

THE SKY WON'T FALL

POLICY RECOMMENDATIONS FOR ALLOWING HOMOSEXUALS TO SERVE OPENLY IN THE US MILITARY

Tammy S. Schultz

*This article was prepared especially for the AU Press book AU-24, Concepts for Air Force Leadership, August 2008.

As a candidate, Barack Obama promised to reverse the ban on gays and lesbians openly serving in the US military, comparing overturning the law commonly referred to as “Don’t Ask, Don’t Tell” (DADT)¹ to “the integration of blacks in the armed forces as both a moral issue and an achievable goal.”² Once he was elected, President-elect Obama’s press secretary, Robert Gibbs, unwaveringly stated, “You don’t hear politicians give a one-word answer much,” but “yes,” the president would reverse the ban.³ On 27 January 2010, President Obama reiterated his campaign pledge during his first State of the Union address regarding gays and lesbians in the US military. The following week at an historic Senate Armed Services Committee hearing, Chairman of the Joint Chiefs of Staff, Admiral Mike Mullen, said, “No matter how I look at the issue, I cannot escape being troubled by the fact that we have in place a policy which forces young men and women to lie about who they are in order to defend their fellow citizens.” Never before had the highest ranking member of the US military spoken out in favor of allowing gays and lesbians to openly serve. At the same hearing, Secretary of Defense Robert Gates said, “We have received our orders from the commander in chief, and we are moving out accordingly.”⁴ Gates also announced that he had asked Pentagon legal counsel Jeh Johnson and Army General Carter Ham to lead a yearlong study on how the military would lift its ban on openly gay service members.⁵

These perspectives are sure to ignite contradictory voices on the issue of homo-sexual service, as does this book. This chapter seeks to aid policy makers by providing policy lessons and recommendations to ease the transition from DADT to a US policy that allows citizens to serve in the military regardless of sexual orientation.⁶ This chapter presents practical policy recommendations for easing the transition to a US military where homosexuals serve openly. These lessons are drawn from historical examples, such as desegregation, the fuller inclusion of women in the US military, DADT, and other militaries’ lifting of the ban.⁷

The Red Herring of Military Readiness

Before addressing policy recommendations, it is important to analyze one issue that will *not* be addressed in the policy recommendations, largely because of its red herring status in this debate: military readiness. The military measures readiness based on three major areas: equipment, training, and personnel. It is the final two areas, training and personnel, where those who want the ban to stay in place focus, using the following arguments: Allowing homosexuals to serve openly would hurt morale, which, in turn, would erode unit cohesion and undermine military readiness. Furthermore, straight service members not comfortable with serving alongside homosexual counterparts will leave the military in droves, causing the number of military personnel to precipitously drop. Given that the United States is currently engaged in two hot wars and a global counterinsurgency, this argument must be taken seriously. In doing so, however, the argument's bankruptcy becomes clear.

Opponents of allowing homosexuals to serve openly usually point to opinion polls that indicate military personnel do not accept homosexuals and would not serve with them. Yet using such polls as an indicator of military readiness commits a logical fallacy—to measure readiness (or cohesion as an integral part of readiness), one should assess readiness or cohesion, not merely opinion. A perfect example of this logical fallacy is the use of a 2008 *Military Times* poll by Elaine Donnelly, who noted that 10 percent of respondents said that they would not reenlist or extend their service if DADT were overturned. (Incidentally, 71 percent said that they would continue to serve, and 6 percent had no opinion; 14 percent indicated that they would consider leaving.) Donnelly continued that “if the poll’s findings approximate the number of military people who would leave” if DADT is overturned (and her argumentation makes it clear that she believes this to be the case), “the voluntary exodus would translate into a loss of almost 527,000 personnel—a figure approaching the size of today’s active-duty Army.”⁸ This is a leap of heroic proportions. There is a big difference between clicking on the bubble of an online survey that one would leave the service and actually doing so. Even negating the difficulty of leaving one’s brothers and sisters in the profession of arms, there is the more mundane issue of retirement pay that requires 20 years of service and transitioning into a civilian sector during a time of economic downturn. And, as noted, one cannot make assumptions regarding readiness merely using opinion polls. Indeed, when the US military itself measured homosexuals’ impact on unit cohesion, sexual orientation had no effect on military effectiveness.⁹ A study by the RAND Corporation also found homosexuals have no adverse effect on military readiness.¹⁰

Beyond US studies, however, is empirical evidence from other countries facing similar policy decisions. In Britain, for instance, resistance to the inclusion of openly serving homosexuals was similar to the poll numbers in the United States before Britain lifted its ban. Yet only a handful of soldiers actually left Britain’s military as a result of the change in policy.¹¹ In fact, the predictions of a heterosexual mass exodus of military personnel in the countries that allow

homosexuals to serve openly never happened.¹² In a study of foreign militaries with open homosexuals serving who were known to their combat units, no evidence was found “of deterioration in cohesion, performance, readiness, or morale. Generals, ministry officials, scholars, and [nongovernmental organization] observers all have said that their presence has not eroded military effectiveness.”¹³ Since the Dutch military became the first to allow open service in 1974, not a single study has indicated a decline in performance that can be empirically linked to homosexuals in *any* of the approximately 70 countries who allow open service.¹⁴

Those who make such inferences arguably do not understand military culture. Even while some may simultaneously disagree with a civilian order, plans for the policy’s implementation are being made. For instance, although many military leaders disagreed with the talk of a Bosnian intervention, including a chairman of the Joint Chiefs of Staff,¹⁵ the military was simultaneously planning for the intervention.¹⁶ Given healthy civilian-military relations, such planning to implement policies even when the military leadership disagrees makes sense. If it were not so, the United States would clearly have a far greater problem than homosexuals openly serving in the military.

The United States enjoys the most professional all-volunteer force the world has ever seen. Yet as Rear Adm John Hutson, who was involved in the DADT process in 1993, said, unit cohesion arguments assume the United States suffers from an unprofessional, bigoted force. Leaders, said Rear Admiral Hutson, “welcomed their homophobia and used it as an excuse for inaction.”¹⁷ Opponents of integrating minority groups have used these arguments before: “Whites feared that ‘mixing of the races’ would result in an epidemic of sexually transmitted disease; and increase in antiracial violence and criminal activity by African Americans; the breakdown of morale, order, and discipline, resulting in weakened national defenses; mass exit from the military by whites; and greater difficulty recruiting whites for service.”¹⁸ The parallel to arguments made today against homosexuals openly serving is striking.

