individuals within those groups,²¹ and even potential consequences associated with the reification of particular identities and unintended collusion with discriminatory state institutions.²² Others have also criticized the application of intersectional analysis outside of the scope of its initial application, arguing that it “must be properly understood as the purview of scholars investigating women of color”²³ and even taken issue with the potential for *all* identities to be intersectional in nature.²⁴ Despite the criticisms though, intersectionality has been meaningfully applied in numerous areas of analysis precisely because it can “illuminate the diverse ways in which relations of domination and subordination are produced”²⁵ and it also allows us to avoid seeing people as a “homogenous, undifferentiated mass of individuals.”²⁶

While the work reviewed thus far is hardly an exhaustive one, it is sufficient for the purpose of this chapter to demonstrate that military discriminatory personnel policies and the

¹⁹ Kwan, P. (2000). Complicity and Complexity: Cosynthesis and Praxis. *DePaul Law Review*, 49, 687–692.

²⁰ Nash, J. (2008). Re-Thinking Intersectionality. *Feminist Review*, 89, 1–15.

²¹ Wiegman, R. (2012). *Object Lessons*. Duke University Press.

²² Puar, J. (2012). I’d Rather Be A Cyborg Than a Goddess: Becoming Intersectional in Assemblage Theory. *Philosophia*, 2(1), 49–66.

²³ Alexander-Floyd, N. (2012). Disappearing Acts: Reclaiming Intersectionality in the Social Sciences in a Post-Black Feminist Era. *Feminist Formations*, 24(1), 1–25.

²⁴ Carbado, D. (2013). Colorblind Intersectionality. *Signs: Journal of Women in Culture and Society*, 38(4), 811–845.

²⁵ Smith, D. (2001). *Less than human: Why we demean, enslave, and exterminate others*. St. Martin’s Press.

²⁶ Collins & Bilge, (2020), 19.

belief structures that inform them do not operate in isolation. They often overlap and have differentiated impacts on certain groups of individuals that occupy complex intersections of identity and discrimination. Subsequent sections will demonstrate that intersecting civilian and military beliefs about transgender identity, gender, and sexual orientation have had real impacts not only on the individuals that occupy these intersections but have also, contrary to realist-materialist theoretical expectations, had a negative impact on military effectiveness.

Policy Flip-Flopping: The Status of Open Transsexual Military Service

In the span of just a decade transgender military service went from, being invisible yet banned, to being forgotten, to open service being permitted, to open service being restricted, and then permitted again. While in a dramatically much shorter stretch of time, this pattern resembles other past discriminatory military personnel policies. As chapters three and four demonstrated, racially informed discriminatory personnel policies were strong during peacetime, loosened during wartime, and then strengthened again during peacetime over course of nearly 150 years. Open service of gay and lesbian service members, as shown in chapters five and six, followed a similar pattern, especially during and then after World War II. Chapters seven and eight showed a similar historical trajectory for women in the military, women's military organizations would mobilize during wartime only to be completely disbanded during peacetime, their roles were greatly expanded during World War II, then made somewhat permanent after the war, and a departure from token service would not begin to noticeably occur until the establishment of the All-Volunteer Force (AVF). Prejudicially informed military discriminatory policies are entirely ideational in origin, stubborn in nature, operate contrary to military necessity, and defy realist

expectations. Again, while demonstrated in a much shorter span of time, the policies which targeted transgender recruits and service members have followed a similar path.

THE END OF “DON’T ASK, DON’T TELL”

During the early 1990s when Congress debated whether to lift, maintain, or strengthen the Carter-era ban on open gay and lesbian military service and the policy that would become DADT, the transgender community was literally confined to footnotes. They were neither a topic of discussion nor were they visible in either the Senate or House Armed Services Committees.²⁷

The Congressional Record for the 1993 Senate and House committee hearings on the prospects for open gay and lesbian military service—which includes written and oral statements by MCs, written and oral witness testimony, and various documents submitted by MCs, witnesses, and the public for the record—stands as a strong indicator of which groups of the LGBT community Congress was focused on and to what degree. The record demonstrates a more intensive discussion of gay (typically in reference to “gay men”) service members over lesbian service members, a minimal discussion of bisexual service members, and a near absence of any discussion surrounding transgender service members.²⁸ It contained four uses of “transgender” and zero uses of “transsexual” terms in the Senate and one use of each in the House. These terms in the Senate committee’s record only appear in footnotes for material submitted into the

²⁷ Lewis, D., Tadlock, B., Flores, A., Haider-Markel, D., Miller, P., & Taylor, J. (2021). Public Attitudes on Transgender Military Service: The Gender Role. *Armed Forces & Society*, 47(2), 277. Kerrigan, M. (2011). Transgender Discrimination in the Military: The New Don’t Ask, Don’t Tell. *Psychology, Public Policy, and Law*, 18(3), 500–518. Editorial Board (2015). Let Transgender Troops Serve Openly. *New York Times*. Jun 4, [Online]. Available at: <https://www.nytimes.com/2015/06/04/opinion/let-transgender-troops-serve-openly> [Accessed 31 January 2022].

²⁸ While not included the data summary, other terms such a “queer,” “intersex,” etc. were absent.

Congressional Record and, in the House’s record, appear only in remarks by Army Lieutenant Colonel William Georgy who was reciting medical conditions the Department of Defense (DoD) lists as disqualifying for military service.

Term	1993 Senate	Average use per page	1993 House	Average use per page
Homosexual	4382	4.057	1552	4.217
Gay	1822	1.687	847	2.302
Lesbian	668	0.619	465	1.264
Bisexual	91	0.084	42	0.114
Transsexual	4	0.004	1	0.003
Transgender	0	0.000	1	0.003
Queer	5	0.005	8	0.022

Figure 9.1: LGBTQIA+ Discourse Analysis of 1993 House & Senate Hearings²⁹

An intersectional analysis of the pre and post-DADT elite debates and of military behavior after the implementation of DADT in this regard is helpful because the LGBT was and is hardly a homogenous one. They face different and overlapping forms of discrimination. In the early 1990s, civilian and military elites’ beliefs about gay men and lesbians had the effect of discriminating against the transgender community while simultaneously failing to acknowledge them, but the impact on the transgender community was very real. The DoD did not keep accurate and comprehensive data on discharges under DADT,³⁰ much possess an awareness that it was also discharging transgender service members. Survey work done by the Transgender American Veterans Association in 2008 identified at least 660 such individuals and subsequent analysis of the survey data found that they experienced relatively higher rates of discrimination

²⁹ S.Hrg. 103-845, 103rd Cong., 1st sess., Congressional Record (March 29 & 31; April 7, 10 & 11; July 20, 21 & 22, 1993). H201-36, 103rd Cong., 1st sess. Congressional Record (May 4 & 5, 1993).

³⁰ See Chapter 6.

and violence in the military. Some of the key findings were that most were unlawfully asked about their sexual orientation under DADT, nearly one-third experienced workplace discrimination, twenty-six percent were the victim of physical violence, and sixteen percent reported having been sexually assaulted. Additionally, transmen and transwomen experienced discrimination differently,³¹ the analysis noted that transmen were twice as likely to report they were suspected of being gay because:

“. . . while masculine female-bodied people are generally more tolerated than feminine male-bodied people, this may create a situation where pre-transition transmen . . . are more likely to be targeted by anti-homosexual policies than are pre-transition transwomen, who face more pressures to appear as normatively masculine men.”³²

When DADT was repealed by Congress in 2011 it removed the most formidable legal barrier to open transgender military service, but it also failed to address military medical regulations that defined gender non-conformity as a disqualifying psychological disorder—regulations which were not in agreement with definitions by the American Medical Association and the American Psychiatric Association and could have easily been changed by executive order.³³ The overall impact of civilian and military elites’ failure to address the status of open

³¹ Bryant, K., & Schilt, K. (2008). *Transgender People in the U.S. Military: Summary and Analysis of the 2008 Transgender American Veterans Association Survey*.

³² *Ibid*, 7.

³³ Editorial Board (2014). Discrimination in the Military. *New York Times*. May 14, [Online]. Available at: <https://www.nytimes.com/2014/05/15/opinion/discrimination-in-the-military> [Accessed 31 January 2022]. Baird, Julia (2014). The Courage of Transgender Soldiers. *New York Times*. Feb 21, [Online]. Available at: <https://www.nytimes.com/2014/02/22/opinion/sunday/baird-the-courage-of-trans-soldiers> [Accessed 31 January 2022]. Editorial Board (2015). What Doctors Say About Transgender Troops. *New York Times*. Jun 9, [Online]. Available at: <https://www.nytimes.com/2015/06/09/opinion/what-doctors-say-about-transgender-troops> [Accessed 31 January 2022].

transgender military service meant that not only was open service for existing transgender service members and the recruitment of open transgender individuals barred but that discrimination in the workplace was permitted and some transgender service members were being discharged. Senior Airman A. Jordan Blisk left the Air Force in 2015 and reflected back on those post-DADT years, stating, “I was absolutely terrified of coming out for a second time and risking the loss of my entire world again.”³⁴ After DADT was repealed, Midshipman at the United States Navy founded “Navy Spectrum,” an organization that sought to provide “a safe place for LBGT midshipman and their allies to talk about matters that related to their community.” But the Navy Academy refused to sanction their organization unless its members removed the “T” out of their organization description and mission statement.³⁵ Transgender military activists also reported that some service members were also being discharged solely based on their status, including almost a dozen in 2014.³⁶

ANTIQUATED MEDICAL REGULATIONS

In 2014 Secretary of Defense Chuck Hagel, when quired about open transgender military service, remarked that “Every qualified American who wanted to serve our country should have an opportunity if they fit the qualifications and can do it” and that he was “open” to reviewing the DoD ban on open transgender military service. Hagel though was reluctant to translate his

³⁴ Embser-Herbet, M., & Fram, B. (2021). *With Honor and Integrity: Transgender Troops in Their Own Words*. New York University Press, 56.

³⁵ Lieutenant Kris Moore, (2022). *Personal Interview*, 11 March. Embser-Herbert & Fram (2021), 146.

³⁶ Commander Blake Dremman, (2022). *Personal Interview*, 22 February. Embser-Herbet & Fram (2021), 155.

comments into any meaningful action, citing that open transgender military service was “a bit more complicated because it has a medical component to it.”³⁷ But it was not an assessment that the American medical community and senior officials agreed with. That same year a medical panel led by former Surgeon General Joycelyn Elders found that “There is no compelling medical rationale for banning transgender military service eliminating the ban would advance numerous military interests, including enabling commanders to better care for their service members.”³⁸

Neither Hagel nor fervent opponents’ concerns were warranted, and they defied the medical and community’s existing knowledge about transgender individuals. The medical panel that was led by Elders was both exhaustive and definitive. In addition to not finding any compelling medical rationale to bar open transgender military service, it noted that the military’s medical regulations were outdated, inconsistent, and arbitrary in many areas. Given that an estimated 15540 transgender military service members already serving in uniform, they also argued that *not* providing healthcare that they required was by itself both expensive and harmful to military readiness. Like with DADT³⁹ forcing service members to conceal their true identities

³⁷ Cooper, H. (2014). Hagel ‘Open’ to Reviewing Military’s Ban on Transgender People. *New York Times*. May 11, [Online]. Available at: <https://www.nytimes.com/2014/05/12/us/hagel-open-to-review-ofmilitary-policy-on-transgender-people> [Accessed 31 January 2022].

³⁸ Editorial Board (2014). Discrimination in the Military. *New York Times*. May 14, [Online]. Available at: <https://www.nytimes.com/2014/05/15/opinion/discrimination-in-the-military> [Accessed 31 January 2022].

³⁹ See Chapter 5.

was an unnecessarily stressful requirement that itself could result in “significant mental health issues.”⁴⁰

The very issues that DoD was citing were in fact a self-fulfilling prophecy. Transgender individuals did not inherently possess mental disorders, but many were experiencing mental distress precisely because of “prejudice and stigmatization” and providing conditions for open service and treatment could alleviate those symptoms. The Elders panel also compared transgender healthcare needs to the larger military population. In the active-duty services alone 110,000 service members were taking “prescribed anti-depressants, narcotics, sedatives, antipsychotics, and anti-anxiety drugs.” The panel also identified variations in what “transition” meant for transgender individuals. It noted that many find social transition sufficient, some will require hormone treatment, which many non-transgender military service members were already receiving, and that only a small minority would seek out surgery. Furthermore, of that small minority, there were numerous means by which transgender service members could mitigate any potential impact on their readiness, e.g., scheduling surgeries during already authorized periods of paid and medical leave, scheduling surgeries after training exercises and deployments, etc.⁴¹

PRESSURE FOR REFORM

Open transgender military service was not possible even after the repeal of DADT because of outdated military medical regulations, which could be changed through executive order. According to Navy Commander Blake Dremann, past president of the transgender military

⁴⁰ Elders, J., Steinman, A., Brown, G., Coleman, E., & Kolditz, T. (2014). *Report of the Transgender Military Service Commission*.

