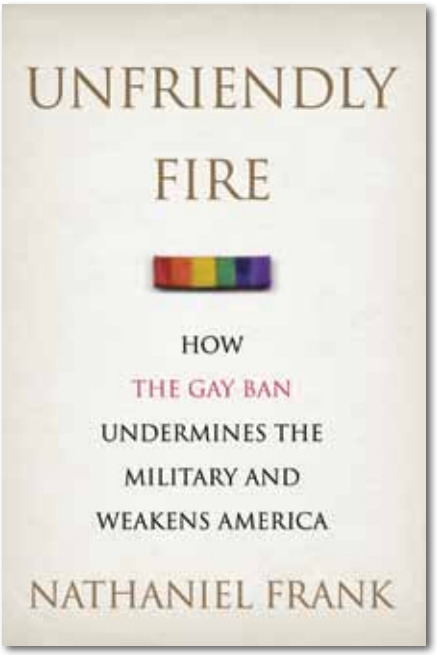
Straight Away

Don't ask, don't tell is on its way out, and not a moment too soon.

By Michael O'Donnell



Unfriendly Fire: How the Gay Ban Undermines the Military and Weakens America

by Nathaniel Frank
Thomas Dunne Books, 368 pp.

One of the ugliest moments of the 2008 presidential campaign involved a room full of people booing a gay general. During the Republican CNN/YouTube debate in November 2007, retired Brigadier General Keith Kerr asked a question by video. In a gravelly voice, he cited his forty-three years of military service and credentials, and then announced his homosexuality and pointedly asked why American soldiers were not professional enough to serve alongside gays and lesbians. After Duncan Hunter, Mike Huckabee, and Mitt Romney answered with rote bromides about the feared impact of gay troops on "unit cohesion," the moderator asked Kerr whether he felt he'd gotten an answer. With dignity and not a little courage standing there holding the wrong war drum, Kerr quietly began to explain why he hadn't, and that's when the first arrows flew. First his microphone was switched off—possibly by accident—only to be hastily switched on again at the moderator's direction. Then the jeers began, scattered at first but growing louder until Kerr stopped talking. John McCain (he of truth-to-power lore) was the only candidate to speak after Kerr, but he said that the don't ask, don't tell policy was working. None of the candidates acknowledged that an American general had just been shouted down on national television.

Bigotry against gays and lesbians, even those in uniform, sadly persists in this country. As one of the great moral and cultural problems of our time, it can't be solved at a stroke, but McCain's line about don't ask, don't tell can at least be shown up for the nonsense that it is. Only the most removed, unconcerned anti-empiricist could say that the policy—which turned fifteen on March 1—has been anything less than a disaster. Discharges for homosexuality have skyrocketed under it: more than 12,000 gay men and women, including fifty-eight Arab-language specialists, have been dismissed since 1994, many of them during a time of military exigency, recruiting shortfalls, and harsh stopgap measures. The policy has prompted witch hunts, loosened restrictions on service by ex-convicts, tarnished the military's image, and encouraged homophobia rather than eradicating it. And don't ask, don't tell is very unpopular: 75 percent of Americans favor letting gay troops serve openly, and 104 retired admirals and generals recently called for the policy's repeal in favor of open service.

That's a long fall for what was meant to be a progressive reform. Don't ask, don't tell is the bastard stepchild of Bill Clinton's remarkable campaign pledge to end the prevailing ban on gays in the military. Nathaniel Frank, the author of *Unfriendly Fire: How the Gay Ban Undermines the Military and Weakens America*, doesn't blame Clinton for the mess he made, although Frank does mourn what might have been: a new day in which gays could serve openly, albeit with the same restrictions against on-duty hanky-panky that all soldiers must accept. The first half of Frank's book tells the history of don't ask, don't tell; the second half launches a full-scale broadside against a policy that Frank says "is a farce" that is "based on ignorance, denial, and deception." *Unfriendly Fire* reads like a crisp, confident, tightly focused legal brief appealing an unconscionable decision; pity the opposing advocate who must answer it point by point. With this book, President

Obama, who pledged to scrap don't ask, don't tell, has an instruction manual, as well as a blooper reel for avoiding Clinton's mistakes.

The unraveling of Clinton's idealistic plan reads a little like a history of a certain contemporaneous health care debacle: hearts all in the right place, but insufficient planning, and insufficient politicking—equal parts earnestness and cluelessness. Like a light hiker who suddenly decides to climb Mount Everest, Clinton marched into office and ran straight into the Christian right and the generals. Opposition by the former was no surprise, but the latter meant real trouble, especially when Colin Powell got involved. Powell led the charge against gay troops, expressing concern about the "moral issue" of homosexuality, opining that being gay is, at bottom, a "choice," and publicly threatening to resign if gay troops were allowed to serve openly. The remarkable part is that Powell, like some Scotchguarded political miracle, retained an impeccable reputation among the center-left despite all this—a trick he pulled off again a decade later when he lent his valuable brand to the case for war in Iraq. Frank's book might prompt a reassessment of Old Eagle Eyebrows.