US Army Lt Col John H. Sherman delivered a speech entitled “Command of Negro Troops” in November 1944, a speech that later became required reading for every officer who commanded African-Americans. In the speech, Lieutenant Colonel Sherman acknowledged the propensity to assume that the force could not include anything other than white males and remain a professional fighting force:

At the start we must recognize that in any large group there are likely to be officers who have long considered that their attitudes on the Negro question are their own business: A matter personal to them, settled and unchangeable—settled for them and by them long before they entered the Army. But the Army has a definite policy and requirement on this matter, just as it has on other matters. . . . An Officer of the Army has no more freedom to speak or act by old habit on this matter, than a buck private has to stand or walk by old habit when on Review. Also: It is fundamental that a good Officer takes any duty which Higher Authority sees fit to assign to him, masters the job and his preferences relative to it, and does it well, without complaint or question. . . . no officer who allows his prejudices to render

him ineffective on his assigned duty can ever properly be assigned to any other duty which he might find more pleasing to him, for it is not the Army's policy thus to reward insubordination or weakness.¹⁹

Scholarly works back the lieutenant colonel's approach. In a study of the US military, University of Washington political scientist Dr. Elizabeth Kier found that whether group members like one another need not have any bearing on organizational performance. What does matter is if the individuals are committed to the same goals or mission.²⁰ Another study of US police and fire departments found that attitudes did not equal behavior.²¹ In any organization the size of the US military, it is not wise to assume homogeneity of group belief. For instance, not all service members agree on any given deployment, but most go serve the nation's interest at risk of life. From basic training's first day, drill instructors drive self-interest as much as possible out of new recruits, or at least try to make self-interest subservient to the unit's goals, making it possible for service members to put mission accomplishment over self-preservation. Indeed, it goes to the very heart of mission above self, which mandates that personal beliefs do not necessarily translate into personal behavior.

Given the current operations in which the United States is engaged, dispassionately examining the readiness issue is important, and those who have done so found no adverse effect. The fact that the United States is at war should actually make it *more* likely that readiness will not be adversely affected. As anyone who has served in a combat zone can recount, when bullets fly, the proficiency of soldiers matters most—not the private life of the individual—for it is that expertise that might mean the difference between life and death.

When examined based on its empirical versus emotive merits, therefore, the readiness issue falls to the side. Other issues remain. Various minority groups have been successfully incorporated into US and foreign militaries before, and the US experience from the 1990s provides clues for how best to implement a new policy. Drawing on lessons from these experiences can inform DADT's reversal.

Will and Leadership

One of the most important lessons involves the will of the various actors involved and the criticality of leadership. Given the constitutional allocation of responsibilities and the military's unique place in society, a wide variety of actors must be involved in the process of allowing homosexuals to serve openly, and the directives, laws, and other guidance cannot be contradictory. For the executive branch, the main players on this issue are the president, the secretary of defense, and the Joint Chiefs of Staff, to include the chairman.

If President Obama truly seeks to allow homosexuals to serve openly, his support and attention cannot waiver. When President Clinton began backpedalling on his campaign promise regarding gays in the military, the opposition smelled blood in the water. The president "conveyed to many that even *he* did not stand

strongly behind the policy goal of allowing homosexuals to serve openly.”²² Presidential guidance and attention at every step, from study to implementation, were also notably absent during DADT.²³ Presidential involvement proves necessary not only because of the controversy surrounding the issue, but also because of the wide range of directives, laws, and other guidance that must be synchronized, as they were in the case of desegregation.

Larry Korb, a former Reagan and Clinton defense official closely involved in the DADT process, holds that Clinton’s taking office during a time devoid of major crisis (the first president to do so in 60 years) and a weak electoral mandate (in 1992, Clinton received only 43 percent of the popular vote) negatively correlated to his power as the executive.²⁴ President Obama stepped into office during a time of multiple crises and with a strong electoral mandate after Pres. George W. Bush vastly expanded the executive’s power. Even if President Obama’s honeymoon was short-lived, the ingredients for successful implementation of allowing homosexuals to serve openly still exist, so long as the right policy lessons from previous experience are heeded.

As the commander in chief, the president must put the full force of his office behind the change, just as Pres. Harry Truman did with desegregation. An executive order should be issued that allows homosexuals to serve openly. Additionally, the president must coordinate the various actors on the executive’s side and consult with, but not defer to, the legislative branch throughout the process.

The secretary of defense must also be involved. Although this will probably not occur due to his expected short tenure in the Obama administration, it would be wise to enact these changes under Secretary of Defense Robert Gates for a number of reasons. As a moderate Republican, he would add to the policy’s bipartisan tone. He knows the building and has built a history of healthy civil-military relations. And no matter who replaces him, there will be a learning curve that would be made immensely steeper by this issue being on the new secretary’s plate at the outset. That is not to say that a new secretary of defense cannot (or should not) take on this issue, rather that he or she must understand that it will take personal involvement to ease formulation and implementation.

The Joint Chiefs of Staff should also be involved, and they have the right to consult with Congress on policy issues related to national security when they disagree with the president. Accordingly, these top military commanders must be brought into the process at the start. Adm Mike Mullen made his position for DADT’s reversal clear in the 2 February 2010 Senate hearing, but he did not disclose the other Joint Chiefs of Staff members’ opinions. One member, however, the US Marine Corps commandant Gen James T. Conway, was reported to be “the most outspoken opponent of permitting gay men and women to serve openly in the US military.”²⁵ The concerns of general and flag officers should, of course, be heard and addressed, not to stymie the president’s decision, but to better implement it.

A Pentagon review of DADT is being conducted, according to an Admiral Mullen aid, to “make sure we move forward in a deliberate, measured fashion, that [Admiral Mullen] has the opportunity to provide his best military advice

in that process and that the advice is based on facts and not emotion.”²⁶ Former chairman and secretary of state Gen Colin Powell stated in an interview that “we should definitely reevaluate [DADT] . . . it’s been fifteen years and attitudes have changed.”²⁷ Additionally, previous chairman John M. Shalikashvili switched his stance from when he was serving and recommended that homosexuals be allowed to serve their country without fear of discharge.²⁸ Involving such respected retired officers in the consultations will be critical, as will the study’s inclusion of military voices who desire the change (unlike the way past Pentagon studies of DADT have “loaded the deck” with opponents to the reversal).

The unique constitutional powers given to the legislative branch mandate lawmakers’ involvement as well. An executive order alone is not enough to allow homosexuals to serve, as such an order could be overturned by Congress and DADT itself was a legislative act.²⁹ Both the executive and legislative branches, therefore, should act together. At least for now, the Democratic Party enjoys a majority in both the Senate and the House, as well as occupies the White House, which should make this coordination easier. That said, it is critical to easing implementation that the effort is bipartisan. Signs that such bipartisanship will occur already exist. Rep. Ellen Tauscher (D-California) introduced the Military Readiness Enhancement Act, which has over 180 cosponsors, not all of whom are Democrats. The late Senator Ted Kennedy hoped to introduce a similar bipartisan bill but died before being able to do so, leaving a gaping hole in Senate leadership on this issue. Freshman Senator Kirsten Gillibrand, a Democrat from New York who holds the seat once held by Robert F. Kennedy, has pushed the issue forward.³⁰ Pressure groups from both sides will undoubtedly play a role, but it is up to Congress to keep the hearings and process factual.

In 2009, Senate and House leaders seemed to be waiting for the military to tell the legislature what to do regarding DADT. Congressional leadership, while certainly taking into account the military’s opinion, cannot defer to the military on this issue, a point which an aid to Admiral Mullen makes: “It’s important to remember that ‘don’t ask, don’t tell’ is a law, and the military will obey the law.”³¹ As noted, if that were not the case, the implications for civil-military relations would be dire. Leadership across the US government, both military and civilian, must be involved in crafting the change, but at the end of the day, the civilians need to set the course.

