

A Case for the Repeal of Don't Ask, Don't Tell

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Abstract

In 1993, the United States Congress passed 10 United States Code § 654, commonly known as Don't Ask, Don't Tell (DADT). However, the United States Congress should now repeal the military ban on homosexuals openly serving in the U.S. military. The policy should be repealed for a three main reasons. First, the policy's main argument it is not based on any studies. On the contrary, a RAND Corporation study has found that repealing the ban would have no negative effects on the military. Second, all countries that have lifted their bans on gays serving in the military have experienced success. Third, polls and interviews have indicated that the military and American people are ready for the ban to be lifted. Last, DADT is costing the United States financially as well as talented and critical soldiers. For these reasons, DADT should be repealed.

In 1993 Congress passed 10 United States Code § 654, more commonly known as Don't Ask, Don't Tell (DADT). The policy mandates that the military discharges all service members who are openly gay or provide evidence of being gay. Under this new policy, military leaders should not initiate investigations into service members' sexual orientation (Don't Ask), as long as service members do not disclose their sexual orientation (Don't Tell) (Bowling, Firestone, & Harris, 2005). The policy's chief argument is that allowing gays to serve in the armed forces, openly, will disrupt unit cohesion. The DADT policy states, "The presence in the armed forces of persons who demonstrate a propensity or intent to engage in homosexual acts would create an unacceptable risk to the high standards or morale, good order and discipline, and unit cohesion that are the essence of the military capability" (US Code 654.1993). This remains the chief argument of opponents of a repeal of DADT, as well as the claim that the military and American people are not ready or comfortable with gays serving in the military. However, these arguments are not based on facts; for that reason congress should repeal the military's policy banning open homosexuals from serving in the armed forces. First, this paper will prove this thesis by providing evidence that the arguments made by opponents of a repeal of DADT are both based on no evidence, and thus simply incorrect, or no longer hold true as in the case of public opinion. Second, the cost of DADT will be analyzed in order to further the case for the repeal of DADT.

Unit Cohesion and DADT

There is no evidence to date indicating that a repeal of DADT would disrupt unit cohesion (Rimmerman 2008, p. 94). On the contrary, the data proves that allowing gays to serve openly would have no effect on unit cohesion. In 1992 the Pentagon commissioned the Research and Development (RAND) Corporation, a nonprofit think tank funded primarily by the government, to investigate the effects of the ban on homosexuals in the military. The study is one of the most comprehensive studies of its kind. The study concluded that "the ban could be dropped without damaging the order, discipline, and individual behavior necessary to maintain cohesion, and performance." In the same study, the RAND Corporation looked at unit cohesion among police and fire departments with equal employment for all sexual orientations and found no negative reports of harassment (RAND, 1993). This study provides clear evidence that repealing DADT would have no effect of unit cohesion in the United States.

Studies have also shown that other countries that have lifted their bans have experienced no adverse effects. The United States is one of only six NATO countries that ban homosexuals from openly serving in their military's. In 2000, Aaron Belkin Assistant Professor of Political Science at the University of California, Santa Barbara and Director of the Center for the Study of Sexual Minorities in the Military as well as Melissa Levitt, Adjunct Professor of Political Science at San Francisco State University published *Did Lifting the Gay Ban Undermine Military Performance?*, in which the impact of Israel lifting its ban on homosexuals serving in the Israeli Defense Force (IDF) was studied. In the study the authors' reveal, "In our search for published evidence in English and Hebrew we have not been able to find any data indicating that lifting the gay ban undermined Israeli military performance, cohesion, readiness or morale." Professor Stuart Cohen, Professor and Senior Research Fellow at the Center for Strategic Studies at Bar-Ilan University who has written on the Israeli military, was quoted in the report as saying, "As far as I have been able to tell, homosexuals do not constitute an issue with respect to unit cohesion in the IDF" (Belkin & Levitt, 2001). Studies have shown similar success in Canada and Australia after they lifted their bans in 1992 (Berube, 1990; Osburn, 1995). In 2000, after Britain lifted its ban on gays in the military, the Ministry of Defense classified the repeal as a

“solid achievement.” In fact, Britain’s Royal Navy now actively recruits gay service members (Alvarez 2006, n.p.). The evidence from these countries proved the most compelling evidence that the repeal of DADT would have no effect on the armed forces in the United States.

