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**INTEGRATION IN THE MILITARY**

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This chapter examines the history of the integration of blacks and other minorities and women into the military. It also examines the issue of sexual orientation and how it has been handled by the military.

**BLACKS IN THE MILITARY**

It is widely held today that the racial integration of the military was a fairly simple and straightforward matter.

In reality, racial integration during the 1940s and 1950s was a long, convoluted process which inspired many of the strong emotional reactions that the possibility of integrating homosexuals provokes today. Many white Americans (especially Southerners) responded with visceral revulsion to the idea of close physical contact with blacks. Many also perceived racial integration as a profound affront to their sense of social order. Blacks, for their part, often harbored deep mistrust of whites and great sensitivity to any language or actions that might be construed as racial discrimination. (National Defense Research Institute, 1993, p. 160.)

Given this background, it is a formidable achievement that the military today is regarded as a model of racial integration. This chapter outlines the rather tortuous history of how we got where we are today.

## **Revolution and the Civil War**

Dorn (1989) provides a short, succinct history of black participation in the military from the time of the colonial militias to the turn of this century. Concerns about the role of blacks arose as early as the colonial militias and caused General George Washington to give several conflicting orders regarding the recruitment and retention of blacks in the Continental Army. General Andrew Jackson, pressed hard to defend New Orleans against the British in the War of 1812, called upon the free colored men of Louisiana to join the struggle. As soon as the war ended, recruitment of Negroes or mulattos was immediately banned.

President Abraham Lincoln was reluctant to recruit blacks until Congress explicitly authorized him to rescind quotas and to employ as many as were needed. Blacks accounted for about 9 to 10 percent of the Union Army and one-quarter of enlistments in the Navy (which officially authorized black enlistments in 1861). Approximately 180,000 blacks served in the Union Army and more than 29,000 in the Union Navy. The confusion and vacillation over the role of blacks was evident in the military's attitude. Dorn points out that at the beginning of a conflict, blacks were generally not recruited; as the war continued and the need for manpower increased, they were recruited vigorously; but once the emergency had passed, they were demobilized with unflattering speed.

## **World War I**

When World War I broke out, blacks made up 10.7 percent of the total population and the same proportion served in the military. Many blacks pinned their hopes for a better future on involvement in the war and leaders hoped to use the Army as a means for social change. However, most black soldiers were draftees and were assigned to traditional, menial jobs in supply or support units. There was considerable disillusionment in the aftermath of the war because of the treatment black soldiers experienced during and immediately after the war. The Army and the Marine Corps remained segregated and the Navy relegated black enlistees to the messmen's branch only.

Black leaders became increasingly concerned about the conditions in the armed forces in the 1940s but the official policy of the War De-

partment remained that the proportion of blacks in the Army should not be greater than the proportion of blacks in the general population and that there would be no intermingling of colored and white enlisted personnel. As Binkin and Eitelberg (1982, pp. 19–20) point out:

Since segregation was a part of American life, the Army believed that it was a fixed part of the military establishment as well. The Army position was that the military should not be a laboratory for social experimentation; integration would hurt unit efficiency and create unnecessary racial friction. Black soldiers, because of the special treatment required, were thus viewed as manpower problems rather than assets.<sup>1</sup>

Black performance during the war drew mixed reviews. Some dismissed blacks as being ill-educated and illiterate, with low self-esteem and initiative; to them, it was no wonder that such men tended to perform much less effectively than other groups. Others, however, laid the blame for the poor showing of all-black units at the Army's door, citing poor preparation, lack of training, and lack of leadership at the unit level.

## **World War II**

More than 2.5 million blacks registered for the draft in World War II; of these, about 909,000 served in the Army. In 1944, the number of blacks stood at 700,000 and blacks accounted for 8.7 percent of Army strength and more than three-quarters were assigned to the service branches.

After the war, the Army faced a greatly increased number of blacks who wanted to remain in the Army. Increasing pressure was brought to bear on the Truman Administration, and this led to the issuance of an Executive Order on July 26, 1948, which "declared to be the policy of the President that there shall be equality of treatment and opportunity for all persons in the armed services without regard to race, color, religion, or national origin," and that promotions were to be

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<sup>1</sup>This chapter draws heavily on Binkin and Eitelberg (1982).

based solely on merit and fitness.<sup>2</sup> The order also established the President's Committee on Equality of Treatment and Opportunity under the chairmanship of Charles Fahy.

The Fahy Committee found that conditions varied across the services. The Navy had already made progress toward racial equality and had established a nondiscrimination and integration policy in 1946 under the leadership of the Secretary of the Navy James Forrestal. The Marine Corps still had all-black units but had moved toward integrated basic training. The Air Force, under the leadership of the Deputy Chief of Staff for Personnel Idwal Edwards and Air Force Chief of Staff Hoyt Vandenberg, had begun abolishing segregated units in 1949 and ensuring compliance with the Executive Order. The Army, however, lacked a group of leaders favoring integration, and its civilian Secretaries of the Army firmly opposed integration. It resisted Truman's demands for an integration plan and then moved exceedingly slowly in implementing the plan. The Fahy Committee urged the Army to substitute an ability quota for its racial quota pointing out that the former would be equally effective in regulating black enlistments.

