

## The Law Magnified a Cultural Barrier

by Andrew Harris

Looking back at DADT so soon after its dismantling makes it tough to place exactly where it will fall in the record books of ill-advised military policy.

Nevertheless, it is already clear that the policy's corrosive effect extended beyond gay service members. By the time of its repeal, DADT was at the epicenter of a growing distance between U.S. society and the members of the military sworn to defend it.

My own history of military service—which began at a military college and culminated with combat service—demonstrates how much the general military attitude will have to change after DADT is a thing of the past.

I matriculated at the Virginia Military Institute (VMI) in fall 2000, a year before September 2001 when the world became radically different for the military. DADT was less than a decade old. I had not known any openly gay students in high school, and VMI was an unlikely place to expand my horizons. At VMI gay people were virtually nonexistent, an afterthought, not fit for the spartan environment in Lexington, Virginia. While many fellow cadets disapproved of homosexuality on religious grounds, I never heard anyone voice support for, or concern over, DADT. Homosexuals were simply “the other,” perhaps seen during a visit home or on a trip to another school, but in a college dealing with issues of gender integration (women were admitted in 1997), the civil rights of gay men and lesbians rarely came up. This attitude of nonacknowledgement is laughable when you account for the law of averages and the fact that several of my fellow alumni have since come out. While I now appreciate the absurdity of this view from my time at VMI, I found the same story when I reported to duty with the U.S. Army.

While the active military is different than VMI, the attitude toward gay service members was of a strikingly similar mentality: utter denial. There were no gay soldiers in this mind-set; we were training to be supersoldiers with a deployment to

Iraq months away. When a male soldier in my unit was reportedly caught having sexual relations with a civilian man, he claimed drunkenness and insanity and was allowed to leave the Army under a “failure to adapt” discharge. Clearly, “drunk and possibly unstable” was more acceptable than “I’m gay.” Just as with my experience at VMI, gay people did not exist in the artillery, infantry, and cavalry units I served in. In this environment, homosexuals were disparaged as not masculine, weak, and not manly enough for the uber-masculine lifestyle we inhabited.

When I arrived in Baghdad for my second and final deployment, I confronted a different work environment than that of the first four years of my career. I was transferred to a large division staff, doing routine work with the same people 12 hours a day on a tour slated to last 15 months. I got to know people and hear about their personal lives back home.

Near the end of my tour, I met my first gay service member. Her girlfriend was also in the Army, stationed at another base in Baghdad. Back in the States, they lived with a married couple in an apartment that they rented off post. This was a revelation to me not because there was a lesbian in my unit (this is inevitable with the law of averages), but because so many of my peers knew and did not think twice about it. I was also saddened by the thought that a soldier—a good soldier—was forced to put on a charade so that she could enjoy some of the most basic rights that I enjoyed as a straight soldier.

While I knew this young sergeant intended to leave the Army of her own accord, she was an example of those who served in the closet and who could have contributed more to our armed forces and our nation if we had given them basic acceptance.

After that second deployment, I left the military and took on the title I once applied only to grandfathers: veteran. “Veteran” outside a military context implies a degree of experience, but as I left Fort Hood, I realized that I had almost no experience interacting with or even knowing someone who is openly gay. This became clearer when I moved to Washington, DC, and experienced the opposite of what I had seen in the military. People seemed to have no problem saying they were gay. More importantly, being gay was not an issue. This was also my first opportu-

nity to interact with nonmilitary members of my generation. I was struck by how angered they were by DADT and how closely they associated the law with the U.S. military.

My generation, the millennials, are as close to the military as one is to a distant cousin. Each knows the other exists but neither could tell you much else. For the military, the war is consuming, and my life had been dominated by deployments, timelines, friends' deployments, and by squeezing the most out of my precious time at home.

For the civilian millennial, the war is distant, remote, and something that other people do. Everyone has a distant connection to the military from a classmate or relative, but the wars are a low priority compared to the economy and potential careers after graduation. I was shocked that some of the first questions my civilian friends and classmates asked me centered around DADT. They could not fathom how someone seemingly normal like me would associate with an organization that tolerated systemic discrimination. My explanations about my limited experience with the policy did nothing to soften the criticism and condemnation of the military.

To the average civilian, a service member or veteran is a symbol of the entire military. Each issue in a decade of war—whether it be Abu Ghraib, DADT, or the killing of Osama bin Laden, for example—seems, to a civilian, as if every service member is directly connected to it. Unfortunately, DADT magnified this cultural barrier and may remain the lasting result of the failed policy.

After nearly two decades of a policy that forced gay service members to live a lie and allowed straight service members to deny their existence, it is time for the military to catch up with society. The DADT period of denial ran parallel with a period in which many in civilian society gradually embraced, destigmatized, and in the case of *Lawrence v. Texas*, legally endorsed the right of gay Americans to be open about who they are. Now that a new dawn is rising, individual service members must seize the opportunity to show that the military can accept those who are born gay. The country is right to expect a military that reflects its highest values, and the U.S. military is nothing short of duty bound to deliver.

## Services Will Get On with the Business at Hand

by Brendan P. Kearney

As a native San Franciscan, I grew up in an atmosphere that exuded tolerance.

The Beat Generation was followed by the misnamed “Summer of Love,” which was followed by the burgeoning gay civil rights movement and the flexing of growing political power, primarily focused in the San Francisco Bay area, from the mid-1970s to today.