⁴¹ Ibid.

advocacy organization Service Members, Partners, Allies for Respect, and Tolerance for All (SPART*A), the Obama administration and its congressional allies believed that including language that allowed open transgender service in the legislation would have undermined the support of the some of the more moderate supporting MCs and thus made the repeal of DADT more difficult, if not impossible. Grassroots organizations committed to the repeal of DADT were also reluctant to press Congress for the inclusion of open transgender military service for similar reasons.⁴² Transgender military service members, estimated at the time by the Williams Institute in 2014, to be around 15,000⁴³ and at approximately 700,000 in the general American population that same year⁴⁴ were not a sizeable voting bloc. The relatively smaller population of the transgender gender community, coupled with widely existing prejudicial beliefs that kept most transgender individuals closeted, also meant that few Americans actually knew an individual that they recognized as transgender. In the years surrounding the repeal of DADT more than eighty percent of Americans knew someone who was gay, but only nine percent knew someone whom they knew to be transgender.⁴⁵ Unlike the mounting evidence that pointed towards the absurdity of racial segregation, DADT, and women's combat exclusion rule in wartime,

⁴² Commander Blake Dremann, (2022). *Personal Interview*, 22 February.

⁴³ Cates, G. & Herman, J. (2014). *Transgender Military Service in the United States*. Los Angeles: The Williams Institute, University of California, Los Angeles.

⁴⁴ Miller, C. (2015). The Search for the Best Estimate of the Transgender Population. *New York Times*. Jun 8, [Online]. Available at: <https://www.nytimes.com/2015/06/09/upshot/the-search-for-the-best-estimate-of-the-transgender-population> [Accessed 31 January 2022].

⁴⁵ Embser-Herbet & Fram (2021), 45.

discriminatory military personnel policies that targeted transgender individuals were also not a highly salient issue before Trump made it one in 2017.⁴⁶

The eventual removal of discriminatory military personnel policies that targeted transgender individuals was at its heart a battle of ideas. President Barack Obama himself was initially silent on the issue but in 2015 then-Vice President Joe Biden argued that transgender individuals should be allowed to openly serve and referred to transgender rights as “the civil rights issue of our time.”⁴⁷ Democratic MCs were also pressuring the Obama administration and framed their arguments in similar terms. Representative Jackie Speier (D-CA) argued that the ban was harmful to national security because of the unfair burdens placed on transgender military service members who had to “endure tremendous challenges and setbacks—emotional, financial and professional—because they are forced to serve in silence.” Representative Mike Honda (D-CA) who had a transgender granddaughter begged his fellow lawmakers to “set aside our old notions” and treat transgender recruits like everyone else—let them apply, go through training, and they “either make it or they don’t.” In a joint statement, Senator Kirsten Gillibrand (D-NY) and Representative Susan Davis (D-CA) argued that the existing ban meant that “Thousands of transgender troops are suffering needlessly.”⁴⁸ That same year, the Chairman of the House Armed

⁴⁶ Commander Blake Dremann, (2022). *Personal Interview*, 22 February.

⁴⁷ Bromwich, J. (2017). How U.S. Military Policy on Transgender Personnel Changed Under Obama. *New York Times*. Jul 26, [Online]. Available at: <https://www.nytimes.com/2017/07/26/us/politics/trans-military-trump-timeline> [Accessed 1 February 2022].

⁴⁸ Londono, E. (2015). Lawmakers Push to End Military Transgender Ban. *New York Times*. Jun 19, [Online]. Available at: <https://takingnote.blogs.nytimes.com/2015/06/19/lawmakers-push-to-end-military-transgender-ban> [Accessed 31 January 2022].

Services Committee, Representative Adam Smith (D-CA) also argued that “The brave men and women who serve in our country should not be excluded from the rights and freedoms that they risk their lives to protect It’s that simple.”⁴⁹ The Obama administration was committed to civil rights ideas but was both quiet and cautious in its approach. The administration’s congressional allies were not though, the California Democrats and Gillibrand were pressing the White House to act on those ideas sooner than later.

Later in 2014 Hagel was replaced as Secretary of Defense by Ashton Carter, who like his predecessor before him, fumbled when asked about the prospect of open transgender military service. Carter declared that nothing but “suitability for service” ought to “preclude transgender people from serving openly in the military.” But Carter also suggested that individual transgender identity was a lifestyle choice by also remarking that he was “open-minded” with regard to “personal lives and proclivities.”⁵⁰ But unlike Hagel, Carter made policy reform a higher priority. He argued that open transgender service would “expand the talent pool” available to the DoD and remarked that “Young Americans are more diverse, open and tolerant than past generations And if we’re going to attract the best and brightest among them to contribute to our mission of national defense, we have to ourselves be more open, diverse and tolerant too.”⁵¹

⁴⁹ Editorial Board (2015). At Last, the Pentagon Moves to End Its Transgender Ban. *New York Times*. Jul 13, [Online]. Available at: <https://www.nytimes.com/2015/07/14/opinion/at-last-the-pentagon-moves-to-end-its-transgender-ban> [Accessed 31 January 2022].

⁵⁰ Samuels, D. (2015). The Next Big Military Civil Rights Issue: Trans Gender Service. *New York Times*. Feb 23, [Online]. Available at: <https://takingnote.blogs.nytimes.com/2015/02/23/the-next-big-military-civil-rights-issue-transgender-service> [Accessed 31 January 2022].

⁵¹ Editorial Board (2015). At Last, the Pentagon Moves to End Its Transgender Ban. *New York Times*. Jul 13, [Online]. Available at: <https://www.nytimes.com/2015/07/14/opinion/at-last-the-pentagon-moves-to-end-its-transgender-ban> [Accessed 31 January 2022].

Carter and Obama also took a page or two out of the DADT and combat exclusion rule repeal rule book. Instead of pursuing the failed Clinton approach of pushing for outright removal of the ban by executive order, they sought to have the DoD conduct research and get support from military elites.

In addition to quiet pressure from Obama administration officials, a more important activist movement was operating behind the scenes. After 2011, a campaign to educate military elites and change their ideas and beliefs about transgender military service members was also quietly being carried about. Activists primarily composed of currently serving transgender military service members, associated with SPART*A, began having private conversations with DoD leadership.⁵² SPART*A began its campaign with “some strategically well-placed assets who happened to have access to the Pentagon” who could help convince senior military leadership that transgender individuals “are not crazy, they can serve in the military, and what kind of care they will have.” Consistent with research findings on the positive effects that interpersonal experiences with transgender military service members can have on individual attitudes,⁵³ these individual conversations with senior leadership took years, but they had a significant impact. Shortly before Carter indicated his willingness to revisit the policy, a senior military commander at the Pentagon communicated to SPART*A activists that they had done a phenomenal job

⁵² Embser-Herbet & Fram (2021), 24-25.

⁵³ Lewis, D., Tadlock, B., Flores, A., Haider-Markel, D., Miller, P., & Taylor, J. (2021). Public Attitudes on Transgender Military Service: The Gender Role. *Armed Forces & Society*, 47(2), 276–297.

educating the senior leadership on what being transgender meant and the value of individual transgender military service members, but nonetheless, work remained in convincing others.⁵⁴

THE 2016 RAND REPORT

In July of 2016, Carter charged a longtime supporter of transgender rights and then-Under Secretary of Defense for Personnel and Readiness, Brad Carson with directing the study. Carson turned the same institution that had a long history of providing the DoD with research on segregation, open gay and lesbian service, women’s exclusion from combat, and sexual assault and sexual harassment in the American military—the RAND Corporation.

RAND did its work quickly and released its findings that same year and covered transgender military service health care, military population estimations, utilization rates, costs, and impacts on military readiness. The findings supported both the Elders panel’s findings as well as claims made by Biden and liberal-minded MCs.

As the Elders panel before it, RAND found that existing military medical regulations were outdated and that transgender healthcare varied across individuals. It found that only a “subset of transgender individuals may choose to transition” and of those that do, many find social transition sufficient, some will require hormone therapy, and an even smaller subset require more comprehensive medical treatment including gender reassignment surgery.⁵⁵ The report also found that not only was such healthcare necessary for the health of individual service members but that the skills and expertise required for these medical treatments already existed within the

⁵⁴ Commander Blake Dremann, (2022). *Personal Interview*, 22 February.

⁵⁵ Schaefer, A., Iyengar, R., Kadiyala, S., Kavanagh, J., Engle, C., Williams, K., & Kress, A. (2016). *Assessing the Implications of Allowing Transgender Personnel to Service Openly*, 6-8, 66-67.

military. Hormone therapy and many cosmetic surgeries, similar to transition-related ones, were already frequently performed by military doctors on non-transgender service members. While expected to be few in number, even the more comprehensive surgical procedures required by some transgender military service members served a military purpose. Transition-related surgeries helped military plastic surgeons, who worked to repair war-battered bodies, “maintain a vitally important skill” and their medical certifications during peacetime,⁵⁶ a finding which military plastic surgeons themselves agreed with.⁵⁷

RAND estimated that there were anywhere from 2150 to 10790 transgender military service members serving in 2016. It argued that it was difficult to determine exactly how many precisely because open service was against military regulations, but it used the larger estimate in projecting utilization rates and costs. Both estimates were very small, at 220 individuals requiring hormone treatment per year and 200 transition-related surgeries per year.⁵⁸ And the total higher cost estimates were expected to be \$8.4 million per year out of the massive \$49.3 billion DoD healthcare budget. In other words, the cost of keeping thousands of these thousands of highly skilled and trained military service members would constitute a whopping 0.054 percent of the DoD’s overall healthcare budget and a 0.13 percent overall increase in active duty healthcare spending.⁵⁹ Commenting on the trivial impact on the DoD’s budget, Todd Harrison, a senior

⁵⁶ Ibid, 8-9.

⁵⁷ Fox, J., Markov, N., & Lantham, K. (2021). Combating the “Peacetime Effect” in Military Plastic Surgery: Implications for Mission Readiness. *Military Medicine*, 186(July/August), 183–186.

⁵⁸ Schaefer, A. et al (2016), 14-22.

⁵⁹ Ibid, 35-36.

fellow at the Center for Strategic and International Studies, remarked, “this is a nonissue There does not appear to be any justifiable reason to continue the military’s policy of discrimination against transgender service members.” He noted the annual cost of transgender service member healthcare costs was roughly equal to “how much the U.S. spends on operations in Afghanistan every hour” and that “The cost of one F-35 could pay for about 30 years’ worth of transgender benefits.”⁶⁰

The 2016 RAND report argued that the impact on military readiness would be a loss of less than 0.0015 percent of total available labor-years within the active-duty military or, put more simply, would have “minimal impact on unit cohesion.” RAND also argued that the alternative of maintaining a ban would be even costlier. Doing so would discourage existing transgender service members from obtaining necessary healthcare that would “result in worsening mental health status, declining productivity, and other negative outcomes due to lack of treatment for gender identity-related issues.” Furthermore, maintaining a ban would also result in the loss of “personnel with valuable skills who are otherwise qualified.”⁶¹ Similar to some of the “cohesion” debates surrounding DADT, the report argued that the mere presence of open transgender service members wouldn’t be harmful, that positive command climates could counteract prejudicial workplace disruptions and that the presence of a more diverse force could enhance

⁶⁰ Schmidt, M. (2016). Study Finds Few Obstacles to Lifting Military’s Transgender Ban. *New York Times*. May 16, [Online]. Available at: <https://www.nytimes.com/2016/05/17/us/military-transgender-ash-carter>. [Accessed 1 February 2022].

⁶¹ Schaefer, A. et al (2016), 39-46.

military effectiveness.⁶² Evidence from the experience of open transgender service in foreign militaries also further validated RAND’s findings with respect to command climates, cohesion, and the benefits of diversity.⁶³

OBAMA-ERA POLICY: OPEN TRANSGENDER MILITARY SERVICE

Prior to the release of the 2016 RAND report, Carter’s supporting discourse grew. That year he remarked, “We have transgender soldiers, sailors, airmen, and Marines—real patriotic Americans—who know are being hurt by an outdated, confusing, inconsistent approach that’s contrary to our values of service and individual merit,” and further noted, “The Defense Department’s current regulations regarding transgender service members are outdated and are causing uncertainty that distracts commanders from our core missions.”⁶⁴ In other words, the DoD was now arguing, as did in the latter years of DADT, that not only was the existing policy immoral but that its presence made it more difficult for individual service members to focus on their jobs, fostered uncertainty, and distracted commanders from focusing wholeheartedly on mission requirements and service members’ health and welfare.

⁶² Ibid, 39-47.

⁶³ Flores, A. (2015). Attitudes Towards Transgender Rights: Perceived Knowledge and Secondary Interpersonal Contact. *Politics, Groups, and Identities*, 3(3). Speckhard, A., & Paz, R. (2014). *Transgender Service in the Israeli Defense Forces: A Polar Opposite to the U.S. Military Policy of Barring Transgender Soldiers from Service*. Okros, A., & Scott, D. (2015). Gender Identity in the Canadian Forces. *Armed Forces & Society*, 41(2), 243–256.

⁶⁴ Roseburg, M. (2015). Pentagon Moves to Allow Transgender People to Serve Openly in the Military. *New York Times*. Jul 13, [Online]. Available at: <https://www.nytimes.com/2015/07/14/us/pentagon-plan-would-let-transgender-people-serve-openly> [Accessed 31 January 2022].