It is important to note that the judicial branch is not mentioned in the set of actors included in the policy recommendations for two reasons: as a general rule, the judicial branch should not make policy but ensure that policies have the force of law, and having the courts mandate inclusion of openly serving homosexuals would have a detrimental effect on the successful integration of homosexuals. Practically speaking, a court decision would, almost by definition, circumvent or at least abbreviate the policy study, formulation, and implementation steps necessary for success. Furthermore, conferring a “special class” on homosexuals serving adds “a host of more troubling problems on the part of the majority group.”³² One of the key lessons from previous attempts to integrate minority groups is that such a change in policy is easier to implement “if it is

perceived as benefiting *all* members of the force."³³ A more appropriate role for the courts is ensuring that the law be faithfully implemented.

Leadership from both branches, and both parties, must actively push and organize for the change. It is not inevitable that DADT will be reversed, and approaching it that way sets up the process for failure. When Clinton took office, proponents of allowing homosexual service did not organize as well as the right and were outhustled.³⁴ With the reversal of political fortunes, it is less likely that such disarray on the left will be seen with this round. It is critical, however, that this fight not be approached in a partisan fashion, both for the good of the policy and, frankly, the Republican Party.

A recent *Washington Post*-ABC News poll documented that 75 percent of Americans believe that homosexuals should be allowed to serve openly.³⁵ Compare that groundswell of public support to those *against* desegregation (63 percent), and it becomes easier to make this an American cause vice a Democratic one.³⁶ If the Republicans decide to make this issue one to galvanize their hard-core base, they very well risk losing moderates within their party as well as independents. Recent Pew Research Center data shows social conservatism falling across party lines as well as among independents since around 1987, with only 22 percent of those polled identifying as Republicans, with independents largely favoring the Democrats on social values and religion.³⁷ Turning DADT's reversal into a partisan issue would be political risky for the Republicans, who increasingly need a more moderate message to attract more voters.

On the other side of the political aisle, the Democratic leadership should be wary of abandoning promises made to reverse DADT. Supporters of the president are increasingly leery of what they consider to be backpedaling on the issue of gay rights.³⁸ From a self-interested standpoint, Democratic politicians do not want to anger a base that makes substantial campaign contributions and, as importantly, goes to the polls in much higher percentages than their straight counterparts.³⁹ Additionally, as noted above, independents favor the Democrats' stance on these types of social issues. Making up approximately one-third of the electorate, independents (also called "undeclared" voters) hold significant political power.⁴⁰ Should the Democrats decide not to honor promises that most of the population support, such as the reversal of DADT, they risk losing these moderate voters.

A bipartisan approach would be best in terms of reversing DADT, as well as for both parties in terms of not alienating the 75 percent of Americans who think that homosexuals should be able to serve openly. If the issue does become partisan, though, the Republicans have more to lose than the Democrats. Putting country above party, however, should be the approach on all sides.

Study and Planning

As is clear from the transparent bias of this chapter in favor of allowing homosexuals to serve openly, this author does not believe that much new research needs to be conducted on *if* homosexuals should be allowed to serve openly.⁴¹

For the past 15 years, various hearings, commissions, studies, and research have shown that such a policy reversal will not bring all of the negative consequences that critics claim will occur. Impartial studies should be conducted *before* the policy is formulated, however, and these studies should focus on *why* the opposition exists, so as to better execute policy implementation, as well as how to best implement the policy.⁴² During DADT, opposition groups used studies commissioned and ceasefire periods to circle wagons, rearm, and build opposition.⁴³ That must not happen this time.

In the DADT hearings, Senator Sam Nunn (D-Georgia) raised several “thorny issues” that he used to derail the DADT process.⁴⁴ These issues should be studied before the policy formulation and generally involve two large categories: pay and benefits, and service. Each will be examined in turn.

The first category of these thorny issues, pay and benefits, should be studied to ensure that homosexuals are placed on equal, rather than special, footing. Israel became the first country to offer survivor benefits to same-sex partners in 1997.⁴⁵ Given that the United States is at war, same-sex partners should receive the same benefits as their heterosexual colleagues. One question, however, is how to implement such a policy when marriage is not a federal right, and only around half a dozen states allow same sex unions. This issue should be studied and a recommendation made for what the standard of a same-sex union is for those service members whose state of residence does not allow them to wed. Many states allow “common law” marriages for straight couples who decide not to marry, with a minimum cohabitation requirement. The same requirement could be made of homosexual couples.

Other benefits include health and life insurance, as well as base housing.⁴⁶ All should be provided to same-sex partners using the baseline requirements for a partnership identified for survivor benefits. The military currently screens all new members for the HIV virus, so this issue, raised by some,⁴⁷ is not the reason to provide health and life insurance—fairness and equality mandate these rights. Along the lines that equal treatment by no means equates to special treatment, homosexuals should be afforded the same health and life insurance benefits, as well as the base housing accorded to their rank based on housing availability. The budgetary impacts and proper implementation should be studied to prepare for this change.

Another issue raised is that of homosexuals living in separate quarters. There are many reasons that this is untenable and will not solve the perceived issue of heterosexual privacy. One, if the experiences of other militaries or US police and fire departments are indicative, few homosexuals will actually come out of the closet once DADT is reversed.⁴⁸ Unlike being African-American or female, one can hide sexual orientation. One may counter why, then, should the policy be changed, and the answer comes down to the simple matter of fear of being discharged if discovered. Given that not all homosexuals will self-identify as such, providing separate housing is not even a realistic option.

Two, on the issue of gays preying on straights in shared housing, this seems particularly far-fetched given their vastly smaller numbers and the empirical

evidence. The idea of a homosexual raping a heterosexual in an environment where approximately 90 percent of the population is straight (never mind, according to those who support the ban, potentially homophobic) makes such shower horror stories appear devoid of logic.⁴⁹ The overwhelming amount of documented evidence for violence involving homosexuals is against homosexuals, not homosexuals preying on unsuspecting heterosexual colleagues (that said, the same rules regarding heterosexual sexual harassment should apply to homosexuals as well).

The second major category of thorny issues demanding study involves service. Around 13,000 service members have been discharged under DADT since 1994.⁵⁰ The question of reinstatement of these individuals needs to be determined before the policy is enacted, in part because some of these discharged service members will undoubtedly ask to be reenlisted. They should be welcomed into a force struggling under high operation tempos, but the issue of pay and grade for those who return should be examined. Another consideration is the length of time passed since being discharged under DADT. Given that the ousters under this policy began approximately 15 years ago, some may desire to rejoin who have not been on the military's rolls for over a decade. The study should identify how long is too long for reenlistment and/or what type of "re-blueing" (i.e., retraining) these individuals require.

In terms of those homosexuals already serving in the US military, the question of affirmative action should be decided before the policy is implemented. Given that some homosexuals undoubtedly serve closeted at high ranks, affirmative action is not believed to be necessary or even desirable given the belief that the change will be more welcome if homosexuals share the same rights and responsibilities of all other service members.