As if Powell's opposition weren't enough, Clinton also couldn't get past Sam Nunn, the Democratic chairman of the Senate Armed Services Committee. Years earlier, Nunn had scorned the idea of military service by women and fired two aides expressly because they were gay. Frank suggests that Nunn opposed gay integration because he both disliked gay people and wanted to get back at Clinton, who had passed him over for secretary of defense. That claim is hard to verify, but what is clear is that Nunn's committee hearings heavily favored homophobic testimony, and that Nunn spurned progressive allies like John Kerry and Barbara Boxer to make common cause with such civil rights luminaries as Trent Lott and Strom Thurmond. Hearings in the House Armed Services Committee were even nastier, with witnesses describing gays as "walking repositories of disease" and homosexuality as "a moral virus." Seeing his political capital bleed away like so much battlefield detritus, Clinton accepted compromise, and don't ask, don't tell was born.

Once in place, the policy's most immediate effect was to halt the military's practice of asking new recruits about their sexuality. But, as Frank shows, in all other ways the "don't ask" part proved a hollow guarantee. Under the policy, simply being gay indicated a propensity to commit homosexual acts and therefore warranted dismissal. And the military gaydar was officially switched on: reporting sexual harassment, calling or writing a loved one, even listing someone of the same sex on survivorship documentation all

led to investigations and discharges. Frank tells of a midshipman who wore an AIDS ribbon, which prompted his instructor to ask, "What are you, some kind of fucking homo?" In a frantic effort to cover up, the midshipman went with his friends to a brothel and sat quietly with a female prostitute behind closed doors. This type of forced deception takes a major toll on the soldiers who must lie their way through service, compelling them to shut down or appear aloof any time talk turns to family or personal issues.

The brothel incident also prompts the question of whether the homophobic attitudes that undeniably still exist in the military justify a gay ban. This would of course be no excuse in any other context; a business certainly can't legally refuse to hire blacks on the rationale that its customers don't like black people. But more fundamentally, if prevailing discriminatory sentiment against a minority justified enshrining that discrimination in policy or law, this country's long march to equality for blacks, women, and the disabled would have gone nowhere. And anyway, soldiers' attitudes toward gays are evolving. Frank quotes dozens of straight troops saying that if a soldier can get the job done, his or her sexuality doesn't matter. As one retired admiral put it, young soldiers "were just laughing at us because we didn't understand what they were thinking. Young people had so dramatically opened up to the idea of working alongside openly gay people that us crusty old farts protecting them was just a joke."

This notion of protection—the idea that straights must be shielded from gays—remains the backbone of the persistent but unsupported argument that open gays and lesbians would disrupt morale and unit cohesion. Frank observes that this line of criticism is prurient and a little silly, since showering within view of a homosexual is hardly the biggest inconvenience a soldier faces (getting shot at and being told what to do all the time both seem worse). The argument also assumes that homosexuality is morally objectionable, for unless there's something inherently wrong or predacious about being gay, straights wouldn't need to be protected. In any case, the antidote to lingering animus toward gay troops is leadership of the type that Powell so brazenly refused to supply: the armed forces should be in the business of protecting victims of discrimination, not apologizing for discriminators. If the brass gave the order, the order would be followed.

Of course, it's impossible to verify the actual impact of gay men and women on unit cohesion as long as don't ask, don't tell remains in effect. And as a general rule, social scientific arguments that cannot be falsified should not be trusted. Nevertheless, the evidence that does exist overwhelmingly indicates that openly gay troops do not harm militaries. Twenty-four countries, including Israel, Great Britain, Spain, Ireland, and Canada, have lifted their gay bans, and studies by RAND, the British Ministry of Defence, and the U.S. Government Accountability Office conclude that gay troops have not harmed morale, cohesion, recruitment, or effectiveness in those countries. In Frank's words, the results of integration abroad "have been so uniform, so uneventful, so tediously boring and repetitive that they are almost too dull to describe." Conservatives dismiss the relevance of foreign militaries as vehemently as they reject the trend of American courts to cite foreign legal precedents. But this critique seems more about xenophobia than meaningful distinctions.

Frank doesn't discuss whether don't ask, don't tell will turn out to have been a necessary intermediate step toward full equality, although his comprehensive critique suggests that it was a bad deal from day one. Fifteen years is a long time in culture war years; maybe, some might say, we needed this buffer period for homosexuality to work its way into the country's social fabric. Historians will have to decide that one, although years of witch hunts seems like a high price to pay for equal rights. In any event, don't ask, don't tell now belongs firmly in the dinosaur column—it is an openly discriminatory policy that dates itself each time we wincingly articulate it, and one that has been sustained by naked prejudice rather than hard data.

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In the 1986 decision *Bowers v. Hardwick*, the Supreme Court upheld the use of Georgia's criminal sodomy statute against a gay man whom police apprehended in the bedroom of his own home. Seventeen years later, in *Lawrence v. Texas* (2003), the Court changed course and struck down a similar ban used against gays in Texas: "*Bowers* was not correct when it was decided, and it is not correct today. It ought not to remain binding precedent. *Bowers v. Hardwick* should be and now is overruled." Don't ask, don't tell deserves a similar eulogy. WM

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