On June 30, 2016, civilian elites, armed with the 2016 RAND report, and benefiting from the quiet SPART*A educational campaign within the DoD, took center aim at the antiquated military medical regulations and ended the military's ban on open transgender service. Carter declared, "Effective immediately, transgender Americans may serve openly They can no longer be discharged or otherwise separated from the military just for being transgender. Democratic MCs lauded the reform, but several Republicans protested. Senator Jim Inhofe (R-OK), the ranking member of the Senate Armed Services Committee declared that he wanted hearings held and Representative Mac Thornberry (R-TX) replied to the DoD announcement, remarking that "Our military readiness—and hence our national security—is dependent on our troops' being medically ready and deployable The administration seems unwilling or unable to assure Congress and the American people that transgender individuals will meet these individual readiness requirements at a time when our armed forces are deployed around the world."⁶⁵

Proponents of maintaining a ban had shifted discourse. Proponents of segregation in the American military, of DADT, and of the combat exclusion rule for women had unabashedly repacked justifications about unit cohesion—racially integrated units wouldn't be cohesive units because of existing racial animus, open gay and lesbian service would have been equally disruptive to the moral sensibilities of conservative soldiers from the Corn and Bible Belts, and mixed-gender units would be disruptive to male-bonding. In each of these cases, these concerns

⁶⁵ Rosenberg, M. (2016). Transgender People Will Be Allowed to Serve Openly. *New York Times*. Jun 30, [Online]. Available at: <https://www.nytimes.com/2016/07/01/us/transgender-military>. [Accessed 1 February 2022].

were unjustified and were contrary to the military's historical experiences. "Medical readiness" and the costs of transgender healthcare became the primary discourse for the rising tide of conservative backlash to the DoD policy change.

Conservative discourse was not too dissimilar from previous debates though. Historically, proponents of discriminatory military personnel policies had supported their arguments with unsubstantial essentialist claims. Army elites before and after World War I regularly claimed that African American soldiers were inherently inferior. An Army study for the General Staff conducted by the Army War College in 1925 claimed that African American men were inherently lazy, mentally inferior to white soldiers, sexually promiscuous and especially prone to sexually transmitted diseases, naturally fearful, and unable to fight in night conditions.⁶⁶ Some of the earliest civilian and military elites that opposed the presence of gay men in the military's ranks expressed concerns that all gay men were overly effeminate that therefore unsuitable for military service⁶⁷ and even into the early 1990s, elites regularly cited unsubstantiated claims about gay men's sexual behavior and the prevalence of HIV and other sexually transmitted diseases. Marine Colonel Ripely during the 1993 Senate hearings declared gay men to be "walking repositories of disease."⁶⁸ When debates about women in combat erupted

⁶⁶ Maj. General Ely, H. (1925). *Employment of negro man power in war*.

⁶⁷ Canaday, M. (2009). *The Straight State: Sexuality and Citizenship in Twentieth-Century America*. Princeton University Press.

⁶⁸ Col. John Ripley, testifying before the House Armed Services Committee, 103rd Cong., 1st sess. Congressional Record (May 4, 1993), 87-92, 158-166.

after the American Invasion of Panama, opponents frequently evoked a logic of averages⁶⁹ to declare that because women on average were physically less fit in comparison to men that *all* women were therefore physically unfit to serve in combat.⁷⁰

While most conservative MCs discontinued the use of unsubstantiated discourse about “cohesion,” they nonetheless repeated essentialist claims. Conservative MCs justified banning transgender individuals from military service based upon beliefs that all transgender individuals were medically unqualified to serve because all transgender individuals were supposedly prone to mental illness and required extensive, time-consuming, and expensive surgeries that would allow them to completely transition from one sex to the other. Despite DoD’s own position, the findings of the 2016 Rand report and the Elders Panel — conservative MCs stuck to their discursive guns.

TRUMP-ERA POLICY: BACK TO DISCRIMINATION

Open service for transgender military service members did not last long. Shortly after the election of President Donald Trump and the appointment of James Mattis as Secretary of Defense, Mattis announced that DoD would be delaying the full implementation of the DoD’s new policy — current transgender service members could remain for the time being, but no transgender individuals would be allowed to enlist or commission into the American military. Mattis alluded to essentialist medical assumptions about readiness and justified the new DoD position based on

⁶⁹ Collins-Dogrul, J., & Ulrich, J. (2018). Fighting Stereotypes: Public Discourse About Women in Combat. *Armed Forces & Society*, 44(3), 436–459. Peach, L. (1996). Gender Ideology in the Ethics of Women in Combat. In J. Stiehm (Ed.), *It’s Our Military, Too!: Women and the U.S. Military* (pp. 156–194). Temple University Press

⁷⁰ MacKenzie, M. (2015). *Beyond the Band of Brothers*. Cambridge University Press, 75-97.

concerns on what “impact adding transgender recruits would have on the readiness and lethality of our forces.”⁷¹ Less than five months later Trump blindsided Congress and the DoD by announcing his preference for policy change via Twitter and announced, “After consultation with my generals and military experts, please be advised that the United States government will not accept or allow transgender individuals to serve in any capacity in the U.S. military” and “Our military must be focused on decisive and overwhelming victory and cannot be burdened with the tremendous medical costs and disruption that transgender [sic] in the military would entail.”⁷²

The Trump administration struggled to fully implement its new policy. Mattis was given a single day notice prior to Trump’s tweet⁷³ and it would take a month for the White House to draft a formal memorandum giving guidance to the Pentagon.⁷⁴ Trump’s announcement unsurprisingly incensed liberal lawmakers but his method also managed to split Republicans and made many military elites less than supportive. Some conservatives, including Representative Duncan Hunter (R-CA) called Trump’s announcement “the right decision” and declared that

⁷¹ Stevens, M. (2017). Pentagon Delays Accepting Transgender Recruits for 6 Months. *New York Times*. Jun 30, [Online]. Available at: <https://www.nytimes.com/2017/06/30/us/pentagon-delays-transgender-recruits>. [Accessed 1 February 2022].

⁷² Bromwich, (2017).

⁷³ Davis, J. & Cooper, H. (2017). Trump Says Transgender People Will Not Be Allowed in the Military. *New York Times*. Jul 26, [Online]. Available at: <https://www.nytimes.com/2017/07/26/us/politics/trump-transgender-military> [Accessed 2 February 2022].

⁷⁴ Gordon, M. & E. Cochrane (2017). Trump Gives Mattis Wide Discretion Over Transgender Ban. Aug 25, [Online]. Available at: <https://www.nytimes.com/2017/08/25/us/politics/trump-mattis-transgender-ban> [Accessed 3 February 2022].

“National Security should trump social experimentation, always.”⁷⁵ Other conservatives though, such as long-time supporter of DADT Senator John McCain, were appalled. McCain remarked, “There is no reason to force service members who are able to fight, train, and deploy to leave the military—regardless of their gender identity . . . yet another example of why major policy announcements should not be made via Twitter.”⁷⁶ Liberal lawmakers joined with the McCain wing of the conservatives and denounced both the policy and the method. Representative Scott Peters (D-CA) stated, “I can’t think of anything more backwards than turning away a brave, qualified American who wants to serve in our all-volunteer military because of their gender identity.”⁷⁷ House Minority Leader, Representative Nancy Pelosi (D-CA) responded to Trump’s tweet via Twitter, declaring “This is NOT how you keep America safe, period. #ProtectTransTroops.”⁷⁸

Military elites were divided, yet largely opposed to Trump’s proclamation. In that same month, seventeen retired generals and admirals sent Trump a letter declaring their support for the policy change. Their letter expressed gratitude to the president for “making the extremely courageous decision to reverse President Obama’s transgender social experiment,” and to “save the culture and war-fighting capacity of the U.S. military.” The letter cited high medical costs,

⁷⁵ McPhate, M. (2017). California Today: Military Communities Respond to Trump’s Transgender Ban. *New York Times*. Jul 27, [Online]. Available at: <https://www.nytimes.com/2017/07/27/us/california-today-military-communities-respond-to-trumps-transgender-ban> [Accessed 2 February 2022].

⁷⁶ Davis & Cooper (2017).

⁷⁷ McPhate (2017).

⁷⁸ Davis, J. (2017). Military Transgender Ban to Begin Within 6 Months, Memo Says. *New York Times*. Aug 23, [Online]. Available at: <https://www.nytimes.com/2017/08/23/us/politics/trump-military-transgender-ban> [Accessed 3 February 2022].

concerns over the deployment readiness of transgender service members, and beliefs that housing transwomen with cisgender women would lead to sexual harassment and sexual assault.⁷⁹ In response to their letter, fifty-six other retired generals and admirals released another letter referring to currently serving transgender service members as both “honorable and critical.” They argued that implementation of the ban itself would be disruptive, costly, deprive the military of “mission-critical talent,” and, like DADT, compromise the integrity of many service members by forcing them to “live a lie.” They also cited the 2016 RAND report’s findings about the minimal cost of transgender healthcare and noted that eighteen foreign states, including the UK and Israel, allowed transgender service members to serve and that they had experienced no adverse impacts on their military readiness.⁸⁰ Researchers at the Palm Center agreed. In a 2017 paper, the Palm Center conservatively calculated that implementation of the proposed Trump ban would actually cost the military at least \$960 million,⁸¹ a painfully stark expense in comparison to the higher-range RAND estimate of \$8.4 million for transgender military healthcare.

In absence of direct guidance from the White House, Marine General and then Chairman of the Joint Chiefs of Staff, General Joseph Dunford, remarked “In the meantime, we will continue to treat all of our personnel with respect.” Dunford’s predecessor, General Martin Dempsey declared, “The service of men and women who volunteer and who meet our standards of service

⁷⁹ Lieutenant General Benjamin Mixon, et al to President Donald Trump, July 27, 2017.

⁸⁰ General John Allen, et al to President Donald Trump, August 1, 2017.

⁸¹ Belkin, A., Barrett, F., Eitelberg, M., & Ventresca, M. (2017). *Discharging Transgender Troops Would Cost \$960 Million*.

is a blessing, not a burden.”⁸² Coast Guard Commandant, Admiral Paul Zunkunft spoke with thirteen of the Coast Guard’s transgender service members after Trump’s tweets and remarked he would continue to support his transgender service members and “That is the commitment to our people right now Very small numbers, but all of them are doing meaningful Coast Guard work today.”⁸³

Shortly before the White House memo was translated into DoD guidance to the individual service branches in early 2018, Dunford testified before the Senate Armed Services Committee for his reappointment as Chairman of the Joint Chiefs of Staff. Senator Kirsten Gillibrand (D-NY) asked Dunford if he supported the military’s current transgender service members, to which Dunford replied, “I do Senator. I would just probably say that I believe any individual who meets the physical and mental standards and is worldwide deployable and is currently serving should be afforded the opportunity to continue to serve.”⁸⁴ Less than two years later, when General Mark Milley was nominated to replace Dunford in July of 2019, Milley told the same committee “I don’t believe there’s anything inherent in anyone’s identity to prevent them from serving in the military, it’s about standards, not identity.”⁸⁵ Currently serving military elites were more guarded

⁸² Cooper, H. (2017). Transgender People Can Still Serve for Now, U.S. Military Says. *New York Times*. Jul 27, [Online]. Available at: <https://www.nytimes.com/2017/07/27/us/politics/transgender-military-trump-ban> [Accessed 2 February 2022].

⁸³ Nixon, R. (2017). Coast Guard Still Supports Transgender Troops, Commandant Says. *New York Times*. Aug 1, [Online]. Available at: <https://www.nytimes.com/2017/08/01/us/politics/coast-guard-commandant-general-zukunft-transgender-troops> [Accessed 2 February 2022].

⁸⁴ Gen. Joseph Dunford, testifying before the Senate Committee on Armed Services, 115th Cong., 1st sess., Congressional Record (September 26, 2017), 15.

⁸⁵ Gen. Mark Milley, testifying before the Senate Committee on Armed Services, 116th Cong., 1st sess., Congressional Record (July 11, 2019), 12

in the language than their retired counterparts, but were hinting that personnel policies based upon meritocracy were better for the military than those informed by prejudice.

Shortly after Dunford's reconfirmation hearing, the Senate Armed Forces Committee called the DoD's senior civilian and military leadership for annual budget and operations testimony. In a portion of that hearing, Gillibrand questioned Mattis and the Joint Chiefs about transgender military service. Mattis was unwilling to make any definitive statements and simply remarked that the status of transgender military service was under review by the DoD, that its review panel did not include any medical experts, and that he was unable to provide specific names of panel members.⁸⁶ The Joint Chiefs, on the other hand, were more forthcoming. When asked by Gillibrand if transgender service members had any negative impact on unit cohesion or readiness their responses were uniform. Chairman of the Joint Chiefs of Staff General Dunford remarked, "If an individual is serving without accommodation, then I do not think I would expect to see discipline or cohesion issues in that unit."⁸⁷ Army Chief of Staff, General Milley, stated, "No, not at all We know who they are, and it is monitored very closely, because you know, I'm concerned about that, and want to make sure that they are, in fact, treated with dignity and respect. And no, I have received precisely zero reports of issues of cohesion, discipline, morale, and all those sorts of things. No."⁸⁸ Air Force Chief of Staff David Goldfein also indicated that he

⁸⁶ Jim Mattis, testifying before the Senate Committee on Armed Services, 115th Cong., 2nd sess., Congressional Record (April 26, 2018), 876-877.

⁸⁷ Gen. Joseph Dunford, testifying before the Senate Committee on Armed Services, 115th Cong., 2nd sess., Congressional Record (April 26, 2018), 875.