Costs must be estimated when exploring all of these issues regarding pay, benefits, and service. In times of economic recession, shrinking defense budgets, and growing entitlement spending, cost is not a matter to be taken lightly, nor is it simply a straightforward calculation. Some believe that defense budgets will remain stagnant, while others hold that defense expenditures will drop for some time to come.⁵¹ Given that approximately 65,000 homosexuals currently serve in the US military,⁵² the cost of benefits for these individuals should be included in cost projections. The experiences of other countries' militaries indicate that few homosexuals apply for medical, dental, or relocation benefits for their partners, which suggests that these costs estimates need not include all 65,000 homosexual service members.⁵³

Within this bigger expenditure picture, however, are the costs of implementing DADT. A blue ribbon commission reported in February 2006 that it costs the United States at least \$363.6 million to discharge homosexuals from the US military, costs that include "lost benefit" (losing the service of the trained individual) and "implementation" (investigations and review boards).⁵⁴ True costs are difficult to estimate, as the blue ribbon commission acknowledged, although there are many compelling reasons to believe that its estimate is low.⁵⁵ In sum,

the cost savings produced by overturning DADT may well help offset the costs of providing equal benefits.

Policy Formulation

Strong leadership with the will to change DADT, as well as solid empirical studies that point the way, are critical to the policy formulation stage. Having identified who is involved and at least a part of their deliverables, it is now necessary to offer the speed of this process, as well as what the general “look” of the policies should be.

The timing and speed of the policy formulation are critical. Just how fast the timeline should be from study to formulation to implementation is disputed.⁵⁶ Formulating the policy too hastily means that not enough of the thorny issues have been resolved, but not going fast enough may signal a lack of commitment. Additionally, the longer President Obama takes into his first administration to accomplish the task, the riskier the proposition. In addition to some not wanting to spend political capital very close to an election, some may decide to await the results of the 2012 election before truly throwing weight behind the policy’s formulation and implementation. Worse, those who do not like DADT’s reversal may decide to wait out the administration. Nothing can completely alleviate these concerns, but speed may minimize their impact. With Pentagon studies currently underway, the policy formulation phase must begin in earnest, but no later than early 2010. Forward momentum must be maintained, and the president cannot waiver anywhere during this process.

As to what the assorted directives, laws, and other guidance should look like, the KISS (keep it simple, stupid) principle should apply. The lessons from police and fire departments show that “nondiscrimination policies were most readily implemented when they were simple, clear, consistent, and forcefully stated.”⁵⁷ As suggested when discussing the judicial branch above, homosexuals should not receive special status, but should be treated like their heterosexual colleagues: “Military experience with African Americans and women . . . argues for a simple policy under which homosexuals are treated no differently in terms of work assignments, living situations, or promotability.”⁵⁸ Instead of laws attempting to anticipate every single situation an officer might face, “codes built on general principles of fairness, respect, honor, decorum, and the need to avoid the creation of hostile environments were far more practical and effective.”⁵⁹ Rather than devise all new standards for homosexuals, the same rules should apply to all service men and women, regardless of sexuality.

During the DADT debate, the Clinton administration attempted to frame the issue as one of status (sexual orientation) versus conduct (sexual acts). This paradigm, however, was very soon muddled by exactly what DADT meant, and even being homosexual counted as misconduct.⁶⁰ The new law must create “equal standards” for all service members regardless of sexual orientation, with “an emphasis on conduct.”⁶¹ Indeed, the military already has a code of conduct regarding sexuality for heterosexuals: No dating within one’s chain of com-

mand is allowed, and officers cannot have relations with enlisted forces. These same rules should apply to homosexuals. The new directives, laws, and other guidance must make the enforcement systems explicit, and incentives should promote the following of the new policy.⁶² The multiplicity of actors, laws, orders, and guidance requires a strong executive team to pull together these different strands during the policy formulation process—a team that will continue to meet once policy implementation begins.

Committed Implementation

Although implementation seems to be at the end of the policy process, in fact, it must be considered from the start. A strong implementation plan is the *sine qua non* of a policy reversing DADT, and “if the will, skill, and capacity to mount a meaningful implementation plan are lacking, then policy development is at best a sham and at worst may be harmful to those that the policy seeks to help.”⁶³ Indeed, a weak implementation plan will increase opposition to the policy.⁶⁴ Thinking about an implementation plan even as the policy is being formulated is key to increase the speed of implementation. And the faster the policy is implemented, the greater chance opposition will crumble in the military once service members see how their daily lives are, and critically are *not*, impacted.⁶⁵

For the secretary of defense’s part, Department of Defense (DOD) directives must be on the shelf ready to go *before* the implementation stage begins. During DADT, critical directives were being written as implementation was occurring and were not ready to go beforehand, which implied a lack of commitment and undermined the ultimate policy.⁶⁶ Article 125 of the Uniform Code of Military Justice (10 U.S.C.A. §925), which forbids sodomy, will also have to be rewritten.⁶⁷ Having a coherent package of guidance and directives ready to go will take significant effort and resources, especially during a time of war, and the Executive should propose (and Congress fund) the resources necessary to ensure the process is a success. Moreover, DOD must give the job to high fliers within the administration who hold high rank and enjoy direct access to top leaders, who also must be involved in this process, in part to ease implementation, and in part to show President Obama’s seriousness of purpose.⁶⁸

Implementing the new policy will also require that military personnel be trained on the new policy. To ease desegregation of the services, Secretary of Defense Melvin Laird established the Defense Race Relations Institute (DRRI) in 1971, which was later renamed the Defense Equal Opportunity Management Institute (DEOMI). Still in existence today, DEOMI should be utilized in training efforts. For DADT, an antidiscrimination policy was not written until 2000 under Secretary of Defense William Cohen, but no implementation plan occurred. The Pentagon had the directives written, but they were never issued because Under Secretary of Defense for Personnel and Readiness David Chu said that they were not necessary.⁶⁹ Both the guidance and directives should come down simultaneously to overturn DADT. This training should occur vertically (up and down the chain of command) as well as horizontally

(across the services).⁷⁰ Additionally, training should be targeted to the level of command, with flag and general officers receiving special training on policy implementation and lower levels of command focusing on interaction with troops. Service leadership received no special training on integrating African-Americans until Secretary of Defense William Perry ordered it in 1994.⁷¹ This mistake should not reoccur.

Another major question is what the training should include. The focus should be on behavior, not beliefs, which was essential to desegregation for those who objected to serving with African-Americans on religious grounds.⁷² For police and fire departments, training that worked best included “accurate information on who homosexuals are, how they come to be that way, and how they lead their lives,” training that was particularly helpful if actually led by a homosexual and even better if he or she was a respected member of the force.⁷³ The training should also be directly tied to the organization’s mission lest the service members become resentful—how does the new policy serve a “legitimate need of the military”?⁷⁴ One answer: more Soldiers, Sailors, Airmen, Marines, and Coast Guardsman equal longer dwell times, which will increase mission effectiveness and sustainability of the all volunteer force.