### **Korea**

With the onset of the Korean War, blacks enlisted in large numbers and by 1951, one out of every four new enlistees in the Army was black. Faced with imminent shortages in white units, specially those on the Korean front lines, several Army officers in the field placed black troops in white units and found that such integrated units functioned well. Social scientists studying the effectiveness of integration in 1951—the so-called Project Clear—concluded that integration, far from being detrimental, actually enhanced the effectiveness of the Army. By 1954, the Army was fully racially integrated, and all-Negro units were abolished.

The military had moved far ahead of society, and this progress led Moskos (1957, p. 29) to describe the Army posts as “islands of integration in a sea of Jim Crow.” The major problems confronting

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<sup>2</sup>Executive Order 9981, *Federal Register*, Vol. 13, July 28, 1948, p. 4313.

blacks in the military stemmed from the prejudice confronting them in the communities surrounding the military bases. Race relations in the military, in contrast, appeared quite tranquil.

### **Vietnam**

When Kennedy took office, he appointed the Gesell Commission in 1962 to study equal opportunity and ways of increasing the flow of qualified blacks into the services. That committee pointed to three reasons for the lower representation of blacks in the services than in the overall population: an unbalanced grade distribution, segregation or only token integration in the reserve forces, and racial discrimination in the communities surrounding military installations.

At this time, there were 860,000 blacks in the enlisted force. With the start of the Vietnam conflict, there was concern that blacks were being disproportionately asked to bear the brunt of the fighting. Statistics showed that although they constituted 11 percent of the U.S. population aged 19 to 21, black casualties accounted for one-fifth of all combat deaths in Vietnam. The Pentagon ordered a cutback in the participation of blacks on the front line and there was a dramatic drop in the proportion of combat fatalities among black troops. Between 1967 and 1972, blacks accounted for 12 percent of all combat deaths (Binkin and Eitelberg, 1982). The country was being torn apart by a growing protest movement both against the war and against the draft. The Marshall Committee reinforced the charges of racism made by black leaders. Some criticized the military for excluding the very poor, least educated, and least mobile in society because of overstated acceptance standards.

The Pentagon was reluctant to enter into what it perceived to be a social welfare business, but Project 100,000 preempted it.<sup>3</sup> This was an experimental program for the annual recruitment of 100,000 men who normally would have been screened out because of low educational attainment and/or physical impairment. Under this program, about 246,000 recruits entered the military, a substantial number of whom were black, from the South, and draftees. Unfortunately, many did not possess skills that would qualify them for occupations

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<sup>3</sup>See Chapter Five for further details on Project 100,000.

that could help them in civilian life, and a good many ended up learning combat skills and were sent to Vietnam. Several studies of this era concluded that, despite the charges, it was not institutional racism but economic discrimination that was at work during this time period.

This period was one of great turmoil and change: the civil rights movement, the antiwar movement, the War on Poverty, attempts to create a balanced society, and the Selective Service draft. Some were concerned about the unfairness of a disproportionately black military; this was matched by concern on the part of others about the stability and capability of a racially unbalanced force.

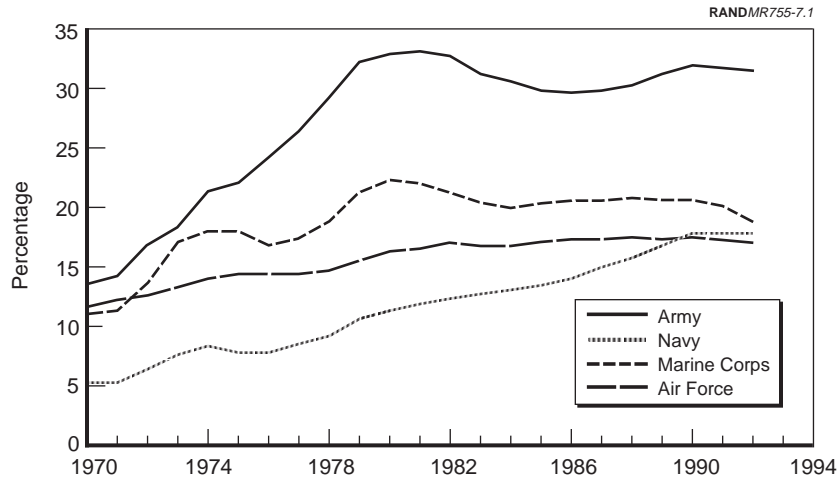
The Vietnam conflict saw renewed racial tensions. There were several incidents of racial clashes and riots in the services, mirroring the same tension that existed in American society (Binkin and Eitelberg, 1982). The study from the National Defense Research Institute (1993, p. 181) points out that this may have been the result of the convergence of two factors. First, although the formal, legal system of segregation had disappeared, practices that had discriminatory effects had survived.