⁸⁸ Gen. David Goldfein, testifying before the Senate Committee on Armed Services, 115th Cong., 2nd sess., Congressional Record (April 24, 2018), 803.

was not aware of any issues.⁸⁹ Chief of Naval Operations Admiral John Richardson stated, “You know, by virtue of being a Navy sailor, we treat every one of those sailors, regardless, with dignity and respect that is warranted by wearing the uniform of the United States Navy. By virtue of that approach, I am not aware of any issues.”⁹⁰ And Marine Corps Commandant General Robert Neller expressed similar sentiments, declaring, “I respect . . . their desire to serve. All of them, to the best of my knowledge, were ready and prepared to deploy, and they—as long as they can meet the standard of what their particular occupation was, then I think we’ll move forward.”⁹¹

A year later the House Subcommittee on Military Personnel held a hearing specific to transgender military service in response to the expected final release of the updated military regulations by the DoD in the following month. Unlike the House hearings for DADT and women in combat, most conservatives simply decided not to attend the hearings. Representing the DoD were Acting Under Secretary of Defense for Personnel and Readiness James Stewart and Director of the Defense Health Agency, Vice Admiral Raquel Bono. The bulk of the testimony though came from individual active transgender service members.

MCs primarily expressed their beliefs in terms of fairness. Committee Chair, Representative Jackie Speier (D-CA) opened by addressing the transgender service members present and stated, “Despite living in a nation where many discriminate against you, you made

⁸⁹ Gen. Mark Milley, testifying before the Senate Committee on Armed Services, 115th Cong., 2nd sess., Congressional Record (April 12, 2018), 651.

⁹⁰ Adm. John Richardson, testifying before the Senate Committee on Armed Services, 115th Cong., 2nd sess., Congressional Record (April 19, 2018), 724.

⁹¹ Gen. Robert Neller, testifying before the Senate Committee on Armed Services, 115th Cong., 2nd sess., Congressional Record (April 19, 2018), 724-725.

a choice that fewer and fewer Americans make, you joined the military and risked your lives and your families' well-beings for our safety. And how has the administration thanked you? By treating you like a liability, not an asset; by maliciously jeopardizing your careers and trivializing your sacrifice."⁹² Representative Ruben Gallego (D-AZ) echoed similar beliefs noting, "They should treat you like any other soldier, sailor, airman, or Marine because they are just that, regular soldiers, sailors, airmen, and Marines. These American heroes want to serve. They are able to serve and they are good at their jobs, let's let them do it."⁹³ Representative Veronica Escobar's (D-TX) remarks were also representative of this sentiment, telling the service member witnesses, "I just want you to know that I accept you for who you are and I just feel like right now if you try to be someone you are not you wouldn't be as effective . . ."⁹⁴

MCs also focused on the adverse effects of the Trump policy. Speier included in her opening remarks that "discharging transgender service members would hamper unit readiness, [and rob] formations of needed security personnel, intelligence officers, and leaders without warning" and placed unnecessary limits on the military's ability to recruit from the largest talent pool possible.⁹⁵ Representative Lori Trahan (D-MA), while questioning Stewart, was agitated at the acting undersecretary's inability to conceptualize the actual cost, remarking, "So if I am doing

⁹² Rep. Jackie Speier, speaking at H.Hrg. 116-8, 116th Cong., 1st sess., Congressional Record (February 27, 2019), 1.

⁹³ Rep. Ruben Gallego, speaking at H.Hrg. 116-8, 116th Cong., 1st sess., Congressional Record (February 27, 2019), 20.

⁹⁴ Rep. Veronica Escobar, speaking at H.Hrg. 116-8, 116th Cong., 1st sess., Congressional Record (February 27, 2019), 27.

⁹⁵ Rep. Jackie Speier, speaking at H.Hrg. 116-8, 116th Cong., 1st sess., Congressional Record (February 27, 2019), 2.

my math right, the retraining cost of losing just one transgender military pilot is 3 times more than the entire transition-related care for the military in one year . . . why would the Department of Defense spend more money replacing pilots we can't even afford to lose, when we are already short on pilots that are in a readiness crisis?"⁹⁶ Even the sole attending Republican member of the subcommittee, Representative Trent Kelly (R-MS) thought the Trump policy was not helpful for the military, declaring, "To me personnel is the key—equipment can always be replaced but personnel is the key cornerstone in all military operations. One of the strengths of our military is that we draw from a diverse group of individuals from varied backgrounds and experiences . . . the focus should remain on individuals' capabilities rather than establishing blanket policies for certain groups."⁹⁷

Stewart and Bono struggled to justify the DoD's positions and defaulted to stereotypes and the same outdated medical standards that DoD revised less than three years ago. Stewart argued that higher rates of anxiety, depression, and substance abuse in the overall transgender population justified banning all transgender individuals from military service and that transgender transition-related healthcare was comparable to heart surgery in its impact on military readiness.⁹⁸ Bono expressed nearly identical concerns but compared transition-related

⁹⁶ Rep. Lori Trahan, speaking at H.Hrg. 116-8, 116th Cong., 1st sess., Congressional Record (February 27, 2019), 37.

⁹⁷ Rep. Trent Kelley, speaking at H.Hrg. 116-8, 116th Cong., 1st sess., Congressional Record (February 27, 2019), 4.

⁹⁸ James Stewart, testifying before the House Committee on Armed Services, 116th Cong., 1st sess., Congressional Record (February 27, 2019), 31-45.

healthcare to cancer and back surgery.⁹⁹ The absurdity of Stewart and Bono's arguments was not lost on the subcommittee members, especially after the testimony of the five transgender service members. Speier responded to Stewart's arguments stating, "You know, I am truly astonished by your presentation so I must say, you have just had the opportunity to listen to 5 transgender service members, 10, 15, years many of them leaders, many of them deployed multiple times and can you honestly tell us their service is any less valuable than those of their peers?"¹⁰⁰

The five transgender service members that testified before the subcommittee provided direct evidence which contradicted the Trump administration's essentialist claims. Then-Lieutenant Commander Blake Dremann testified that he had transition-related medical surgeries and that his recovery time was less than that of a common surgery for a shoulder injury and that it had zero impact on any of his multiple deployments and overall readiness. Dremann remarked that his transition had helped make him "a better leader" because he "was no longer compartmentalizing parts of my life" and by when he had to do so it meant that "a piece of you" is "not able to contribute to the mission, and mission requires all of you. And once I started my transition" it was "one less thing to worry about, I was able to be better."¹⁰¹

Army Captain Alivia Stehlik a prior infantry officer who later became a military physical therapist also acknowledged that her transition had not had any impact on her readiness and

⁹⁹ Vice Admiral Raquel Bono, testifying before the House Committee on Armed Services, 116th Cong., 1st sess., Congressional Record (February 27, 2019), 46.

¹⁰⁰ Rep. Jackie Speier, speaking at H.Hrg. 116-8, 116th Cong., 1st sess., Congressional Record (February 27, 2019), 33-34.

¹⁰¹ Lieutenant Commander Blake Dremann, testifying before the House Committee on Armed Services, 116th Cong., 1st sess., Congressional Record (February 27, 2019), 5-6, 17, 23.

ability to deploy. She expressed that transitioning made her more authentic and by being open about her true self, her patients were more comfortable being open with her. Her authenticity “allows them to do the same, allows them the freedom to say things aren’t okay in my life, but you look like you’re doing okay and you are willing to tell the truth so I am going to tell the truth too. I think that makes a healthier population of soldiers, sailors, airmen, and Marines; it makes for a healthier command climate; it makes commanders make smarter decisions because they have better answers from soldiers.”¹⁰²

Army Captain Jennifer Peace also outlined how her transition had zero impact on her ability to deploy and her military readiness. She outlined how common-sensical planning transition-related healthcare was for transgender service members. According to Peace transgender service members simply planned their treatment and surgical procedures after returning from field training, deployments, and/or during planned holiday leave. Transgender service members were eager to do their jobs and were not scheduling medical appointments in a manner that kept them from deploying. Peace also vocally expressed how transgender service members were not a problem within the military, the problem resided in the government. She remarked, it is a “policy that is based on bigotry It is not a concern in the military. It is not something you hear about. It is only through the office here in DC . . . and the natural biases that they hold against people they have never met.”¹⁰³

¹⁰² Captain Alivia Stehlik, testifying before the House Committee on Armed Services, 116th Cong., 1st sess., Congressional Record (February 27, 2019), 7, 18, 24-29.

¹⁰³ Captain Jennifer Peace, testifying before the House Committee on Armed Services, 116th Cong., 1st sess., Congressional Record (February 27, 2019), 8-10, 18-26.

Shortly after the subcommittee hearings, Speier introduced an amendment to the National Defense Authorization Act for 2020 that would have forbidden gender identity discrimination for future recruits and current service members. The amendment passed largely on partisan lines with only ten Republican supporters (even Representative Kelly voted against it) but the amendment failed to obtain support in the Senate's version of the bill and in the reconciliation process.¹⁰⁴ Thus even with the evidence presented by the Elders panel, the 2016 RAND report, unanimous declarations by the military's senior uniformed leadership, and the testimony from individual transgender service members themselves, implementation of the Trump policy would nonetheless move ahead.

In March 2019 the DoD published regulations that automatically disqualified new transgender individual recruits, allowed transgender service members already serving to remain so long as they stuck to their birth sex, allowed current service members who had already obtained a diagnosis of gender dysphoria prior to March 2019 to transition, and exempted the few transgender service members who had already transitioned while in service.¹⁰⁵ Whether Trump himself believed in the merits of the policy or was responding to beliefs held by the Republican Party's socially conservative base is debatable. Regardless, the policy was neither borne out of military necessity nor systemic pressures. Its origins were entirely ideational and negatively impacted military effectiveness

¹⁰⁴ National Defense Authorization Act (2020), H.R. 2500, 116th Cong.

¹⁰⁵ Embser-Herbet & Fram (2021), 30-31. Philipps, D. (2019). Transgender Troops Caught Between a Welcoming Military and a Hostile Government. *New York Times*. Mar 9, [Online]. Available at: <https://www.nytimes.com/2019/03/09/us/transgender-troops-military> [Accessed 4 February 2022].

BIDEN-ERA POLICY: BACK TO OPEN TRANSGENDER MILITARY SERVICE

During Trump's four years as president, Congress never passed legislation that created federal laws that would need to be overturned. Thus, unlike DADT, a repeal was substantially easier. Further facilitating the ease of repeal was that military elites were already open to reversing the Trump-era policy. SPART*A's activist effects not only helped facilitate the 2016 repeal, but their effects were long-lasting. Individual, face-to-face, meetings between transgender service members and military elites helped humanize transgender service members and to dispel stereotypes, myths, and fears.¹⁰⁶ Furthermore, Trump's tweets and his administration's blatant and wide-ranging discrimination against transgender individuals¹⁰⁷ in many ways helped further transgender activist efforts to transform both elite and the mass public's belief systems.¹⁰⁸ Whereas prior to the Trump administration's actions, much of the activist work took place behind the scenes, Trump's tweets resulted in transgender service members being brought into the spotlight on the floors of Congress, in the mass media, and within the very military units they were serving in.

On January 25, 2021, less than a week after being sworn into office, President Biden reserved the Trump-era ban and announced, "What I'm doing is enabling all qualified Americans

¹⁰⁶ Anonymous, (2022). *Personal Interview*.

¹⁰⁷ The Trump administration didn't just discriminate against transgender military service members, discrimination extended into numerous other policy areas including Housing and Urban Development Department funding for women's homeless shelters. See Jan, T & Stein, F. (2019). Carson makes dismissive comments about transgender people, angering HUD staff. *Washington Post*. Sep 19, [Online]. Available at: <https://www.washingtonpost.com/business/2019/09/19/hud-secretary-ben-carson-makes-dismissive-comments-about-transgender-people-angering-agency-staff/> [Accessed 20 February 2022].

¹⁰⁸ Commander Blake Dremann, (2022). *Personal Interview*, 22 February.

to serve their country in uniform Simply put, transgender service members will no longer be subject to the possibility of discharge or separation on the basis of gender identity” and would be able to “serve in their gender when transition is complete.” The incoming administration also announced that enlistments of transgender recruits would resume, transgender healthcare benefits would resume, and those discharged or denied re-enlistment would have their records updated.¹⁰⁹ Transgender military service members in 2021 were not inherently any different than they were in 2017. What changed were individual occupants of the White House, the ideas held by different administrations, and the growth in acceptance of transgender individuals by civilian and military elites and the mass public during the Trump administration. Ending the ban enhanced military effectiveness, but the change was also a function of certain ideas and beliefs about transgender service members.

Individual-Level Experiences

Neither the policies in place prior to Obama-era integration in 2016 nor the one reestablished under the Trump administration in 2017 were a function of systemic pressures or military necessity, they were ideational in origin and had a negative impact on military efficiency. The previous section outlined how, in a very short period of time, discriminatory military personnel policies that banned the open service of transgender recruits and service members changed multiple times. That section also demonstrated how these policies were ideational in origin by reviewing civilian and military elite discourse and demonstrating how the policies acted against

¹⁰⁹ Cooper, H. & Shear, M. (2021). Biden Ends Military’s Transgender Ban, Part of Broad Discrimination Fight. *New York Times*. Jan 25, [Online]. Available at: <https://www.nytimes.com/2021/01/25/us/politics/biden-military-transgender> [Accessed 5 February 2022].

material or national security interests. Given the small size of the transgender military community population relative to the African Americans, the LGB community, and cisgender women as well as the lack of insufficient data, demonstrating directly that the policy was harmful by virtue of numbers is a difficult task. Albeit there is a normative argument to be made that the loss of any one individual because of discrimination is neither appropriate nor conducive to military efficiency. Nonetheless, a small number of personal interviews of transgender veterans and service members is sufficient to provide a reasonable idea of what that impact was like and how unnecessary counterproductive iterations of the ban were to the efficient use of highly skilled military service members.