As with the integration of other minority groups, military leadership will be critical. Leaders create a command climate, and previous successes (desegregation) and failures (Tailhook) can be traced back to leadership. When military commanders get behind a new policy, the change seems less of a threat since the implementation is coming from within the organization rather than appearing to be forced from the outside.⁷⁵ For those officers who currently serve closeted, should they choose to come out, being “treated with respect from above” makes it all the more likely that they will “be treated with respect from below.”⁷⁶ Members of the US military have deference for the chain of command fostered from day one of basic training, as well as an understanding that democracy dictates civilian control of the military. When these values have been tested in the past, including the integration of African-Americans and women, the US military has risen to the challenge.

One way leaders can create driving forces for change is “by drawing on those aspects of the existing culture that *are* compatible” with open homosexual service.⁷⁷ For police and fire departments, “fairness, respect, honor, decorum, and the need to avoid the creation of hostile environments” proved useful compatible values, all of which are applicable to the military.⁷⁸ The “dominance of mission over individual preferences and characteristics”⁷⁹ is an essential ingredient to civilian control of the military—service members do not pick which deployments to support, nor should they judge the person to their left or right based on anything other than merit and skill. In speaking about African-Americans, Lt Col John H. Sherman said, “Show them the Army as a great Fraternity in which men of all races, creeds and colors come together to serve in the Brotherhood of the uniform of the Army of the United States: the salute its pass sign; mutual service and shared hardship its ritual; and final rest beneath the Flag of our Country its end and reward.”⁸⁰ Homosexuals already serve their country,

and undoubtedly, some have already died in service. They should be allowed to do so without fear of being discharged for who they are, and a committed implementation process can bring this change about.

Let Them Serve (Openly)

As the first African-American commander in chief, Barack Obama is uniquely positioned to amend the policy. He has already evoked analogies of open homosexual service to desegregation and can emphasize this point by using 26 July to roll out the policy. (President Truman signed Executive Order 9981 desegregating the services on 26 July 1948). Allowing homosexuals to serve openly will not immediately result in vast changes. For Truman's 1948 desegregation order, an order strongly opposed by the Joint Chiefs of Staff, "it took twenty-five years before all the services adopted the spirit of the directive."⁸¹ Although following these policy lessons learned over time should speed up the successful integration of homosexuals, the time lag will undoubtedly still exist.

Since President Obama entered office and the 111th Congress assumed power, over 700 more service members have been discharged under DADT.⁸² As John Fitzgerald Kennedy said, "In giving rights to others which belong to them, we give rights to ourselves and to our country." It is long past time to recognize that homosexuals currently do honorably serve their country, such as the first Marine seriously wounded in Iraq, SSgt Eric Alva. Alva, who happened to be gay, was medically discharged after losing his leg. In speaking on Capitol Hill urging the reversal of DADT, he said, "I'm an American who fought for his country and for the protection and the rights and freedoms of all American citizens—not just some of them, but all of them."⁸³ The United States should not only accept such sacrifices, but honor those who make them.

Notes

1. Pub.L. 103-160 (10 U.S.C. § 654) is the law enacted by Congress in 1993, commonly referred to as "Don't Ask, Don't Tell." Elaine Donnelly claims that the phrase "Don't Ask, Don't Tell" misrepresents what the law actually says and that instead this law codified an outright ban on homosexuals in the military that always existed. She thus retitles the law as the "Military Personnel Eligibility Act." In fact, the "don't ask" part of the law was nonbinding but given in a "Sense of Congress" included in 10 U.S.C. § 654, which also said that the secretary of defense could "reinstate that questioning." For purposes of following common usage, this chapter will use the "Don't Ask, Don't Tell" (DADT) shorthand. See Jeanne Scheper, Nathaniel Frank, Aaron Belkin, and Gary Gates, "'The Importance of Objective Analysis' on Gays in the Military: A Response to Elaine Donnelly's 'Constructing the Co-Ed Military,'" *Duke Journal of Gender Law & Policy* 15 (2008): 442–43; and Elaine Donnelly, "Constructing the Co-Ed Military," *Duke Journal of Gender Law & Policy* 14 (May 2007): 815–952.

2. Thom Shanker and Patrick Healy, "A New Push to Roll Back 'Don't Ask, Don't Tell,'" *New York Times*, 30 November 2007.

3. Bryan Bender, "Obama Seeks Assessment on Gays in the Military," *Boston Globe*, 1 February 2009.

4. Elisabeth Bumiller, "Top Defense Officials Seek to End 'Don't Ask, Don't Tell,'" *New York Times*, 2 February 2010.

5. William Branigin, "Supreme Court Turns Down 'Don't Ask' Challenge," *Washington Post*, 8 June 2009.

6. Plenty of works exist that elucidate the normative debate regarding allowing gays to serve openly, many of which are cited below. For purposes of transparency, this author believes that the ban should be lifted, primarily for the following six reasons: First, *every* empirical example in the real world of the ban being lifted has not resulted in the dire predictions foretold regarding readiness and morale; none of these policies have been reversed, and there is no documented evidence of a drop in military readiness. As for the argument that those militaries do not resemble the combat-tested US military, and therefore are not applicable, that case is much harder to make after September 11th. Twenty-two countries that allow gays to serve openly have deployed alongside the United States in Iraq and/or Afghanistan, to include Great Britain, Canada, and Australia. Also, as anyone who has served in a combat zone can recount, combat makes it *more* likely that cohesion and increased camaraderie will occur regardless of background—not less. In other words, the combat experiences of today's US military increases, rather than decreases, the likelihood of success. Second, given that it is acknowledged that homosexuals currently do serve in the US military, it would better protect heterosexual privacy if the ban were lifted so people could know who was gay (never mind that one of the things new recruits give up is, in fact, their full privacy). Morale would also improve as all service members could choose to be more forthcoming and honest with their colleagues—a key aspect of trust, camaraderie, and cohesion. Third, most opinion polls show that societal views have changed since the infamous 1993 policy was enacted. Additionally, opinion polls are much more favorable to the inclusion of homosexuals than similar polls decades earlier regarding the inclusion of African-Americans, which obviously succeeded. Fourth, a ban assumes that homosexuality is a choice, and there is increasing scientific evidence that this is not the case. If homosexuality is not a choice, it makes regulating the behavior as immoral even less tenable. Fifth, the United States has a professional force, and the assumption that the military cannot successfully incorporate gays, as it did African-Americans and women, does a disservice to the profession. Sixth, as gays continue down the long path of receiving the same rights as other citizens, it is equally important that they share in the responsibilities of protecting the polity, to include open service of their country.

7. It is not claimed that the experience of African-Americans or women is the same as those of homosexuals. Reviewing the historical record, however, does reveal striking similarities in the *arguments used* against African-Americans and women and therefore may point to some lessons learned regarding policy formulation and implementation. Although clear differences exist between African-Americans, women, and gays, research shows that how a country integrates other races and genders in the military is indicative of how gays were effectively integrated. See Paul Gade, David Segal, and Edgar Johnson, "The Experience of Foreign Militaries," in *Out in Force: Sexual Orientation and the Military*, edited by Gregory M. Herek, Jared B. Jobe, and Ralph M. Carney (Chicago: University of Chicago Press, 1996), 115.