The much-publicized fact that the draft disproportionately affected blacks was only one example. Others included discrimination in housing, in promotions, in the administration of military justice, and in the uneven distribution of blacks among and within the Armed Forces . . . . Cumulatively, these practices may have had much the same kind of impact as formal segregation previously had: they created an inequitable allocation of risks, rewards, and responsibilities among different racial groups.

Second, there was “heightened sensitivity to such inequities as a result of the extraordinary racial polarization that existed in American society at that time” (p. 181). However, despite the heightened level of tension, task and unit cohesion does not appear to have been seriously affected. “Perhaps, the best generalization is that while the implementation of racial integration could have been a major source of tension and difficulty in the military—given the strong racial prejudices of earlier eras—it was not necessarily so” (p. 182).

**Post-Vietnam**

With the advent of the all-volunteer force, new fears arose that the force would become primarily black. In 1970, the Gates Commission confidently predicted that the composition of the military would not fundamentally change as a result of the end of the draft. A few years later, over one out of every four new soldiers was black and Congress, concerned about the social and racial representation of the military, directed the Department of Defense to submit annual reports on the population representation of the force—the geographic, economic, educational, and racial composition of new recruits and the active force. Figure 7.1 shows black enlisted as a proportion of the total enlisted force for each service from 1970 to 1994. Clearly, by the end of the 1970s, the services (with the exception of the Air Force) had a disproportionately high representation of blacks in the enlisted force compared to the overall population. Part of this increase coincided with the misnorming of the ASVAB that led to the acceptance of



**Figure 7.1—Percentage of Blacks in the Enlisted Force, 1970–1994**

many low-scoring applicants into the force.<sup>4</sup> This error was corrected by September 1980.

Over the period of the 1980s, the proportion of blacks in the Army and Marine Corps declined moderately, partly because of the revised AFQT and education standards and partly because of an increased propensity among more highly qualified whites to volunteer as a result of the substantial pay increases in 1980 and 1981 and the recession/growing unemployment of the early 1980s.<sup>5</sup> This trend reversed in 1985 and since then the proportion has climbed steadily. In 1992, 22 percent of the force was black compared with 12 percent of the civilian labor force. Part of the reason for the high proportion is that retention rates for blacks are higher than for whites. The Army has the highest proportion of blacks: 32 percent, followed by the Marine Corps (19 percent), the Navy (18 percent), and the Air Force (17 percent). In terms of accessions, black men and women constituted 18 percent of all recruits in 1994 compared to 14 percent of all 18- to 24-year-olds.

The expansion of the role of blacks in the military has given rise to a number of concerns. The primary one revolves around the question of representation. The overrepresentation of blacks is seen as imposing an unfair burden on one segment of American society. However, others feel that the concern for the poor and blacks being exposed to greater risks is not prompted by altruistic or genuine concern but fear of a black population with military training. Many welcome the greater participation of black youth in the military because it provides them with opportunities they may not get elsewhere. Still others point out that the long-term value to blacks of military service is questionable because they generally tend to be trained in skills that do not transfer well to the civilian economy.

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<sup>4</sup>It is generally true that blacks and most minorities tend to score lower than non-Hispanic whites on standardized tests, although the gap in achievement has closed significantly in the past 20 years.

<sup>5</sup>Binkin, in a personal communication to the authors dated March 8, 1996, also hypothesized that the underlying structural changes in the economy—from higher-paying manufacturing jobs to lower-paying service jobs—made the military a more attractive option for white high school graduates who did not intend to pursue the college track.

Figure 7.2 shows the proportion of jobs held by blacks in the military and compares the 1980 occupational distribution with that of 1994 to see if things have changed. Blacks tended to be disproportionately represented in combat, clerical, and service/supply occupations. The pattern has been changing; a higher proportion are now in some technical fields such as electronic equipment repair, health care, and technical specialists and fewer are in the infantry, gun crews, or seamanship occupational field.