The remainder of this section will proceed in seven parts. The first part will provide a review of a sample of cis-gender service members who discussed beliefs about and experiences with transgender service members in interviews conducted for the previous case studies. Parts two through seven will review evidence gathered in personal interviews of six individual transgender service members. Those parts will discuss individuals' understanding of their own gender identity, transition, performance, and the impact that discriminatory military personnel policies that targeted them had. This section will further demonstrate that discriminatory military personnel policies that targeted transgender recruits and service members were ideational in nature, highly flawed, and were antithetical to military efficiency. These interviews will also periodically revisit how these discriminatory personnel policies were related to DADT and demonstrate how an intersectional analysis of these policies and the lived experiences of transgender service members can provide a more nuanced and meaningful analysis.

CIS-GENDER SERVICE MEMBER IDEA & BELIEFS

A female Army staff sergeant when asked about her beliefs about women in combat, also expressed thoughts on transgender service members. She said, “I’m more weirded out when people are transgender and changing while in the Army. I feel like they need to get out, change, and come [back] in I feel like people are using the Army to get free surgery too and they’re also creating a lot of havoc. She added, “Obviously they’re not right in their head yet because they’re not right in their body yet [and] it’s like any other mental [or] physical disorder in the sense that you don’t meet the standard.” She went to discuss harassment, and noted that the only harassment issue she could recall during her years of service was centered on a transgender individual, she remarked, “This guy said he wanted to be a woman. We didn’t know how to take it, we thought he was kidding. He got picked on a lot [and] he got really angry about it.” For that Army staff sergeant, harassment was not what was disruptive, it was the transgender service member, noting “I don’t think it’s good for unit cohesion for someone to be transitioning while they’re in.”¹¹⁰ An Air Force Colonel, while far more compassionate in his remarks about transgender service members, did share concerns about transgender health care. He thought that transition-related surgeries alone were problematic because “when airmen are out because of these those surgeries, other people have to pick up the slack.”¹¹¹

While their remarks tended to be much shorter, the majority of cis-gender service members that discussed beliefs about transgender service members in interviews did so in largely

¹¹⁰ Anonymous, (2021). *Personal Interview*, 22 October.

¹¹¹ Anonymous, (2020). *Personal Interview*, 6 April.

positive terms. A male Army sergeant first class discussed having a transgender soldier in his unit that “everyone loved.” While there was some grumbling from some soldiers in the unit, their commander set a great command climate from the beginning. After having a series of discussions with that individual soldier, the commander called the unit into an informal formation, identified them, expressed how they were to be treated, outlined unacceptable behavior, and what the consequences would be for those who behaved that way. The transgender soldier’s ability to serve openly since then has been positive and they have been solely judged on the basis of their performance, which has been well above average in their occupational specialty. The Army sergeant first class also expressed that there is great value in having gay, lesbian, and transgender service members in military units, he noted, “given the discrimination they’ve had to face and the difficulty they’ve had with navigating social spaces, they have unique perspectives and are more likely to be sympathetic with people in impossible situations.”¹¹²

Another Army sergeant compared the experience of transgender military service members with his own past experiences under DADT, noting that for both communities, “prejudice stemmed from misunderstandings.” He’s served with two transgender service members in the course of his career and indicated the high quality of their work spoke for itself. He noted that not all transgender service members require extensive medical care, some only require hormone treatments that could make them less ready to deploy, but the small amount of time lost was trivial and less than a single pregnancy. “If they can do the job, who cares?”¹¹³

¹¹² Anonymous, (2020). *Personal Interview*, 12 March.

¹¹³ Anonymous, (2021). *Personal Interview*, 21 February.

Indeed, for the vast majority of cis-gender service members that discussed experiences with transgender service members, it was a positive experience. Their specific healthcare needs did not have an adverse impact on their ability to do their job, the ability of them to form meaningful and constructive working relationships with their peers, and the unit in fact benefited from being more diverse.

SENIOR AIRMAN TORI BOSTON, U.S. AIR FORCE

The story of transgender service members does not merely begin after the repeal of DADT failed to include a discussion of them. Like their LGB service member peers, transgender service members have always been in America's military and when we apply an intersectional analysis to the negative effects of DADT, different types of discrimination come to light. Boston served in the United States Air Force from 2006 to 2010, including a deployment to Qatar, and served as a heating, ventilation, air conditioning, and refrigeration technician, responsibilities which also encompass ensuring the Air Force's network and server rooms properly function. Boston, who spent years grappling with her identity, was discharged under DADT.¹¹⁴

Today Boston identifies herself both as a woman and as a transgender woman. She has had people attempt to force her to pick one or the other, but for Boston, "those two things are not mutually exclusive at all" and she further noted, "I can't pretend that I'm not trans either, I had to make a transition to live authentically as I do now." For her, identifying as transgender "is important, especially now, since my demographic is talked about so much in the media now. It's important to be present as a transgender woman, so long as I'm recognized as a woman." She

¹¹⁴ Senior Airman Tori Boston, (2022). *Personal Interview*, 12 November.

described the years leading up to her transition, and her active efforts to resist her identity as “torture.” Having been raised in a religious home, she would pray to God every night apologizing for herself and to “remove these disgusting sinful thoughts in my had.” There were always hints and clues that she caught on to, but a combination of social pressures and existing military regulations meant she could not be her true self except when she was off-duty and could dress as a woman, go to a local LBGT bar, and there she could feel “the most comfortable in my skin.”¹¹⁵

While in the Air Force Boston had a relationship with a man, but given DADT, she had to keep that relationship secret. Unfortunately, her secret was discovered when she left her cell phone unattended while doing boiler checks and an Air Force civilian employee found it, which included email exchanges between her and her boyfriend and pictures of her dressed as a woman. Her phone was immediately turned over to her leadership who confronted her about its contents. They gave her two options—receive a court-martial or write up a statement confirming what was found on her phone and get an honorable discharge. While her leadership was “apologetic” and “compassionate,” many of her peers were not, and called her “faggot,” avoided eye contact, and began treating her as less than equal. The overall experience of being discovered and discharged was “a really traumatic event,” but just as equally stressful was being forced to compartmentalize her life on a daily basis and deal with mental turmoil on her own.¹¹⁶

Boston was good at her job but being forced to compartmentalize her life and not live as her true self did have negative impacts on her work. It “had an effect on my ability to focus” and

¹¹⁵ Ibid.

¹¹⁶ Ibid.

sometimes “those thoughts [her inner identity struggle] would be louder than the person giving me instructions on how to perform a task . . . I would have to ask them to repeat themselves” and “people would get frustrated.” Compartmentalization and an inability to access military mental health services compounded these problems and she was often depressed and sometimes even suicidal. Boston remarked, “My performance was slower because of the way that depression sucks the energy out of you” and “I mostly just felt like a drone, like an object, who’s just there to do the job and go home and be miserable again.” When she did visit mental health professionals for depression she noted, “I absolutely did leave out anything related to being feminine, anything related to my femininity. I didn’t dare ever bring up that I was having these feelings inside of me, questioning my identity because I thought that was what would get me kicked out.”¹¹⁷

Looking back on the experience, Boston thinks it made her a better person and better equipped to understand privilege. But had things been different and had the military not had the combined discriminatory military personnel policy of DADT and its then outdated medical regulations that barred open transgender military service, she “probably would have transitioned and stayed in the military.”¹¹⁸ DADT resulted in the loss of tens of thousands of gay and lesbian service members but hidden within those aggregate numbers were transgender military services like Boston that experienced double discrimination.

¹¹⁷ Ibid.

¹¹⁸ Ibid.

CADET RILEY DOSH, U.S. ARMY

Cadet Riley Dosh was raised in a family of military history enthusiasts, was exposed to the historical significance of West Point from a very early age, and as Dosh described, she always “wanted to belong to a place that could develop me to be the best person I could be.” Dosh got her wish, attended West Point, came out before Trump’s tweets, and while she was allowed to graduate, she was denied her commission. She identifies as a woman but like many other transgender individuals, also identifies as trans in certain contexts because her past experiences still matter to her. Relative to other transgender service members, Dosh’s coming out and initial transition was rather brief. Given her gender-neutral first name, she felt comfortable being able to “come out” as Riley before she came out as transgender, and during her senior year at West Point only a few months passed between when she came out to herself and when she “came out to the world.”¹¹⁹

Dosh’s experience with discriminatory military personnel policies which targeted transgender individuals was further complicated by the DoD’s nebulous categorization of its military cadets. As with every administration before them, under the Obama, Trump, and Biden administrations, military academy “cadets are kind of a forgotten part of the military.” Cadets are technically active-duty service members, but administratively once cadets graduate from their service academies, they must meet their respective service’s accession requirements again. Meaning they join the military to receive their academy education at prestigious institutions like West Point, and then must join *again* to receive their commissions as active-duty officers. A

¹¹⁹ Cadet Riley Dosh, (2022). *Personal Interview*, 15 March.

combination of this administrative gray area and the Trump-era policy denied Dosh the opportunity to commission as a second lieutenant in the American Army.¹²⁰

Had Dosh already been commissioned, she would have been grandfathered into the Trump-era policy's exemption for service members who had received a diagnosis of gender dysphoria prior to the policy's official implementation. Dosh, who had communicated with Obama appointee Army Secretary Eric Fanning was told the policy was intended to also cover cadets, but Trump's appointee, Acting Army Secretary Robert Speer tautologically replied to her request for an exception to policy (ETP) by merely noting that the request itself violated policy. ETP requests are fairly routine in the military. West Point's then-superintendent, Lieutenant General Robert Caslen, had approved her request and on any given year approximately one-third of service academy cadets require medical ETPs because of injuries received while conducting military training at some point during their four years at their respective academy. In other words, Trump officials had found and exploited a legal loophole through cadets' accession requirements to further enforce their prejudicial policy to another area of military personnel.¹²¹

The timing of Dosh's coming out was both appropriate and commonsensical for her. Dosh did not want to transition while in her first leadership position, she wanted to "arrive as Riley." Transitioning immediately after arriving at her first unit, according to Dosh, "would have been too much of a distraction" for both her and her soldiers. She also wanted to be able to graduate as Riley and "didn't want to be a memory of an old classmate." Barring Dosh from commissioning

¹²⁰ Ibid.

¹²¹ Ibid.

after graduating from West Point deprived the Army of the service of a high-quality officer and was unnecessarily stressful for Dosh herself. She remarked, “It’s a huge fucking blow when the government says you’re not worthy . . . it’s absolutely crushing and demoralizing.” Astonishingly enough, Dosh is *still* barred from military service even under the Biden-era policy. Since Dosh has had transition-related surgery in the past few months, she cannot commission until at least “eighteen months have passed” where she “is stable in her current gender.” The eighteen-month requirement was an Obama-era compromise and when Biden overturned the Trump-era policy, his administration simply re-instated the Obama-era one without completely addressing either the status of cadets or the arbitrary eighteen-month rule.¹²² The Biden-era policy still carries with it some residuals of past discriminatory military personnel policies that target transgender recruits. Those residuals are the result of ideational factors and not products of systemic factors or military necessity and have had a negative impact on military efficiency.

LIEUTENANT COLONEL BREE FRAM, U.S. SPACE FORCE

Lieutenant Colonel Bree Fram is a seventeen-year veteran of the Air Force and Space Force. She has served in a variety of capacities in both branches in aeronautical engineering, cyber and counter-drone operations research and development, strategic planning, and congressional advisership. Fram survived DADT, came out as transgender the day the transgender ban was dropped in 2016 but did not begin her transition until 2019, after being grandfathered into the Obama-era policy during the Trump administration. For Fram, transgender identity can be understood by acknowledging that some “People who have a different sense of self than what

¹²² Ibid.

their doctor pointed at them and said when they were born” but there eventually arises a “disconnect between who you are and what society is telling you who you are.”¹²³

When Fram came out to her fellow service members, “Almost everything was positive” and shortly after doing so, “one by one they came up to me and shook my hand and said, ‘it is an honor to serve with you.’” Her performance and personal attributes spoke for themselves and nothing inherent about her as a military officer changed. Her transition had “zero limitations” on her ability to do her job and scheduling her healthcare needs such that they did not impact her readiness was commonsensical. She scheduled appointments and recovery time in association with personal leave, between training events, and between deployments. Fram noted that even for the most extreme cases of transgender service members, where they might need “every conceivable surgery,” the amount of time required to recover, and lost duty days is still less than a single pregnancy. Fram cannot “conceive of a military without women in it” and stated arguments that criticize transgender healthcare needs fail to take into account just how minor “a few months over the course of several years” can be, especially when the military is making such a large investment in highly trained and essential individuals.¹²⁴

What does have a negative impact on military effectiveness were the discriminatory military personnel policies that banned open transgender military service. Similar to the impact on individual service members under DADT, banning open transgender military service makes it unnecessarily more difficult for service members to perform at their best. Fram noted that the

¹²³ Lieutenant Colonel Bree Fram, (2022). *Personal Interview*, 3 February.