8. Elaine Donnelly, "Military Times Poll: Troops Oppose Gay Agenda for the Military," The Tank (blog), *National Review Online*, posted 2 January 2009.

9. Kate Dyer, ed., *Gays in Uniform: The Pentagon's Secret Reports* (Boston: Alyson Publications, 1990); and Randy Shilts, *Conduct Unbecoming: Gays & Lesbians in the U.S. Military* (New York: St Martin's Press, 1993).

10. RAND Corporation, *Sexual Orientation and U.S. Military Personnel Policy: Options and Assessment* (Santa Monica, CA: RAND, 1993).

11. The actual traceable number was between one and three Soldiers. See Nathaniel Frank, *Unfriendly Fire: How the Gay Ban Undermines the Military and Weakens America* (New York: Thomas Dunne Books, 2009), 147.

12. Nathaniel Frank, *Unfriendly Fire: How the Gay Ban Undermines the Military and Weakens America* (New York: Thomas Dunne Books, 2009), 147–48.

ATTITUDES AREN'T FREE

13. Aaron Belkin, "Don't Ask, Don't Tell: Is the Gay Ban Based on Military Necessity?" *Parameters*, Summer 2003, 116. For the approximately 70 countries who allow open service, see <http://www.gaylawnet.com/laws/laws.htm>. This does not mean that no problems occurred, but rather that these problems did not impact readiness. See Aaron Belkin and Melissa Levitt, "Homosexuality and the Israel Defense Forces: Did Lifting the Gay Ban Undermine Military Performance?" *Armed Forces and Society* 27, no. 1 (2001). Belkin's methodology has been attacked: see Joseph A. Craft, Letter to the Editor, "Legitimate Debate or Gay Propaganda?" *Parameters*, 22 June 2004, 132, <http://www.carlisle.army.mil/usawc/Parameters/04summer/contents.htm>; Elaine Donnelly, "Constructing the Co-Ed Military," *Duke Journal of Gender Law & Policy* 14 (May 2007), 927. Belkin forcefully responded to these attacks, however: Aaron Belkin, "Legitimate Debate, or Gay Propaganda? The Author Replies," *Parameters*, Summer 2004, <http://www.carlisle.army.mil/usawc/Parameters/04summer/contents.htm>.

14. Aaron Belkin, "Don't Ask, Don't Tell: Is the Gay Ban Based on Military Necessity?" *Parameters*, Summer 2003, 117.

15. Michael R. Gordon, "Powell Delivers a Resounding No on Using Limited Force in Bosnia," *New York Times*, 28 September 1992.

16. Gen Gordon R. Sullivan, interview with author, Washington, DC, 25 February 2005.

17. Cited by Nathaniel Frank, *Unfriendly Fire: How the Gay Ban Undermines the Military and Weakens America* (New York: Thomas Dunne Books, 2009), 122–23. See also Peter Singer, "The Damning Paradox of 'Don't Ask, Don't Tell,'" *Washington Examiner*, 2 June 2009.

18. Michael R. Kauth and Dan Landis, "Applying Lessons Learned from Minority Integration in the Military," in *Out in Force: Sexual Orientation and the Military*, edited by Gregory M. Herek, Jared B. Jobe, and Ralph M. Carney (Chicago: University of Chicago Press, 1996), 93.

19. John H. Sherman, "Command of Negro Troops," *Vital Speeches of the Day*, 15 January 1947, vol. 12, issue 7, 217.

20. Elizabeth Kier, "Homosexuals in the U.S. Military: Open Integration and Combat Effectiveness," *International Security* 23, no. 2 (Autumn 1998), 5–39; and Elizabeth Kier, "Rights and Fights: Sexual Orientation and Military Effectiveness," *International Security* 24 (Summer 1999), 194–201.

21. Paul Koegel, "Lessons Learned from the Experience of Domestic Police and Fire Departments," in *Out in Force: Sexual Orientation and the Military*, edited by Gregory M. Herek, Jared B. Jobe, and Ralph M. Carney (Chicago: University of Chicago Press, 1996), 150; and Robert J. MacCoun, "Sexual Orientation and Military Cohesion: A Critical Review of the Evidence," in *Out in Force: Sexual Orientation and the Military*, 157–76.

22. Gail L. Zellman, "Implementing Policy Changes in Large Organizations: The Case of Gays and Lesbians in the Military," in *Out in Force: Sexual Orientation and the Military*, edited by Gregory M. Herek, Jared B. Jobe, and Ralph M. Carney (Chicago: University of Chicago Press, 1996), 282.

23. Citing Lt Gen Minter Alexander, initially the head of the Military Working Group, supposedly set up to study the issue of homosexuals in the military during the DADT policy formulation period. Alexander said the working group "didn't have any empirical data," and that the military "knew the results of what was going to happen there. It was going to be very difficult to get an objective, rational review of this policy." See Nathaniel Frank, *Unfriendly Fire: How the Gay Ban Undermines the Military and Weakens America* (New York: Thomas Dunne Books, 2009), 115–17.

24. Lawrence J. Korb, "The President, the Congress, and the Pentagon: Obstacles to Implementing the 'Don't Ask, Don't Tell' Policy," in *Out in Force: Sexual Orientation and the Military*, edited by Gregory M. Herek, Jared B. Jobe, and Ralph M. Carney (Chicago: University of Chicago Press, 1996), 291 and 297.

25. Rowan Scarborough, "Marine Leads 'Don't Ask, Don't Tell' Fight: Commandant Resists Efforts to Lift Ban," *The Washington Times*, 2 November 2009, 1.

26. Manu Raju, "Gay Military Question Still Up in the Air," *Politico.com*, 2 September 2009.

27. Colin Powell, interview with Fareed Zakaria, CNN, 14 December 2008, <http://www.youtube.com/watch?v=HfThCfTJDgU>.

28. John M. Shalikashvili, "Gays in the Military: Let the Evidence Speak," *Washington Post*, 19 June 2009; and John M. Shalikashvili, "Second Thoughts on Gays in the Military," *New York Times*, 2 January 2007, 17.

29. Nathaniel Frank, *Unfriendly Fire: How the Gay Ban Undermines the Military and Weakens America* (New York: Thomas Dunne Books, 2009), 83.

30. Manu Raju, "Gay Military Question Still Up in the Air," *Politico.com*, 2 September 2009.

31. *Ibid.*

32. Paul Koegel, "Lessons Learned from the Experience of Domestic Police and Fire Departments," in *Out in Force: Sexual Orientation and the Military*, edited by Gregory M. Herek, Jared B. Jobe, and Ralph M. Carney (Chicago: University of Chicago Press, 1996), 147.

33. *Ibid.*

34. Nathaniel Frank, *Unfriendly Fire: How the Gay Ban Undermines the Military and Weakens America* (New York: Thomas Dunne Books, 2009), 77.