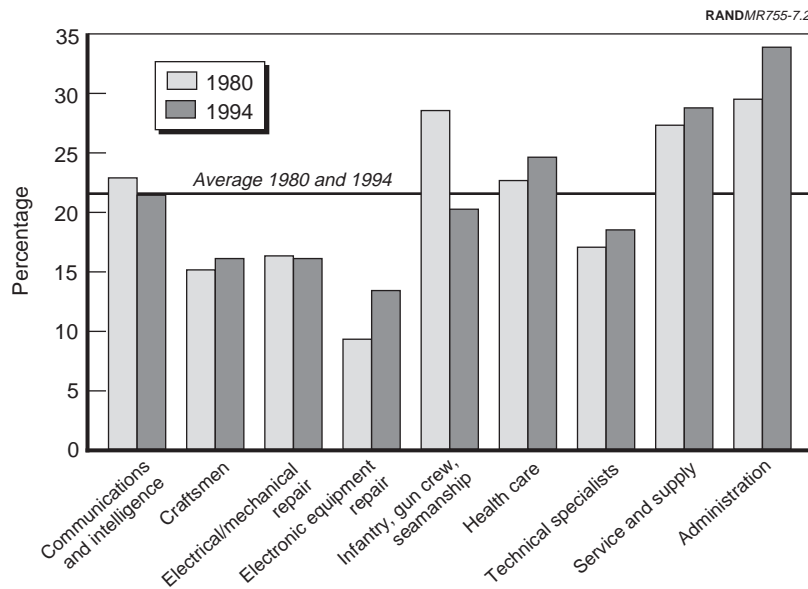
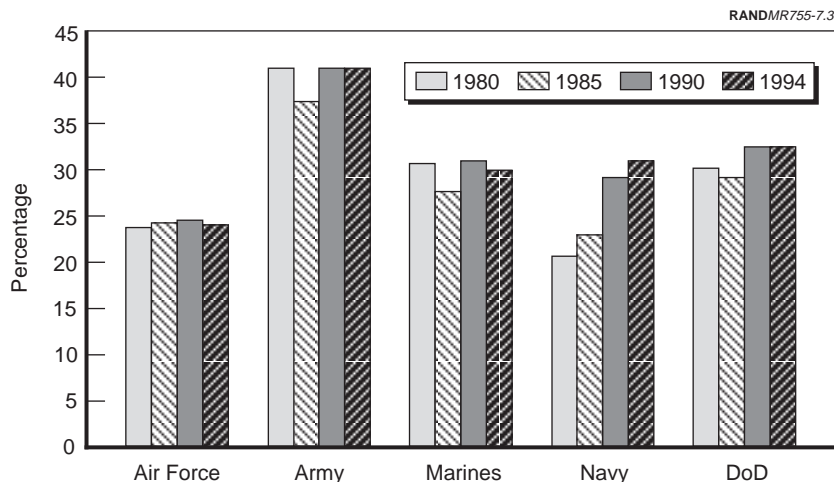


Figure 7.2—Blacks as a Percentage of Each DoD Occupation, 1980 and 1994

### OTHER MINORITIES IN THE MILITARY

Figure 7.3 shows the total minority content of the services at different periods. The Army appears to attract the highest proportion of minorities, who constitute 40 percent of its enlisted force. Minorities in the Air Force account for less than 25 percent of the force. The Navy has increased its minority content substantially over time: from 20 percent in 1980 to over 30 percent in 1994.



**Figure 7.3—Minorities as a Percentage of the Enlisted Force, Selected Years**

Nonblack racial/ethnic groups have traditionally accounted for 7–8 percent of the enlisted force through most of the recent decades. However, by 1992, they constituted about 10 percent of the force. Of these, Hispanics are the largest category. Compared to their numbers in the overall population, Hispanics are underrepresented in the military. Comparisons over time of trends in enlistment, as Binkin and Eitelberg (1986) point out, are not very reliable because definitions of minority groups have changed over the years. Their estimate of the trend in Hispanic representation shows a very slight growth in the 1970s to about 4 percent, followed by a slight decline in the early 1980s (mirroring the experience of the blacks). By 1992, Hispanics accounted for 5.6 percent of the enlisted force, compared with 9.1 percent of 18- to 44-year-old civilians.

**WOMEN IN THE MILITARY<sup>6</sup>**

When one reviews the history of women in the military, three phases are apparent. The first phase—encompassing the two World Wars—

<sup>6</sup>This section draws heavily on Binkin and Bach (1977).

witnessed the temporary use of women based largely on the notion of “freeing a man to fight.” The Army Nurse Corps, formed in 1901, and the Navy Nurse Corps, formed in 1908, represented the first uniformed military women but neither group received full military rank or benefits until World War II. These nursing corps were formed partly with the idea that these women would free men from nursing duties; in addition, there were insufficient numbers of men with the requisite skill and training. In World War I, the Navy (unlike the Army, which stood firm on its policy prohibiting enlistment of women) enlisted about 13,000 women as Yeoman-Fs to serve in both the Navy and Marine Corps as telephone operators, clerical workers, typists, and stenographers. These were the first to be given full military rank. At the peak of the war, about 49,000 women were in uniform, 73 percent of whom were in the Army and Navy Nurse Corps. All of these women were demobilized after the war. World War II represents, as Binkin and Bach (1977) point out, “a turning point in the history of women’s participation in the military” (p. 7). Women demanded opportunities to serve in the defense effort and a total of 350,000 women served in the four services. Most of them were employed in health care, administration, and communications; however, they served in small numbers in almost every occupation with the exception of direct combat. Women were also sent overseas: North Africa, the Mediterranean theater of operations, Europe, and the Pacific theater. Following the demobilization at the end of the war, the number of women in the military declined sharply from 266,000 in 1945 to a little over 14,000 in 1948.