¹²⁴ *Ibid.*

bans had a “significant” impact on workplace performance, noting that “people who live in an environment where they have to protect their identity, they can be good at what they do, they can be great at what they do, but they can’t be their best.” Fram felt that she was awesome at her job but “when you spend that mental energy correcting pronouns” and trying to compartmentalize one’s life “it puts a filter in your brain between your thoughts and actions and that slows you down. Having spent that mental energy prevents you from spending it on other things, like mission accomplishment.”¹²⁵

Similarly, Trump’s tweets did not enhance military effectiveness, they caused unnecessary stress and were a distraction to military service members. The back and forth of the policies on open transgender military service was “Truly a roller-coaster of emotions and actions” that led many transgender service members to begin to think “You’re not wanted, and you’re a burden.” While the Trump tweets and policy changes were both unnecessary additional stress and distraction, the Air Force was very supportive of Fram. Her leadership and peers were “welcoming and supportive” and the first phone call she received after the tweets came from an Air Force general telling her, “we’ve got your back, you do what you got to do to fight this, and the Air Force will watch out after you.”¹²⁶

Just as discriminatory military personnel policies that banned open transgender military service were harmful to military efficiency, policies that permitted open service were beneficial to military efficiency. Fram found that transitioning “Surprisingly opened up some amazing

¹²⁵ Ibid.

¹²⁶ Ibid.

things, it opened my eyes and it made me a better leader in many ways.” Transitioning in the military helped humanize her to peers and subordinates, showed her as someone who could also be vulnerable at times, and made it easier for other service members to bring issues to her attention. Being able to live as her authentic self also provided her with a “shift in perspective” that made her much more aware of diversity and the experiences of other minority groups. For Fram, diversity is not only about fostering a respectful work environment but that “diversity is [also] a force multiplier.” Diverse decision-making bodies increase their brain power, offer different perspectives, and different approaches to problem-solving.¹²⁷

COMMANDER BLAKE DREMANN, U.S. NAVY

Commander Blake Dremann is a fifteen-year Navy veteran with ten years of service at sea, including a number of years aboard one of America’s nuclear-powered ballistic missile-carrying submarines, he served for a year in Afghanistan and is a past president of SPART*A. Dremann identifies both as a man and a transman and remarked, “there’s no just saying I’m a man in most contexts because it negates the struggle for me to get there.” Prior to his transition, Dremann was one of the first women to serve on a submarine—one of the final bastions of the Navy’s previously all-male forces. For Dremann, it is important for him to acknowledge this past “so people can’t discount my experience.” Additionally, Dremann described his own transition to have included two coming-out moments. First, as a “gay female” after DADT was repealed and later as transgender once he was finally able to openly be his true self.¹²⁸

¹²⁷ Ibid.

¹²⁸ Commander Blake Dremann, (2022). *Personal Interview*, 22 February.

In both instances when Dremann came out, the reactions he received from his subordinates, peers, and leadership were largely supportive and, if anything, he indicated, “I don’t think any of my friends were surprised.” During and after his transition Dremann noted that he never had any physical limitations or constraints on his readiness and ability to deploy. Dremann, like Fram, was conscious of when to plan for his healthcare needs. He also described how transitioning resulted in him being in better physical shape than he was prior to this transition. His transition afforded him additional focus and confidence that made higher levels of fitness possible, and in order to leave no room for doubt about his abilities among others, he had a greater resolve to work out.¹²⁹

Similar to the experiences of others, what limited Dremann in any capacity was the military’s discriminatory personnel policies—both DADT and the open transgender service bans. Service aboard submarines is already inherently difficult and submariners are a particularly “close-knit group” that any initial outsider will have difficulty integrating oneself into. But for Dremann, at multiple states, he faced an uphill battle proving his worth. He remarked, “I am female and they’ve never had females on board, and I’m gay and they just repealed Don’t Ask, Don’t Tell, and I am trans, and they don’t have a fucking clue what transgender means.” Two of those identities also meant that Dremann had to at multiple stages go to great lengths to keep his private life, private, and “there was a lot of compartmentalization, I went through a lot of turmoil there for a long time.” During DADT, he had to be careful about who he was out to. There were certain friends he could tell and certain friends he could not; certain groups of friends he could

¹²⁹ Ibid.

socialize with as one person, and certain groups of friends he could socialize with as another. Once DADT ended, he still could not come completely out and still had to keep separate groups of friends, those he could confide in and those he could not. Dremann was still great at his job, but the amount of energy he had to spend compartmentalizing his life was taxing. At one point he thought if he could not transition, “I was contemplating resigning my commission.”¹³⁰

For Dremann, the uncertainty that Trump’s tweets brought forth was “stressful.” Dremann was then serving as the president of SPART*A, a “job that I thought would be in the background” that suddenly “puts me on the front page of every newspaper, that was a little rough.” His service with SPART*A at times felt like having a second full-time job. Dremann regularly received phone calls not only from concerned friends but from other service members, commanders, and military attorneys seeking advice, sometimes for service members whose commanders wanted to discharge them without twenty-four hours. While the Trump tweets were stressful, Dremann also believes that they were also helpful because suddenly the American public was being exposed to the names, faces, and personal stories of numerous phenomenal transgender service members, including Dremann himself. Whereas before many Americans probably did not know what transgender meant and the most common images they might have been exposed to were “Sergeant Klinger from M*A*S*H, the transvestite from Silence of the Lambs, and a few other very negative” fictitious characters.¹³¹

¹³⁰ Ibid.

¹³¹ Ibid.

Contrary to the prejudicial beliefs underlying the Trump-era ban, Dremann's transition has made him a better naval officer and a greater asset to the Navy. After coming out a second time and finally being able to be his true self, Dremann no longer had to compartmentalize his life, had fewer things to worry about, had greater focus and mental energy, and no longer entertained thoughts of resigning his commission. He had an "easier time doing work and doing that work well." Transitioning from female to male also gave Dremann greater insight about gender discrimination. After his transition Dremann noticed that his "decisions and analysis are less questioned," that "when I walk into a room, people assume I'm in charge," and that his "ideas are taken into consideration, I don't need anyone to suggest my ideas for me." All of which was a stark contrast to when he was a female submarine officer. Dremann brings that wisdom into his current leadership style, he said, "I pay closer attention to where I might question or not question someone." As with Fram, Dremann also believes that the military benefits from the added diversity associated with open transgender military service. He remarked, "diversity of perspective, makes us more efficient, makes us more knowledgeable about our own internal biases."¹³²

MAJOR KARA CORCORAN, U.S. ARMY

Major Kara Corcoran is an infantry officer and twelve-year Army veteran. She has served in Afghanistan and Korea and is a graduate of some of the Army's most demanding schools including Ranger School. Like many others, Corcoran completely identifies with the gender she transitioned to, stating, "I identify one-hundred percent a woman in work and private life, I'm a

¹³² Ibid.

woman, that's it." Similarly, Corcoran also strongly identifies as also being a transgender woman. She's "out and open to everyone in my formation . . . I know there's a lot of people out there who need someone to look up to, there's not many transgender field grades [senior ranking officers]." Like Dremann, Corcoran also has faced unique dynamics of transitioning while serving in a military occupation that had until only recently excluded all women. These dynamics shaped the timing of her transition as well as her behavior to a certain extent. Corcoran remarked that she's "very alpha at work" in part "because that's what the profession requires" but outside of work, she is much more feminine.¹³³

Corcoran knew ever since she was a child that she was a girl but having grown up in a traditional Catholic community and in a military family, her ability to express her true self was highly constrained by prevailing gender norms. She began to meet other transgender individuals while in college and enrolled in the Army's Reserve Officer Training Corps (ROTC) but given the military's existing policies, the prospect of transitioning "wasn't in the cards for me." After the repeal of DADT, Corcoran felt a little more comfortable experimenting and when off-duty would sometimes wear women's clothing and would visit local gay bars. It was not until 2016 when open transgender service was finally allowed *and* the combat exclusion rule that prohibited women from serving in combat occupations, such as infantry, was repealed, that a world of new possibilities for her emerged. Once Corcoran was watching women graduate from Ranger School, she remarked "it was blowing my mind" and it meant that "I can serve as an infantry officer as a woman!" Corcoran noted an important connection. Because women were successfully and

¹³³ Major Kara Corcoran, (2022). *Personal Interview*, 24 February.

actively completing demanding combat schools and integrating within ground combat units, it furthered the argument that transgender individuals, especially trans women, could also be successfully integrated.¹³⁴

When Corcoran came out initially her peers' attitudes were "not well, not well at all." She came out slowly to other service members one at a time, many stopped talking to her, but many were also accepting. Corcoran noted that surprisingly, it was those who were "the most manly" that were the most accepting. Some questioned whether she would be able to maintain the same level of fitness required for her occupation, to which she frequently retorted, "'okay challenge accepted bro!'" and "started hitting the gym twice as hard." The integration of women in the Army's ground combat occupations also afforded her the ability to become very close friends with other female infantrymen, who were very accepting. Over time, her performance spoke for itself and even those who were less accepting opened up. While at the Army's Command General Staff College other officers were shocked to meet a woman soldier with a Ranger tab and a Combat Infantryman's badge on her uniform and asked her all sorts of questions that were never asked when she was a man. After three weeks other service members figured out she was transgender, started to shun her, but over time, prejudicial beliefs and stereotypes gave way and most realized, "this is really stupid, she's just another infantryman."¹³⁵

Similar to the experiences of others, it was the presence of discriminatory military personnel policies and not the presence of open transgender service that was harmful to military

¹³⁴ Ibid.

¹³⁵ Ibid.

efficiency. Prior to being allowed to serve openly and be her true self, life and military service “was stressful, I dealt with my gender dysphoria in lots of negative ways, tobacco use, I did not care about physical fitness as much, I had a lot of anger issues . . . me compensating for the fact that I couldn’t be myself, I created a lot of moral strife that carried over into work.” The overall effect was that even though Corcoran was good at her job, it was difficult to bring her entire self to work. Open service has had a tremendous impact on her health and performance. Transitioning allowed her to have “more mental clarity” and “more purpose in life.” Corcoran noted, “I’m finally who I am and I don’t have to pretend that I’m something else.” She also became more physically fit at 35 than she was at 25 and has even run three ultramarathons. After DADT was repealed, Corcoran “still had to remain closeted” and she couldn’t envision herself making the Army a long-term career, she said, “I was almost at a point, I was hoping to get caught, so I could get kicked out the military and start living my life.” However, since her transition, Corcoran is committed to a long career in the Army.¹³⁶

When Trump’s tweets came out, Corcoran expressed that “I lost my mind at that point.” The tweets caused unnecessary stress and uncertainty, and she thought “There’s no way I could make [the Army] a career as a man.” Luckily though, Corcoran had just joined SPART*A, began meeting other transgender service members, and realized transitioning and open service “was possible.” She decided to transition before the tweets became policy. And after having transitioned, not only is her mental and physical health better, but the experience of transitioning has made her a better leader. She recently told a peer, “I don’t think you understand how amazing

¹³⁶ Ibid.

it is to have lived both sides” and noted, “It gives you this unique perspective and experience that 99.99% of the world doesn’t have, and it does make you a valuable asset.” While she has observed some changes in how she is treated, e.g., some people try to “mansplain” things to her they previously would not have, respect towards her is not always automatic, etc., she has also noticed that she “treats soldiers with more empathy and understanding” and better understands the value-added to the military when it embraces diversity.¹³⁷

LIEUTENANT KRIS MOORE, U.S. NAVY

Lieutenant Kris Moore is a veteran of more than fifteen years of service in the Navy. He first served as an enlisted sailor in 2005 as a master-of-arms responsible for naval security abroad ships and in harbors. After five years of service, he received an appointment at the United States Naval Academy, received a commission in 2013, and currently serves as a surface warfare officer. Kris identifies as a man but also describes himself as a transman, identifies as “gay-ish” and bisexual. For Moore, identity is often situation-dependent and like others, doesn’t want to discount his past experiences. He remarked, “I really do think those experiences in my life, as a woman, being raised in Texas with very specific expectations of how girls should grow up to be women, I think those are very valid, and I think those have built me into who I am. But I still identify a man.”¹³⁸

Kris’ life experiences are such that he has had to “come out” twice, first as a lesbian and second as a transman. Given his conservative upbringing, Kris did not come to identify himself as a lesbian until he enlisted in the Navy, and given the constraints of DADT, Kris said that “I

¹³⁷ Ibid.