35. Kyle Dropp and Jon Cohen, "Acceptance of Gay People in Military Grows Dramatically," *Washington Post*, 19 July 2008, A03.

36. Aaron Belkin, "Don't Ask, Don't Tell: Is the Gay Ban Based on Military Necessity?" *Parameters*, Summer 2003, 115.

37. "Independents Take Center Stage in the Obama Era: Trends in Political Values and Core Attitudes: 1987–2009" (Washington, DC: The Pew Research Center for the People & the Press, 21 May 2009).

38. Jonathan Capehart, "Okay, Obama. Now Let's Have a Speech on Gay Rights," *Washington Post*, PostPartisan Blog, 4 June 2009, http://voices.washingtonpost.com/postpartisan/2009/06/okay_obama_now_lets_have_a_spe.html.

39. In report by the Washington-based Committee for the Study of the American Electorate, over 90 percent of gays and lesbians reported voting in the 2004 election. Gays were double the turnout as compared to straights for the 2006 congressional midterm election. See Don Frederick and Andrew Malcolm, "Top of the Ticket—Gay and Lesbian Power—Candidates Should Take Note That This Is One Group That Knows How to Get Out and Vote," *Los Angeles Times*, 12 August 2007.

40. Adam Nagourney, "Independents Could Help Swing More Than One Primary Toward the Unexpected," *New York Times*, 2 October 2007.

41. In fact, this research has made lawmakers from both sides of the aisle more savvy and educated. See the 23 July 2008 hearing in front of the House Armed Services Committee at <http://armedservices.house.gov/comdocs/schedules/2008.shtml> (scroll to that date for transcripts and audio/video recordings). Both Republicans and Democrats alike had questions regarding unempirical arguments made against overturning the ban.

42. Nathaniel Frank, *Unfriendly Fire: How the Gay Ban Undermines the Military and Weakens America* (New York: Thomas Dunne Books, 2009), 87; Gregory M. Herek, Jared B. Jobe, and Ralph M. Carney, "Conclusion," in *Out in Force: Sexual Orientation and the Military*, edited by Gregory M. Herek, Jared B. Jobe, and Ralph M. Carney (Chicago: University of Chicago Press, 1996), 306.

43. Nathaniel Frank, *Unfriendly Fire: How the Gay Ban Undermines the Military and Weakens America* (New York: Thomas Dunne Books, 2009), 86.

44. Quoted in Nathaniel Frank, *Unfriendly Fire: How the Gay Ban Undermines the Military and Weakens America* (New York: Thomas Dunne Books, 2009), 78.

45. Aaron Belkin, "Don't Ask, Don't Tell: Is the Gay Ban Based on Military Necessity?" *Parameters*, Summer 2003, 114.

46. Base housing would undoubtedly further decrease opposition to homosexual service since one of the biggest nullifiers of homophobia is when someone knows a homosexual family, much like knowing an African-American family in the 1950s.

ATTITUDES AREN'T FREE

47. Elaine Donnelly quoted by Roxana Tiron, "Lawmakers Grill Critic of Gays in Military," *The Hill.Com*, posted 23 July 2008.

48. Paul A. Gade, David R. Segal, and Edgar M. Johnson, "The Experience of Foreign Militarys," in *Out in Force: Sexual Orientation and the Military*, edited by Gregory M. Herek, Jared B. Jobe, and Ralph M. Carney (Chicago: University of Chicago Press, 1996), 108; Paul Koegel, "Lessons Learned from the Experience of Domestic Police and Fire Departments," in *Out in Force: Sexual Orientation and the Military*, 137; and Aaron Belkin, "Don't Ask, Don't Tell: Is the Gay Ban Based on Military Necessity?" *Parameters*, Summer 2003, 112.

49. The often cited figure that 10 percent of any population is homosexual comes from Alfred C. Kinsey, Wardell B. Pomeroy, and Clyde E. Martin, *Sexual Behavior in the Human Male* (Philadelphia, PA: W.B. Saunders, 1948), 610–66. It should be noted that the 10 percent figure came from the findings that 4 percent of men were more or less exclusively homosexual their whole lives, while another 6 percent had been more or less exclusively homosexual for at least three years between the ages of 16–55.

50. For the running tally, see Servicemembers Legal Defense Network's Web site at <http://www.sldn.org/pages/about-dadt>.

51. See Michael E. O'Hanlon, "Obama's Defense Budget Gap," *Washington Post*, 10 June 2009, A7; Edwin J. Feulner, PhD, "Spending Spree and Cutting Defense Don't Add Up," Special Report 62, Heritage Foundation, 20 July 2009; Mackenzie M. Eaglen, "The \$64,000 Question: Is President Obama Actually Increasing the Defense Budget?," WebMemo No. 2411, Heritage Foundation, 27 April 2009; Greg Bruno, "The Fine Print on Defense Spending," Council on Foreign Relations, 8 April 2009; and Douglas W. Elmendorf, "The Long-Term Budget Outlook," Congressional Budget Office, Testimony before the Committee on the Budget, US Senate, 16 July 2009.

52. Gary Gates, *Gay Men and Lesbians in the US Military: Estimates from Census 2000* (Washington, DC: Urban Institute, 2004).

53. "Financial Analysis of 'Don't Ask, Don't Tell': How Much Does the Gay Ban Cost?" Blue Ribbon Commission Report, February 2006, 21, <http://www.palmcenter.org/files/active/0/2006-FebBlueRibbonFinalRpt.pdf>.

54. *Ibid.*, 23.

55. *Ibid.*, 24.

56. The argument for being deliberate comes from Nathaniel Frank, *Unfriendly Fire: How the Gay Ban Undermines the Military and Weakens America* (New York: Thomas Dunne Books, 2009), 72. For the case of formulating and implementing the policy quickly, see Gail L. Zellman, "Implementing Policy Changes in Large Organizations: The Case of Gays and Lesbians in the Military," in *Out in Force: Sexual Orientation and the Military*, edited by Gregory M. Herek, Jared B. Jobe, and Ralph M. Carney (Chicago: University of Chicago Press, 1996), 275.

57. Paul Koegel, "Lessons Learned from the Experience of Domestic Police and Fire Departments," in *Out in Force: Sexual Orientation and the Military*, edited by Gregory M. Herek, Jared B. Jobe, and Ralph M. Carney (Chicago: University of Chicago Press, 1996), 146.

58. Gail L. Zellman, "Implementing Policy Changes in Large Organizations: The Case of Gays and Lesbians in the Military," in *Out in Force: Sexual Orientation and the Military*, edited by Gregory M. Herek, Jared B. Jobe, and Ralph M. Carney (Chicago: University of Chicago Press, 1996), 274.

59. Paul Koegel, "Lessons Learned from the Experience of Domestic Police and Fire Departments," in *Out in Force: Sexual Orientation and the Military*, edited by Gregory M. Herek, Jared B. Jobe, and Ralph M. Carney (Chicago: University of Chicago Press, 1996), 147.