For a Marine officer who came of age in the mid-1970s, what was going on at home meant little. Our society then, as now, was comfortably insular. Politics and religion were conversations one never entered into, either professionally or personally, within the context of our military family. Sex was something that was laughed and joked about. Among our Marines and sailors, sex was something that was alluded to with the wall locker displays of Playboy “art” that would be allowed or disallowed depending on the religious beliefs of regimental or battalion commanders. Homosexuality was never addressed, as it was acknowledged that “they” were not welcome in the Marine Corps and gravitated instead toward the Navy and Air Force. In short, homosexuality was somebody else’s problem.

My first experience with a gay Marine was upon reporting for barracks duty in late 1979. As the new guy on the block, getting assigned the most recent investigation was an expected burden. My surprise was that this particular investigation was focused on a young corporal who had requested a discharge based on declaring his homosexuality.

What was particularly disturbing was his status in the barracks: NCO (non-commissioned officer) of the quarter for the entire Naval installation, multiple meritorious promotions, and—most importantly—the respect he received from his peers.

As a good officer, I fulfilled my responsibilities in a dignified and professional manner, as I had to interview the corporal and his gay civilian friends to ensure

his seriousness and verify his eligibility for discharge. The bottom line is that he went out the door and left me behind. I was troubled at the prospect that a talented young NCO—in short supply—had just departed over an issue that had little real consequence.

Fast forward 15 years and the lieutenant was now a lieutenant colonel assigned to Headquarters, Marine Corps (HQMC) in the midst of the new Clinton administration and the turmoil over DADT.

My unease over gay Marines, frankly, had been set aside primarily because the issue had never come up again in the intervening 15 years. Not one disciplinary case, not one investigation despite my repeated tours in the Fleet Marine Force, a war in the Gulf, and serving with thousands of Marines. However, within the hallowed halls of HQMC, it appeared from listening to the discussions of senior officers that the Corps was bedeviled by what must be “hundreds” of incidents, all of which were having a profound adverse impact on the good order and discipline of our Corps.

Needless to say—as I found then and subsequently—these perceptions were not based on fact. There was no single incident of homosexual activity anywhere in the Corps that impacted unit morale. What did impact morale were repeated instances of officer or staff noncommissioned officer (SNCO) misconduct, often of a heterosexual nature (such as fraternization), that was directly linked to abuses of authority and resulting in command climates of mistrust and discouragement.

Subsequent tours in battalion and regimental command reinforced my overall impression that DADT was a policy in search of justification. With more than a dozen infantry battalions assigned to 4th Marines during my stewardship, there was not a single case that would have required invoking DADT. Not one. Each of those battalions, however, had leadership issues of officer or SNCO misconduct that did impact to a greater or lesser degree the good order and discipline of the units.

As my career wound down serving as chief of staff as III MEF (Marine Expeditionary Force) in Asia and MARFOREUR (Marine Forces Europe), DADT would periodically come up as a result of political discourse in the United States. Our European comrades were incredulous that the policy still existed. The Marines and

sailors I served with never mentioned it, as they were seemingly disinterested in the issue of sexual orientation. It appeared to me that they simply did not care and were focused—rightly so—on professional competence.

Upon retirement and return to San Francisco, my former Marine sergeant son, at the time a law student, and I would wander the Castro neighborhood pushing my granddaughter's stroller. Invariably the two guys with a baby girl would draw appreciative comments from the locals.

Initially I was a bit put off and my son—a hard-nosed Marine NCO—took his old man by the stack and swivel and mentioned that my attitude, while tolerant, was out of touch. He challenged me to meet with Marines who were gay and then re-evaluate my somewhat troubled, primarily ambivalent attitude toward gay people in the military.

During the succeeding years I took up my son's challenge. Getting Marines to open up—even to an old retired colonel—is not an easy thing, as the “oorah” response of simple agreement in order to get around tough issues and change the topic, is often difficult to overcome. The bottom line: I spoke to hundreds of Marines, gay and straight, and with virtually every single one—once they got past the party line—not one Marine cared about a fellow Marine's sexual orientation. Not one.

It just took about a year before I became completely convinced that DADT was a policy disaster for our military and had a profound, adverse impact on our country at large.

Considering the multiple complex challenges this country faces, a policy that overtly removes talented patriots from the military is nothing short of a self-inflicted wound.

I decided to speak out in my own way, primarily in news media opportunities and through the military advisory council of the Servicemembers Legal Defense Network.

What was harder, and discouraging, was a decision to engage those retired senior officers who I felt were misguided in their promotion of the status quo, i.e., the rigorous defense of DADT.

Almost all of these conversations proved difficult, as I could see the disap-

pointment in their faces as I explained my position. Some of them took it on and others walked away, continuing to be convinced that our Corps was fighting for its life over the issue of gay Marines. Regrettably, I'm afraid there are a number of Marines my age and older whose attitude will change only with the passage of years. Their bitterness over the perceived challenge to the Corps will only be overcome with a realization that our younger generation of Marines will serve this country as well as they did. Sadly, there are those whose lives will be lived out with the conviction that the country, through the change in law, has mortally wounded their beloved Corps.

I don't pretend to see the future. But based on my experience and my profound confidence in this generation of Marines, I believe the demise of DADT will quickly become a nonevent, and the services as a whole will get on with the business at hand: defeating the enemies of our country.

My only regret is that I wish I had paid the issue greater attention and worked earlier to overcome a policy that has adversely impacted patriotic Marines, our Corps, and our country.