¹³⁸ Lieutenant Kris Moore, (2022). *Personal Interview*, 11 March.

tried to suppress it, I tried to use gender-neutral terms when describing dates,” and like others had to compartmentalize his life and had some friends who knew and some who did not at both stages. Kris noted that during DADT many other service members and commanders knew of his sexual orientation, but since he was good at his job, no one really cared. Nonetheless, recalling back on those years, Kris remarked, “I tried to fake it, because I was afraid if I pissed off the wrong person, even if they couldn’t criticize my work” that he could be reported and discharged from the Navy. Having to constantly police his own behavior and language and the looming cloud of DADT meant that Kris “had a bit of paranoia, with who I could trust, who I could speak openly with” and “that put up a lot of barriers, probably snuffed out a lot of relationships I could have developed with my peers, because I was afraid.”¹³⁹

DADT was repealed while Kris was at the Naval Academy. The academy’s leadership was incredibly supportive, let him know that they had his back and if he received any backlash from anyone that he could come directly to them. The repeal of DADT made it possible for Kris to be himself and he noted that his class ranking “kept jumping up” the years after the repeal. He noted, “when you know the people around you have your back, when your chain of command supports you regardless of who you go on dates with or how you identify, you’re able to perform to standards, but when you feel like everyone hates you, and when you feel like people are looking for an excuse to kick you out, you’re not going to perform.” Given the incompleteness of DADT and the repeal’s failure to address the status of transgender service members though, Kris did face another obstacle to living authentically. He had known his entire life that he was different

¹³⁹ Ibid.

but did not understand what that difference meant until 2013 during his senior year at the academy. Given that Kris had not been commissioned yet, he wanted to wait to fully come out because “I wanted to prove myself on my first ship as an officer” and then start transitioning.¹⁴⁰

Kris came out to his ship’s captain in 2015 and was told, “Hell ya, I support you. I don’t know what the rules are, but I support you.” His leadership did not feel that testosterone therapy alone was enough to kick him out but he would not be able to begin the process of changing his gender identity in the Navy’s personnel record systems until after the Obama-era 2016 policy change. Until then, “nobody cared” even when he was still required to use the women’s restrooms on the ship. The remainder of the ship’s response was overwhelmingly positive. Being able to live and service authentically was “validating” and “heart-warming.” Kris has also undergone some transition-related surgeries but collectively, none of his transition-related healthcare has had an impact on his physical performance. His recovery time was minimal, and Kris even took less convalescence leave than he was offered and returned to duty two weeks after his surgeries. He also articulated how transitioning from female to male had unique effects. After his transition, he found that sailors were more receptive to a firmer leadership style and less questioning of his orders, whereas before as a female leader, Kris observed “women have to be more mindful of checking their emotion . . . have to be more careful about how they say things, the tone they use.” He has also observed that in many ways his transition was easier for many in

¹⁴⁰ Ibid.

the military to accept, remarking that those who transition from male to female have to “give up [their] masculinity” and “that is seen as betraying your place in the [military] world.”¹⁴¹

Kris describes his experience after Trump’s tweets in similar terms to others, he said, “That was one of the hardest days of my life.” His ship captain and shipmates were completely supportive. Kris remarked that his ship had several Trump supporters, but after the tweets, a number of them remarked, “I can’t support someone that would do this to someone I love.” When the support of his shipmates was “amazing,” Kris still faced a tremendous amount of stress that had a negative impact on his physical health and his working relationships. He was not eating enough, he was often depressed, and coped by “over-committing to work.” Trump’s tweets gave him a lot of anxiety about whether he would be discharged, what type of discharge he might get, whether he need to find other work, and, if he got less than an honorable discharge, if that would impact his ability to find new work. Looking back on that time, Kris remarked, “it was scary” and he then thought, “I’m a damn good sailor, I’m a damn good officer, the fuck if this going this is going to ruin my life.”¹⁴²

Kris was already a great officer, but being able to begin his transition and being accepted made him even better. He noted, when “an individual can be authentic, this is how unit cohesion is built, this is how diverse teams grow to succeed, and that creates better leaders, it creates more understanding and empathy.”¹⁴³

¹⁴¹ Ibid.

¹⁴² Ibid.

¹⁴³ Ibid.

Conclusion

The American military is not simply a singular body that the American state devotes some portion of its population and GDP into in response to systemic factors like the international distribution of power. The American military, like any other military, is literally a body of bodies. Prejudicial ideas and beliefs about what groups of individuals are worthy of military service, especially in the era of the AVF, matter. Such ideas and beliefs translate into discriminatory military personnel policies that can and do have adverse impacts on the American military's ability to effectively project force. As was the case with discriminatory military personnel policies that targeted African Americans, gay men and lesbians, and women, similar policies that barred the open service of transgender individuals were not functions of systemic factors or military necessity, they were entirely ideational in origin and were antithetical to military efficiency.

Even though DADT was repealed in 2011, cautious political calculations on the part of LBG activists and their allies in Congress as well as failure to imagine a more diverse community resulted in a failure to also address the status of transgender recruits and service members. The repeal of DADT left intact antiquated military medical regulations that barred the open service of transgender service members. In the years that followed, SPART*A activists conducted a quiet educational campaign of military elites and civil rights-minded MCs began to pressure reluctant Obama administration officials for change. Their efforts bore fruit, in 2016 the Obama administration made open transgender military service possible and found little resistance from military elites. The change was short-lived though, and while in a much shorter period of time, the status of open transgender military service ebbed and flowed much like other discriminatory

military personnel policies of the past. Trump re-instated ideationally driven restrictions, transgender service members and the military-at-large were less efficient as a result. The Biden administration within days of assuming office ended those policies but did neglect the status of military cadets and officer accession requirements, meaning some elements of discrimination remain.

As the lived experiences of individual transgender service members demonstrate, the policy simply did not make sense and had adverse impacts on individual performance and unit cohesion. In other words, the policies created the very adverse impacts that advocates used to justify discrimination in the first place. Individual transgender service members, when not allowed to serve openly and authentically, found it unnecessarily difficult to bring their entire selves to their workplaces. They were forced to compartmentalize their lives, distance themselves from their peers, self-police their pronouns and behavior, experience unnecessary degrees of personal turmoil and negative mental health issues, and were less likely to remain in military service if they could not transition. The experiences also demonstrate that their peers were largely supportive and accepting and that transition-related healthcare needs had virtually no impact on their job performance or readiness. In fact, transgender service members, after being allowed to transition found their performance improved, that they were able to be more effective and empathic leaders, and that enhanced diversity also improved the decision-making skills of the units to which they were assigned. Rationally minded AVF-era civilian and military elites know that transgender service members are a blessing, not a burden.

Incorporating an intersectional analysis to this policy area has highlighted the unique experiences and discrimination that individuals with multiple identities can often face, including

the combined effects of ideas and beliefs surrounding sexual orientation, gender, and transgender identity. Furthermore, as many of the interviews demonstrated, the presence of transgender military service members has provided unique assets to both understand and tackle gender-based discrimination in the military. The military is more effective when it is a diverse body and the presence of unique individuals who have “lived both sides” and have faced discrimination throughout their lives provides the military with a strong cohort of leaders who can help foster better command climates. In doing so the military gains both stronger decision-making leadership bodies and becomes better equipped to lessen the negative effects of prejudice in the workplace which allows more individual service members to be better supported, more focused, and to be more productive.

CHAPTER X: CONCLUSION

“. . . Lieut. Enslin of Colo. Malcom’s Regiment tried for attempting to commit sodomy His Excellency the Commander in Chief approves the sentence and with Abhorrence & Detestation of such Infamous Crimes orders Lieut. Enslin to be drummed out of Camp tomorrow morning.”¹

General George Washington, 1778
The First Discharge of a Gay Soldier in the American Army

“. . . with implementation of the new law fully in place, we are a stronger joint force, a more tolerant joint force, a force of more character and honor, more in keeping with our own values.”²

Admiral Mike Mullen, 2011
Press Statement After the Repeal of “Don’t Ask, Don’t Tell”

Discriminatory military personnel policies are neither a function of systemic factors nor military necessity. They are unnecessarily harmful to the individuals which are targeted, do not serve the military well, and are harmful to national security. Policies like these should be of interest to scholars of international relations because, as I have demonstrated, they strongly show us that ideational factors matter in an area where we expect them to matter least—national security. Discriminatory military personnel policies in the United States are of particular interest

¹ Washington, G. (1934). *The Writings of George Washington from the Original Manuscript Sources 1745-1799, Vol.11* (J. Fitzpatrick (ed.)). United States Government Printing Office, 83-84.

² Marshall, Tyrone (2011). Defense leaders laud DADT repeal, return of ‘equality.’ *Armed Forces Press Service*. September 21, [Online]. Available at: https://www.army.mil/article/65878/defense_leaders_laund_dadt_repeal_return_of_equality [Accessed 10 May 2022].

because the totality of the American experience with them is especially shocking. The discourse associated with each bears a striking resemblance across time and the fact that civilian and military elites habitually self-inflicted ideational wounds before and during wartime is even more puzzling.

The United States had “been there and done that” with its experience with racially-based discriminatory military personnel policies that ranged from the Revolution until Truman’s 1947 executive order ending segregation in the American military. In every war the United States fought across almost two centuries it had to learn and then re-learn that not making use of Black manpower was not an option and that segregation and racism, only made the military less effective during wartime. The same has been true for gay and lesbian military service members and women throughout American history. Both have been in every major American military conflict, and yet discriminatory military personnel policies in various forms have either barred or restricted their service and the end product was always the same—harm to military efficiency, harm to national security, and harm to individual service members themselves. The latest iteration of discriminatory military personnel policies which barred and restricted the service of transgender service members has demonstrated the same dynamics—these policies were not shaped by systemic pressures or military necessity, they were ideational in origin, and also had a negative impact on military effectiveness, national security, and the individuals which these policies targeted.

The Harmful Effects of Segregation & Racial Discrimination in the American Military

Discriminatory military personnel policies that either barred or restricted the service of African American men never served the United States well. Since the Revolution, the Army military would regularly enter wars with a steadfast refusal to make use of its Black manpower only to find that neglecting a tenth of its manpower potential was not a feasible military strategy. Once peacetime resumed, civilians would demobilize all its Black military units and then generally repeat this same pattern in subsequent conflicts. At the onset of war, policing beliefs and ideas about race took precedent over national security, restrictions would be lifted once wars dragged out but once established, the reluctant solution of segregated military units posed numerous problems—separate but equal was also inherently unequal when mobilizing military forces.

During World War I, racially-based discriminatory military personnel policies arose as the result of certain ideas and beliefs long held by American civilian and military elites that African American soldiers were somehow mentally and physically inferior to white soldiers. Despite a vast amount of historical knowledge to the contrary, elites prioritized the enforcement of those ideas and beliefs above national security. The American military haphazardly mobilized its Black manpower, did not take the training of its segregated infantry divisions seriously, did not provide them with the appropriate equipment, staffed them poorly, and did their morale no service by treating them as inferior soldiers. The result was a near disaster during the Argonne-Meuse offensive.

The American experience during World War I is especially interesting. During this war, the United States mobilized two segregated Army divisions, retained one under its command, and released the other to serve under French command. The division which was transferred to the French Army was far more neglected in its organization, training, and staffing prior to being sent overseas, but French elites did not share the same ideas and beliefs about race that their American allies did. The soldiers in the division were given additional training and equipment and were treated as equals. This division performed much better than the one retained under American command, which further demonstrates the power of ideational factors during this war.

The Harmful Effects of “Don’t Ask, Don’t Tell”

American civilian and military elites behaved similarly with their treatment of gay and lesbian military service members. Gay men and lesbians have long been discriminated against, albeit for different reasons than African Americans and with different understandings of precisely what gay identity and appropriate sexual behavior meant across time. During World War II and the Cold War, the American military became very aware that discriminatory military personnel policies which were based upon certain ideas and beliefs about gay men and lesbians were antithetical to military efficiency, and wartime enforcement of discriminatory military personnel policies became decentralized and sometimes weak. Nonetheless, discrimination continued during wartime and was often harsh, but military elites sometimes understood that winning the war was more important than policing certain types of sexual behavior. Yet in 1980 elites doubled down and enacted a total ban. In 1993 a compromise was attempted that in effect became largely a continuation of the status quo. The ideational balance of power in Congress favored cultural

conservatives who were blinded by their prejudicial belief systems and as a result, they simply could not imagine a world where gay men and lesbians were both perfectly normal individuals just like their heterosexual peers, and that it was more efficient to judge *all* individuals based upon merit and not status. There were large-scale discharges of gay and lesbian service members in the years prior to September 11th and until 2011. Those discharges not only deprived the American military of thousands of its service members, but those who were discharged were disproportionately in military occupations that were critical to the American war efforts in Afghanistan and Iraq. Personnel in these areas included Arabic and Farsi linguists, intelligence professionals, doctors, and nurses—all occupations that were chronically undermanned and extremely difficult for the military to recruit, train, and retain.

Discriminatory military personnel policies which targeted gay men and lesbian service members also made it difficult for these service members to be able to completely focus on their jobs, have strong working relationships with their peers, develop strong unit cohesion, access vital individual and family services, and greatly diminished their desire to make the military a long-term career. Gay and lesbian service members were forced to lie and compartmentalize their lives, avoid medical care services, and were forced to live in constant fear that, even when they played by the military's rulebook book, they could nonetheless still be outed, and their careers abruptly ended. Adding additional stresses such as these unnecessarily made what were already stressful wartime jobs even more stressful. Civilian and military elites not only denied themselves of critical personnel but also denied thousands of individuals the ability to train and operate at their best.

The Harmful Effects of Combat Exclusion, Sexual Assault, Sexual Harassment, and Gender Discrimination in the American Military

Gender-based discriminatory military personnel policies have had a similar impact on military effectiveness and on individual women service members. Certain ideas and beliefs held by civilian and military elites about what is essential to women and what are appropriate roles for women have long constrained the American military's ability to make the most effective use of American womanpower. Since the Revolution, civilian and military elites had long struggled with reconciling whether to permit women to serve in some capacity and when used, what the limits of their service would be. World War II saw an explosion in the scope and nature of the possibilities for women who wished to serve in the military. While women in this era were confined to auxiliary status, they nonetheless served in numerous non-traditional roles and demonstrated they could fly every aircraft in the American military's wartime arsenal, serve in some of the most sensitive defense research projects such as the Manhattan Project, and even serve under fire in Africa, Europe, and the Pacific. Yet after the war, despite formal inclusion established by federal legislation, women's roles in the American military were highly restricted and that trend would not change until the end of conscription in the United States in 1972.