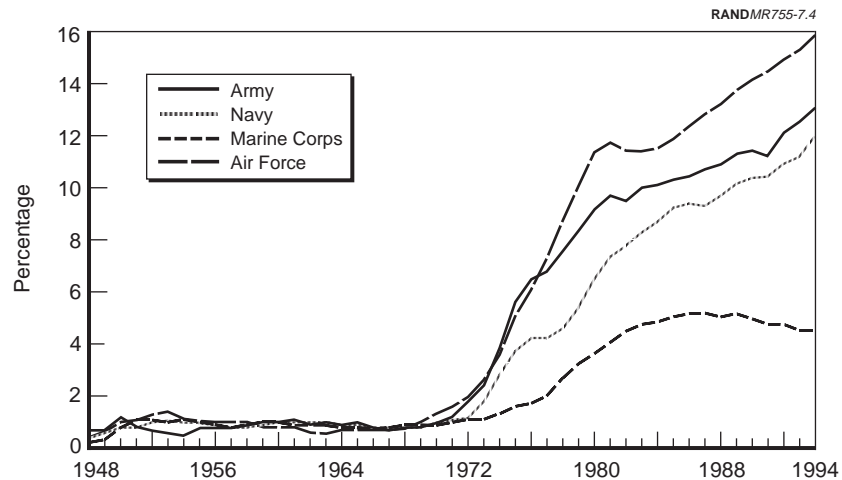
The second phase—which could accurately be described as one of apathy—began with the Women’s Armed Services Integration Act of 1948, hailed as a major breakthrough for women. The legislation was precipitated by concern on the part of the services that with the end of conscription in 1947, they would face shortfalls in manning and the feeling that the services could economize by using women in “feminine” occupations. This would also provide them with a trained nucleus in the event of rapid mobilization during the Cold War. Women were given regular status but the act also imposed stringent limits on their numbers (2 percent of total enlisted strength) and their career opportunities. However, conscription was reinstated just after the passage of the act and the proportion of women in the military never reached maximum authorization even

during the Korean War, varying between 1.0 and 1.5 percent of the force. Women were relegated to “women’s work,” primarily health care and clerical jobs. The large demands of the Vietnam War and the initial effects of the growing feminist movement in the labor force led to several changes in 1967: the 2 percent limitation on female enlistees was abolished as were differences in the retirement provisions for men and women, and limitations on career opportunities. Nonetheless, the proportion of women remained below 2 percent of the force till 1972.

The third phase—the expansion years—was fueled by the end of the draft and the move to an all-volunteer force, triggering fears of possible shortages of male recruits, the debate on the Equal Rights Amendment, and feminist litigation against discriminatory practices. The disestablishment of the Women’s Army Corps in 1978 symbolically captured the changing status of women. A decision was made in 1972 to increase the proportion of women in the military and the next few years saw a tremendous increase in the total number of women enlistees. In 1972, the total number of enlisted women in the force was 32,400; by 1981, it had increased to 161,325. The number of enlisted women reached the highest it had been since 1945 in 1989. As the drawdown progressed, the number of women fell to 167,900 in 1994 but did not fall as drastically as did the number of men. As shown in Figure 7.4, as a percentage of the force, the proportion of enlisted women grew from 2 percent in 1972 to 9 percent in 1981 and to 11 percent in 1989. Even during the drawdown, the proportion of enlisted women in the force continued to increase (contrary to the dire predictions that women would be squeezed out because of the downsizing) and is now at its highest level ever—over 12 percent in 1994. This pattern has been true of all services except the Marine Corps where the proportion of women has declined since reaching a high in 1986.

In addition to increasing the numbers of women serving in the military, this period also saw several changes in policies and practices:

- Women were given access to a wider range of training opportunities.
- The kinds of jobs to which women could be assigned were expanded significantly. For example, only 35 percent of all enlisted



**Figure 7.4—Percentage of Women in the Enlisted Force, 1948–1994**

job specialties were open to women before 1972; the 1972 re-assessment opened 80 percent of all specialties to women; and by 1976, they were excluded from only the combat-associated specialties.

- The proportion of women in nontraditional specialties also increased as shown in Table 7.1, reproduced from Binkin and Eitelberg (1986). In 1972, less than 10 percent of women held nontraditional jobs; by 1976, this proportion had increased fourfold to 40 percent and by 1983 had increased even further to 45 percent.

Questions arose at this time regarding the career advancement opportunities for women as compared to those for men. As of 1982, women tended to be disproportionately represented in the bottom five enlisted grades and underrepresented in the top four grades. Pang (1984) shows that the reason for the disparate distribution is the fact that women tended to have fewer years of service because of the large influx of women beginning in 1972. In 1982, 95 percent of women had less than 10 years of service and 71 percent had less than 5 years of service compared to 76 and 53 percent of men, respectively.