60. Lawrence J. Korb, "The President, the Congress, and the Pentagon: Obstacles to Implementing the 'Don't Ask, Don't Tell' Policy," in *Out in Force: Sexual Orientation and the Military*, edited by Gregory M. Herek, Jared B. Jobe, and Ralph M. Carney (Chicago: University of Chicago Press, 1996), 299.

61. Aaron Belkin, "Don't Ask, Don't Tell: Is the Gay Ban Based on Military Necessity?" *Parameters*, Summer 2003, 111.

62. Gail L. Zellman, "Implementing Policy Changes in Large Organizations: The Case of Gays and Lesbians in the Military," in *Out in Force: Sexual Orientation and the Military*, edited by Gregory M. Herek, Jared B. Jobe, and Ralph M. Carney (Chicago: University of Chicago Press, 1996), 278. Disincentives should also apply, be explicit, and be enforced. See John H. Sherman, "Command of Negro Troops," *Vital Speeches of the Day*, 15 January 1947, vol. 12, no. 7, 217.

63. Gail L. Zellman, "Implementing Policy Changes in Large Organizations: The Case of Gays and Lesbians in the Military," in *Out in Force: Sexual Orientation and the Military*, edited by Gregory M. Herek, Jared B. Jobe, and Ralph M. Carney (Chicago: University of Chicago Press, 1996), 286.

64. *Ibid.*

65. *Ibid.*, 275.

66. *Ibid.*, 283.

67. As Senator Carl Levin noted in DADT hearings, sodomy, defined as oral or anal sex, is banned outright, meaning that the law applies equally to heterosexuals and homosexuals. See Levin and Senator John Kerry quoted in Nathaniel Frank, *Unfriendly Fire: How the Gay Ban Undermines the Military and Weakens America* (New York: Thomas Dunne Books, 2009), 91–92 and 98.

68. Gail L. Zellman, "Implementing Policy Changes in Large Organizations: The Case of Gays and Lesbians in the Military," in *Out in Force: Sexual Orientation and the Military*, edited by Gregory M. Herek, Jared B. Jobe, and Ralph M. Carney (Chicago: University of Chicago Press, 1996), 277.

69. Nathaniel Frank, *Unfriendly Fire: How the Gay Ban Undermines the Military and Weakens America* (New York: Thomas Dunne Books, 2009), 196–97.

70. *Ibid.*, 196.

71. Michael R. Kauth and Dan Landis, "Applying Lessons Learned from Minority Integration in the Military," in *Out in Force: Sexual Orientation and the Military*, edited by Gregory M. Herek, Jared B. Jobe, and Ralph M. Carney (Chicago: University of Chicago Press, 1996), 100.

72. *Ibid.*, 100–101. The same focus on behavior also worked for police and fire departments: Paul Koegel, "Lessons Learned from the Experience of Domestic Police and Fire Departments," in *Out in Force: Sexual Orientation and the Military*, edited by Gregory M. Herek, Jared B. Jobe, and Ralph M. Carney (Chicago: University of Chicago Press, 1996), 146–47.

73. Paul Koegel, "Lessons Learned from the Experience of Domestic Police and Fire Departments," in *Out in Force: Sexual Orientation and the Military*, edited by Gregory M. Herek, Jared B. Jobe, and Ralph M. Carney (Chicago: University of Chicago Press, 1996), 148.

74. *Ibid.*, 151; and Gail L. Zellman, "Implementing Policy Changes in Large Organizations: The Case of Gays and Lesbians in the Military," in *Out in Force: Sexual Orientation and the Military*, edited by Gregory M. Herek, Jared B. Jobe, and Ralph M. Carney (Chicago: University of Chicago Press, 1996), 269.

75. Nathaniel Frank, *Unfriendly Fire: How the Gay Ban Undermines the Military and Weakens America* (New York: Thomas Dunne Books, 2009), 165.

76. Robert J. Maccoun, "Sexual Orientation and Military Cohesion," in *Out in Force: Sexual Orientation and the Military*, edited by Gregory M. Herek, Jared B. Jobe, and Ralph M. Carney (Chicago: University of Chicago Press, 1996), 172.

77. Gail L. Zellman, "Implementing Policy Changes in Large Organizations: The Case of Gays and Lesbians in the Military," in *Out in Force: Sexual Orientation and the Military*, edited by Gregory M. Herek, Jared B. Jobe, and Ralph M. Carney (Chicago: University of Chicago Press, 1996), 273.

78. Paul Koegel, "Lessons Learned from the Experience of Domestic Police and Fire Departments," in *Out in Force: Sexual Orientation and the Military*, edited by Gregory M. Herek, Jared B. Jobe, and Ralph M. Carney (Chicago: University of Chicago Press, 1996), 147.

ATTITUDES AREN'T FREE

79. Gail L. Zellman, "Implementing Policy Changes in Large Organizations: The Case of Gays and Lesbians in the Military," in *Out in Force: Sexual Orientation and the Military*, edited by Gregory M. Herek, Jared B. Jobe, and Ralph M. Carney (Chicago: University of Chicago Press, 1996), 275.

80. John H. Sherman, "Command of Negro Troops," *Vital Speeches of the Day*, 15 January 1947, vol. 12, no. 7, 220.

81. Lawrence J. Korb, "The President, the Congress, and the Pentagon: Obstacles to Implementing the 'Don't Ask, Don't Tell' Policy," in *Out in Force: Sexual Orientation and the Military*, edited by Gregory M. Herek, Jared B. Jobe, and Ralph M. Carney (Chicago: University of Chicago Press, 1996), 297.

82. Approximately 1.7 service members are discharged each day. For the current count, see <http://www.sldn.org/content/discharged>.

83. "Gay Veteran Calls for End of 'Don't Ask, Don't Tell,'" *CNN*, 1 March 2007, <http://www.cnn.com/2007/POLITICS/02/28/gays.military/index.html>.

About the Author

Dr. Tammy S. Schultz is the director of the National Security and Joint Warfare and an associate professor at the US Marine Corps War College. Dr. Schultz also conducts communication simulations at the State Department and is an adjunct professor at Georgetown University's Security Studies Program. She has served as a fellow at the Center for a New American Security, the US Army's Peacekeeping and Stability Operations Institute, and the Brookings Institution. She graduated summa cum laude from Regis University in 1995 and earned a master's from Victoria University in New Zealand in 1999. She received her PhD from Georgetown University in 2005. She is widely published and frequently quoted on defense and national security issues. She is on the Term Member Advisory Committee of the Council of Foreign Relations, a principal in the Truman National Security Project, and on the Executive Board of Women in International Security.

The author would like to thank her colleagues at the Marine Corps War College, especially Col Michael Belcher, for improving this work. Also, Dr. Becky Johnson of Marine Corps University's Command and Staff College provided invaluable comments. The librarians at the General Alfred M. Gray Marine Corps Research Center also helped with short-order research, in particular Pat Lane. Alexandra Singer proved once again more than capable of timely and intelligent research. All errors and omissions are, of course, solely the author's. The views expressed in this chapter are the author's, are not official, and do not necessarily reflect the positions of the US Department of Defense, the US Marine Corps, or the Marine Corps University.