After the establishment of the All-Volunteer Force (AVF), removal of various other gender-based personnel restrictions, and formal incorporation into the regular military, the scope, and nature of women's military service changed dramatically. Women went from being

less than two percent of the American military to more than fifteen percent in less than a decade.³ Despite this dramatic growth, discriminatory personnel policies remained in place which barred women from serving in combat occupations. The American wars in Panama and the Persian Gulf demonstrated though, that defining “combat” was not an easy task for civilian and military elites and numerous women service members found themselves in combat anyway and served remarkably well in combat conditions. Civilian and military elites debated women’s combat exclusion after the Gulf War and eventually restrictions on air and naval combat positions were lifted, but ground combat, according to elites, remained an inappropriate role for American mothers and daughters.

The inability of civilian and military elites to imagine a world where military occupations should be determined by merit and ability and not by gender became especially problematic during the post-September 11th American wars in Afghanistan and Iraq. Local cultural constraints in both of those countries meant that the American military needed women in ground combat units. The presence of women in ground combat units could allow combat units the ability to search, interact with, and collect intelligence from a previously invisible half of the local population without upsetting local customs and minimize opportunities to inflame the local populations that it was seeking to win the hearts and minds from. Combat exclusion rules though constrained the realm of the possible. Instead of having qualified some women already in ground combat units with training equal to their male peers, the military worked with the institutional

³ Washington Headquarters Services: Directorate for Information Operations and Reports (1999). Office of the Deputy Under Secretary of Defense for Military Community and Family Policy, (2004-2019). *Demographics: Profile of the Military Community*. Washington D.C., Department of Defense.

constraints it had and attempted to avoid congressional attention. Senior military commanders in Afghanistan and Iraq adopted a patchwork plan to “attach,” as opposed to “assign,” women who were serving in other service and support occupations, and who had substantially less combat training, to ground combat units. The programs that arose from these plans—Team Lioness, Female Engagement Teams, and Cultural Support Teams—were considered a resounding success where they were employed but were unfortunately never large in scale. For example, in Iraq where American forces peaked at nearly 160,000 service members, there were never more than a few dozen women service members available for this type of work at any given time.⁴

Women’s exclusion from combat was set by discriminatory military personnel policies that were entirely ideational in origin. Furthermore, exclusion from the military’s *raison d’être*, along with broad societal ideas and beliefs about women, ensured that women would occupy a second-class position in the military. No women could serve in ground combat occupations, and while not all men do, all mean conceivably *could*. Historical combat exclusion policies were thus intimately tied to a military culture that treated women service members as less than equals and long turned a blind eye to sexual assault, sexual harassment, and gender discrimination. From 1979 to 2004 the military reactively studied these issues when individual incidents produced sufficient public outcry that Congress intervened. But even in 2004 after an investigation

⁴ McNulty, S. (2012). Myth Busted: Women are Serving in Ground Combat Positions. *The Air Force Law Review*, 68, 119–166. Katt, M. (2014). Blurred Lines: Cultural Support Teams in Afghanistan. *Joint Forces Quarterly*, 75(4), 106–113.

discovered that more than a hundred women service members had been sexually assaulted by their male peers while deployed in Afghanistan and Iraq, the military struggled to make meaningful attempts to combat the underlying causes of sexual harassment and sexual assault. In 2013 the Department of Defense's Joint Task Force for Sexual Assault Prevention and Response Office (SAPRO) reported that 6290 women service members had been sexually assaulted.⁵ But a 2014 study conducted by the RAND Corporation discovered that SAPRO's numbers were wildly incomplete. RAND noted that seventy-seven percent of incidents went unreported and estimated the actual number was closer to 20,300 each year.⁶ The American military after decades of periodic research had mostly committed itself to collecting annual data and implementing reactive programs to facilitate reporting and provide care for survivors of sexual assault. The programs did little to combat, much less understand, underlying causes, including the strong relationship between sexual assault and sexual harassment.

Much like DADT, the failure by civilian and military elites to take sexual assault, sexual harassment, and gender discrimination in the military seriously has had a grievous impact on military efficiency. In 2019 there were 224,760 women serving on active duty in the American military, the 2014 RAND report pointed out that one out of five had experienced some form of sexual harassment within the previous twelve months and that there was a strong relationship between sexual harassment and sexual assault—those who reported being sexually harassed

⁵ U.S. Department of Defense. (2014) *Annual Report on Sexual Assault in the Military*. Arlington, VA: U.S. Department of Defense.

⁶ National Defense Research Institute. (2014) *Sexual Assault and Sexual Harassment in the U.S. Military*. Santa Monica, CA: RAND Corporation.

were fourteen times more likely to have been sexually assaulted. What the RAND report also discovered was that many of these women were very understandably deciding not to remain in the military.⁷ Simply put, women have composed a very large percentage of the American military since the establishment of the AVF, many of them have and are being sexually assaulted and/or sexually harassed, and many of those have are deciding to take their talent and expertise elsewhere.

Sexual assault and sexual harassment are not just problematic for the military's ability to retain much-needed talent, these issues also make it difficult for individual women service members to completely focus on their jobs. Interviews of survivors and military Victims Advocates demonstrated that at the unit and individual level when commanders refused to take incidents of sexual assault, sexual harassment, and gender discrimination seriously it does serious damage to unit cohesion, greatly diminishes trust in leadership, diverts valuable time from mission-critical work, and makes it difficult for survivors and, even bystanders and peers, to focus on their jobs and diminishes their desire to remain in the military. Sexual assault, sexual harassment, and gender discrimination within the military have unnecessarily made the already inherently stressful and demanding nature of military service, especially when deployed overseas, even more stressful. Each of these issues is determinantal to both military efficiency and national security.

⁷ Ibid.

The Collective Experience of Discriminatory Military Personnel Policies and the Experience of Transgender Military Service Members

Discriminatory military personnel policies which targeted African American men, gay men and lesbians, and women military service members were not policies restricted to specific moments in history. Individual and group understandings of identity and prevailing societal attitudes surrounding each have changed often over time but what unites them all are their individual and collective long historical patterns of discrimination. For each of these groups, strong discriminatory military personnel policies were the norm during peacetime, those policies were often relaxed to some degree out of military necessity, and then would resume during peacetime. Nevertheless, even the most generous wartime relaxing of discriminatory military personnel policies during any given conflict was still accompanied by a great deal of discrimination that was antithetical to military effectiveness. Often there was no significant reform that followed a given conflict that would have helped the military avoid the same problems in the next war. Instead, civilian and military elites simply recycled prejudicial justifications and subjected American military forces to the same problems they faced in the past. That American civilian and military elites consistently placed the enforcement of prejudicial ideas and belief systems above national security is difficult to reconcile within a rationalist-materialist framework. Understanding state security behavior in the international arena thus requires a focus on ideational factors. It also requires us to avoid the pitfalls associated with reifying “the military.” We must understand the military as a body of bodies and acknowledge the important

relationship that exists between groups of individuals in that body and civilian and military elites' ideas and beliefs about those groups.

Given the totality of these hard-learned lessons, the experience of transgender service members in recent years is also difficult to reconcile in a rationalist-materialist framework. Even after the repeal of DADT in 2011, open transgender military service was a bridge too far for even sympathetic civilian and military elites. The status of transgender military service went from neglect after the repeal of DADT to open service in 2016, a return to a ban with some individual exceptions in 2017, and then to open service again in 2021. Discriminatory military personnel policies of this era were also entirely ideational in origin and were neither functions of systemic pressures nor military necessity. Just as with other discriminatory military personnel policies, discrimination against transgender service members was antithetical to military efficiency and harmed national security.

The arguments that the Trump administration put forth were based upon antiquated military medical regulations that had long fallen behind the knowledge and practice of American physicians and psychiatrists. When the DoD commissioned its own studies, such as the one done by the RAND Corporation in 2016, the DoD and the Trump administration had information on hand that demonstrated that a ban would be more expensive than permitting open service.⁸ The experience of individual transgender service members also demonstrated that being forced to serve in silence and living a lie functioned similarly to DADT and other forms of discrimination

⁸ Schaefer, A., Iyengar, R., Kadiyala, S., Kavanagh, J., Engle, C., Williams, K., & Kress, A. (2016). *Assessing the Implications of Allowing Transgender Personnel to Service Openly*. Belkin, A., Barrett, F., Eitelberg, M., & Ventresca, M. (2017). *Discharging Transgender Troops Would Cost \$960 Million*.

like sexual harassment. Transgender service members could still be good at their jobs, but they could be even better when allowed to access needed medical services and be open with their peers. Open service allowed them to focus more on their work, increased both their mental and psychological health, allowed them to form strong working relationships with their peers, increased unit cohesion, and made it more likely that individual transgender service members to remain in the service.

The Myth of the Military as a “Sociological Laboratory” to the DoD’s

Defense of the International LGBTQIA+ Community

The American military has come a long way since General George Washington issued the order to forbid the enlistment of any African American men into the Continental Army.⁹ American civilian and military elites not only ended segregation but in recent decades also established one of the more aggressive contemporary American domestic institutions tasked with combating racial discrimination—the Defense Race Relations Institute—which later became the military’s Equal Employment Opportunity Office.¹⁰ Similarly, in recent years the American military has also overseen the end of discrimination based upon sexual orientation and ended the combat exclusion rule which barred women from the military’s ground combat occupations—its definitive *raison d’être*. Much work remains to be done to fully and meaningfully combat sexual

⁹ Lanning, M. (2016) ‘African Americans and the American Revolution, in Jensen, G. (ed.) *The Routledge Handbook of the History of Race and the American Military*. Routledge.

¹⁰ Hampton, I. (2017). Reform in the Ranks: The History of the Defense Race Relations Institute, 1971-2014. In D. Bristol & H. Stur (Eds.), *Integrating the US Military: Race, Gender, and Sexual Orientation Since World War II* (pp. 122–141). Johns Hopkins University Press.

assault, sexual harassment, and gender discrimination within its ranks though. Since 2016 the legal status of transgender military service members has changed three times. The unfortunate reality of policy change through executive order is that however determinantal to military efficiency and national security, the Trump-era ban could potentially be reinstated yet again.

Debates among and between civilian and military elites about military service, race, sexual orientation, gender, and transgender identity frequently have demonstrated a firmly held belief among opposing elites that it is not the military's role to settle social issues. During World War II, defense officials who bemoaned the prospect of racial integration were steadfastly declaring that the military was "not a sociological laboratory."¹¹ In 2020 when National Guard service members were called up in response to the large-scale nationwide protests associated with the death of George Floyd, President Trump's Secretary of Defense Mark Esper sent a memorandum to the entire DoD force. He noted that while many service members were being tasked with the protection of property and upholding the rule of law that "we commit to protecting the American people's right to freedom of speech and to peacefully assemble. I, like you, am steadfast in my belief that Americans who are frustrated, angry, and seeking to be heard must be ensured that opportunity."¹²

A similar ideational change has occurred with how military elites view sexual orientation and transgender identity. In 1993 in response to Congress on the prospect of open service for gay men and lesbians, General Norman Schwarzkopf resolutely declared, "The Armed Forces

¹¹ Mershon, S., & Schlossman, S. (1998). *Foxholes & Colorlines: Desegregating the U.S. Armed Forces*. The Johns Hopkins University Press, 21-22.

¹² Esper, M. (2020). *Memorandum to all Department of Defense Personnel*, 2 June.

principle mission is not to be the instrument of social experimentation.”¹³ Nearly three decades later, President Biden’s Secretary of Defense Lloyd Austin published a memorandum to senior DoD leadership that stated “it is the policy of the DoD to pursue an end to violence and discrimination on the basis of sexual orientation, gender identity or expression, or sex characteristics, and DoD will lead by example in the cause of advancing the human rights of the LGBTQI+ [sic] persons around the world.”¹⁴ In other words, not only had the DoD reversed course on discriminatory military personnel policies which had previously targeted gay men, lesbians, and transgender individuals but it would also incorporate requirements for protections for LGBTQIA+ communities in foreign states receiving American foreign aid and military assistance.¹⁵

Whether or not future changes in leadership in the White House and the Pentagon will maintain or change the Biden-era status for transgender military service members or affect some of the more dramatic DoD policy changes is yet to be seen. Given the totality of the history presented in this work—two steps forward and two steps back have painfully often been the case. But what that same history has also demonstrated is that reversion to discrimination does not serve the military well. Discriminatory military personnel policies are entirely ideational in origin, they do not further any particular military necessity, they are harmful to military efficiency

¹³ Gen. Norman Schwarzkopf, testifying before the Senate Armed Services Committee, 103th Cong., 1st sess., Congressional Record (May 11, 1993), 595.

¹⁴ Austin, L. (2021). *Memorandum to Senior Pentagon Leadership, Commanders of the Combatant Commands, and Defense Agency and DoD Field Activity Directors*, 12 March.

¹⁵ *Ibid.*

and national security, and they do unnecessary harm to the very individuals who compose the body of bodies that the American state entrusts with its defense and furthering its national interests.

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