**Table 7.1**  
**Percentage Distribution of Female Enlisted Personnel ,**  
**by Occupational Category, FY72, FY76, and FY83**

Occupational Category	1972	1976	1983
Traditional	90.6	59.9	55.3
Medical and dental specialties	23.8	18.6	13.6
Administrative specialists and clerks	66.8	41.3	41.7
Nontraditional	9.4	40.2	44.7
Infantry, gun crew, and allied specialists	0.2	0.2	0.8
Electronic equipment repairmen	1.2	4.3	5.6
Communications and intelligence specialists	4.2	15.0	14.0
Other technical specialists	2.8	2.7	3.0
Electrical/mechanical equipment repairmen	0.0	6.7	8.7
Craftsmen	0.1	1.4	1.9
Service and supply handlers	0.9	9.9	10.7

SOURCE: Binkin and Eitelberg (1986, Table 7.11).

However, as pointed out in DoD (1983), “little effort was made during this period to empirically determine the best way to utilize women based on skill, mission, and readiness requirements” (p. 1). In addition, many restrictions remained to the full participation of women in military culture. In 1980, the Congress rejected the idea of registering women for future conscription and the Supreme Court upheld a male-only draft. The Reagan Administration cut back on plans to increase the number of women in the military because President Reagan opposed the Equal Rights Amendment. Concerns were expressed that expanding the role of women would increase budgetary costs. Binkin and Bach (1977) explain: “The cost of a high turnover rate among women, on the one hand, and the necessary additional investment to construct and modify facilities to ensure privacy, on the other, have often been cited” (p. 71). However, they point out that there was admittedly scanty evidence to support this belief. They concluded that “whether this nation can sustain its armed forces solely by voluntary means could well depend on how effectively the female labor resource is employed” (p. 71). Korb (1989, p. 25), who was Assistant Secretary of Defense for Manpower, Reserve Affairs, and Logistics from 1981–1985, supported this view:

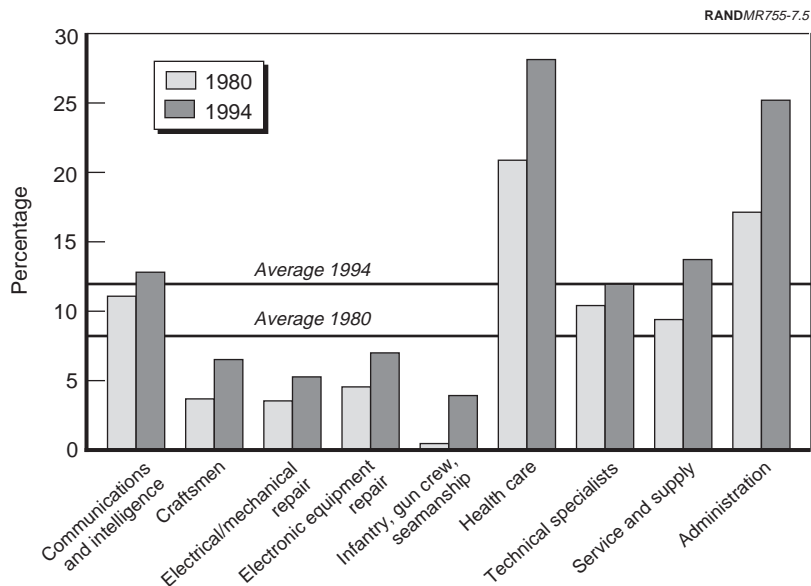
A number of studies of the effects of women in the services have found no conclusive evidence that a high percentage of women reduces readiness. In my view, women actually increase readiness,

since they have more education and higher aptitudes than their male counterparts. But we hear a lot of anecdotes about women tending to be absent from duty for medical reasons more frequently than men. These anecdotes, though, overlook the fact that men are frequently absent for more “traditional” reasons—being drunk and disorderly, for example . . . .

There is, however, one issue involving women that we must confront: the combat-exclusion policy . . . . Unfortunately, the combat-exclusion policy has created the worst of all possible worlds for female military personnel.

The decade of the 1980s is the start of the last phase in which more clearly defined requirements for women in uniform were established in the services, as the services recognized the role of women in a fully integrated force. All services have policies and/or regulations restricting women from combat positions. However, additional opportunities became available to women in 1988 when the Department of Defense adopted the “Risk Rule” providing a standard interpretation of the combat exclusion laws. Until then, the application of the combat exclusion statutes had been left to the services and the military departments. This had resulted both in inconsistent exclusions from one service to another as well as somewhat broader interpretations that led to women being excluded from noncombat positions not explicitly covered by the language of the statutes. The Risk Rule states: Risks of direct combat, exposure to hostile fire, or capture are proper criteria for closing noncombat positions or units to women, when the type, degree, and duration of such risks are equal to or greater than the combat units which they are normally associated with in a given theater of operations. Noncombat land units should be compared to combat land units, air to air, and so forth (DoD, 1990). As a result, by 1990, more than 30,000 additional positions were opened to women under this rule.

Figure 7.5 compares the proportion of women in several different occupations in 1980 and 1994. Clearly, the health care and administration fields continue to attract a disproportionate share of women. Women, by law, hold very few combat jobs although there appears to be a small increase in the proportion of combat jobs held by women in 1994. Women are also underrepresented in the mechanical and



**Figure 7.5—Women as a Percentage of Each DoD Occupation, 1980 and 1994**

electronic fields, although this may be partly due to self-selection or aptitude.

More than 40,000 military women served their country in the Persian Gulf. This gave new impetus to the perennial question of whether women should serve in combat arms or other direct combat positions. The Defense Authorization Act of 1991 repealed the combat exclusionary provision relating to female Naval aviation officers and the exclusion of women from assignment in the Air Force to duty in aircraft engaged in combat missions, leaving 10 U.S.C. 6015, amended (prohibiting the assignment of women to duty on Navy or Marine Corps vessels engaged in combat missions) as the only exclusion law in effect today. At the same time, the statute established the Presidential Commission on the Assignment of Women in the Armed Forces. The commission reported in November 1992. The emotional nature of the women in combat issue is clear from a perusal of the dissenting statements and the close nature of the voting

on certain issues. The following were some of the commission's recommendations:

- The Secretary of Defense should retain discretion to set goals that encourage the recruitment and optimize the utilization of women in the services, allowing for the requirements of each service.
- The services should adopt gender-neutral assignment policies.
- The services should retain gender-specific physical fitness tests and standards . . . provided they do not compromise training or qualification programs for physically demanding combat or combat support MOSs.
- The services should adopt specific requirements for those specialties for which muscular strength/endurance and cardiovascular capacity are relevant.
- Entry level training may be gender-specific as necessary . . . .
- Military readiness should be the driving concern regarding assignment policies; there are circumstances under which women might be assigned to combat positions.
- Women should be excluded from direct land combat units and positions. Further, . . . recommends that the existing service policies concerning direct land combat exclusions be codified.
- Re-enactment of Sec. 8549 of Title 10, U.S. Code which was repealed by Public Law 102-190, Sec. 531 for the Air Force, and re-enactment of the provisions of 10 U.S.C. sec. 6015 prohibiting women from assignment to duty on aircraft engaged in combat missions, which was repealed by Public Law 102-190 for the Navy, and codification of Army policy.<sup>7</sup>
- Repeal existing laws and modify Service policies for servicemen to serve on combatant vessels except submarines and amphibious vessels.<sup>8</sup>

<sup>7</sup>The vote on this recommendation was very close: 8 in favor, 7 against.

<sup>8</sup>The commission argued that the combatant vessel exclusion law (10 U.S.C. 6015) was inconsistent because it "allows women to serve as aviation officers aboard Navy ships, but prohibits their assignment to combatant ships in any other capacity" (p. 31). In

- Retain the DoD Risk Rule as currently implemented. Navy policies which implement the Risk Rule should be modified to reflect the changes (above) . . . .
- Women should not be required to register for or be subject to conscription.<sup>9</sup>

In April 1993, the Secretary of Defense directed the services to open more specialties and assignments to women. In particular, Air Force aircraft and Navy ships including those engaged in combat missions were to be open to women who were qualified.

To conclude, what Binkin and Bach wrote in 1977 about women and the military remains a propos even today, almost 20 years later:

All in all, the foregoing analysis underscores the ambivalence of national attitudes towards the role of women in the armed forces. With respect to this issue, the so-called will of the American people proves to be elusive, judicial opinion is unclear, attitudes within Congress are not sharply drawn, and reactions of the military establishment, which is still suffering “growing pains” on the issue of sex integration, have escaped reliable assessment (p. 52).

## **HOMOSEXUALS IN THE MILITARY<sup>10</sup>**

Since World War I, homosexuals have been restricted from serving in the military either through personnel regulations or by the application of the sodomy provisions of military law. The Articles of War of 1916 prohibited assault with the intent to commit sodomy and represent the first attempt to deal with sodomy in the military population. The 1920 revision explicitly mentioned sodomy as a separate offense.

In the interwar period, the military attempted to screen and exclude homosexuals from service by examining recruits for “stigmata of de-

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addition, they stated that “women’s outstanding performances have resulted in a more capable force, and, during the process, changed traditional attitudes within the Navy” (p. 33).

<sup>9</sup>The commission based this recommendation on the fact that the primary purpose of conscription was to acquire a pool of “combat troops,” and women were not eligible for ground combat positions.

<sup>10</sup>This section draws heavily on NDRI (1993).

generation” such as overly feminine characteristics (sloping shoulders, broad hips, absence of facial and body hair) and “sexual psychopathic” behavior which included sexual relations with men. The military also tended to discharge those suspected of homosexual acts administratively by giving them a Section VIII discharge for unsuitability. The individuals were court-martialed in cases where force was employed, when minors were involved, or when the sexual partner was incapable of giving consent.

During World War II, several revisions were made in the policies and practices regulating homosexual activity and the exclusion of homosexuals from the military primarily. The “homosexual” replaced the “sodomist” as the focal point of legal concern and there appeared to be a growing consensus that homosexuals could be readily identified and that they should be excluded at induction or discharged from service upon discovery.

In 1946, the Army briefly liberalized procedures by increasing the likelihood of their obtaining honorable discharges but reversed this two years later. On October 11, 1949, the Department of Defense outlined a uniform military policy toward homosexual behavior:

Homosexual personnel, irrespective of sex, should not be permitted to serve in any branch of the Armed Services in any capacity, and prompt separation of known homosexuals from the Armed Forces be made mandatory.

A few years later in 1953, Executive Order 10450 codified “sexual perversion” as grounds for dismissal from federal jobs. Although there are no consistently reliable statistics, some estimate that the number of discharges from the military ranged about 2,000 a year (the same as in the World War II period); because of the much smaller base force, however, this rate of discharge was 10 times higher than during World War II.

In 1959, DoD issued a directive on administrative discharges in which it described reasons for such discharges. One such reason, unsuitability for military service or “unfitness” included “sexual perversion” including homosexual acts and sodomy (later revised to read “homosexual acts or other aberrant sexual tendencies” in 1975).

In 1965, these regulations were revised to reflect a more liberal policy; this represents a turning point in the legal history of homosexuals in the military. Members facing a less-than-honorable discharge were given the chance to be represented by counsel and to present their cases before administrative charge boards. Because of the inconsistencies in the way the directives were implemented, the Carter Administration asked for a complete review of the policies and procedures for discharge.

The review culminated in a revised DoD Directive 1332.14 in 1981 that is important for three reasons. First, it made clear that an investigative finding that individuals had engaged in, or solicited homosexual acts, would lead to a mandatory discharge, thus removing the military's discretion in deciding whether to retain an open homosexual. Second, it explicitly stated that homosexuality was incompatible with military service for the following reasons:

The presence of such members [homosexuals] 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 insure the integrity of the system of rank and command; to facilitate assignment and worldwide deployment of service members who frequently must live and work under close conditions affording minimal privacy; to recruit and retain members of the armed forces; to maintain the public acceptability of military service; and to prevent breaches of security.

Third, the revision also stated that homosexuality alone did not automatically require a *misconduct* discharge. In the absence of other actions, the discharge could be honorable.

The policies promulgated in this directive remained unchanged, despite several legal challenges, until January 1993. From 1981 to 1991, the General Accounting Office estimated that there were 16,919 discharges from the military for homosexuality; these discharges accounted for 1.7 percent of all involuntary discharges during this period.<sup>11</sup> The largest number of homosexual-related discharges occurred in 1982 (as did other involuntary discharges); since then the

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<sup>11</sup>U. S. General Accounting Office (1992).

numbers have declined. On average, there were approximately 1,400 homosexual-related discharges per year.

On January 29, 1993, President Clinton signed a Memorandum directing the Secretary of Defense to study ways to end discrimination on the basis of sexual orientation in determining who may serve in the Armed Forces. The RAND study (NDRI, 1993) commissioned by the Secretary offered several lessons from a review of the history of racial integration in the U.S. military:

- Major changes in military policies can be implemented without a favorable public consensus.
- Both civilian and military leadership is crucial for implementation of change.
- Strongly enforced standards of conduct—rather than emphasis on tolerance—can change how troops behave toward previously excluded (or despised) groups even if underlying attitudes change very little.

The resulting policy outlined in a Memorandum to the service secretaries from the Secretary of Defense on July 19, 1993, was a compromise: (a) Homosexual conduct was still grounds for barring entry and discharge from the military but (b) sexual orientation was to be considered a private and personal matter and applicants were not to be asked or required to reveal their sexual orientation. This compromise was colloquially referred to as “don’t ask, don’t tell.” It held that *open* homosexuality presents an unacceptable risk to morale, cohesion, and discipline. Servicemembers are not to be asked about nor discuss their sexual orientation (Burrelli and Dale, 1996, Summary). Burrelli and Dale point out that “the courts have uniformly held that the military may discharge a servicemember for overt homosexual behavior. More recently, however, there has been some erosion of judicial consensus” on this issue.

An Executive Order passed in 1995 bars “sexual orientation” as grounds for denying someone a security clearance. However, because of the “don’t tell” provision of the current law, homosexuals in the military services are prevented from discussing their sexuality. Thus, “[a]s long as the individual does not tell, and there is no evi-

dence of behavior, the notion of their homosexuality, or concealment thereof, is moot" (Burrelli and Dale, 1996).