Opponents of the repeal argue that a repeal of DADT would disrupt unit cohesion. However, the RAND Corporation provides clear evidence otherwise. The success of other countries which have lifted their bans serves as even more concrete evidence that a repeal of DADT would in no case disrupt unit cohesion.

A More Accepting Environment

Since the passing of DADT attitudes have changed greatly over the issue of gays serving in the military among military personnel, veterans, and the public. In the fall of 1998 through the spring of 1999 the Triangle Institute for Security Studies, which describes itself as, “an interdisciplinary consortium sponsored by three North Carolina research universities – Duke University, North Carolina State University, and the University of North Carolina at Chapel Hill, conducted a poll of 2,901 military officers at military educational institutions. The poll found that eighteen percent of respondents supported a repeal of the ban with seventy-three percent in support of the ban and nine percent unsure or neutral (Miller & Williams, 2001). Seven year later, in 2006, Zogby International published the results of its online interviews of 545 U.S. Military Personnel who served in Iraq and Afghanistan from a purchased list of U.S. Military Personnel. In the poll, researchers asked military personnel, “Do you agree or disagree with allowing gays and lesbians to serve openly in the military?” The results showed that ten percent strongly agreed, eighteen percent agreed, and thirty-three percent were neutral or unsure. Of the remaining participants, seventeen percent disagreed and twenty-three percent strongly disagreed. Even more, the same Zogby Poll found that seventy-four percent of respondents felt comfortable around lesbian and gay people with thirteen percent uncomfortable and four percent very uncomfortable (Zogby et al., 2006). The juxtaposition of these two polls reveals a drastic shift towards acceptance of homosexuals among military personnel.

A great many retired military leaders have expressed their support for the repeal of DADT. In 2007 retired four star General in the U.S. Army John Shalikashvili, who also served as Chairman of the Joint Chiefs of Staff from 1993 to 1997 wrote an Op-Ed in the New York Times in which he called for the repeal of DADT. In the op-ed General Shalikashvili refers to the Zogby poll discussed in the above paragraph as evidence that the military is now ready for homosexuals to serve openly, as well as referring to the success other countries have had with allowing gays to serve in their military’s. In the op-ed General Shalikashvili says, “I now believe that if gay men and lesbians served openly in the United States military, they would not undermine the efficacy of the armed forces” (Shalikashvili, 2007). Also, in 2008 more than 100 retired military leaders, including the former superintendent of the U.S. Naval Academy four star admiral of the Navy Charles R. Larson, signed their names to a letter calling for the end of DADT. The letter concluded that, “our service members are professionals who are able to work together effectively despite differences in race, gender, religion, and sexuality” (Palm Center, 2008). These retired Generals, Admirals, and military personnel provide the most credible source of support for the repeal of DADT because they have firsthand experience of how the military works and how a repeal of DADT might affect the United States military.

The public opinion of gays serving in the military has also improved drastically since the passing of DADT. In 2009 a Washington Post-ABC News Poll, conducted by telephone July 10 to 13 in which 1,119 adults were interviewed, revealed that seventy-five percent of

Americans' think that gays and lesbians should be able to serve openly in the military. This is thirteen points higher than the results from the same poll conducted in 2001 and thirty-one points higher than the same poll conducted in 1993. The 2009 poll also shows that support among republicans has double over the last fifteen years from thirty-two percent to sixty-four percent (Dropp & Cohen, 2008). These polls shows an increased support among the public indicating that it is in favor a repeal of DADT.

Opponents of the repeal of DADT have argued adamantly that the military and the American people are not ready or comfortable with gays serving in the military. However the data shows otherwise. Both polls and interviews with active and retired military personnel show the military is ready to allow gays to serve openly in the military. Likewise, public opinion polls have found that the majority of Americans' now believe homosexuals should be able to serve in the military.

The Cost of DADT

DADT has cost the United States monetary wealth as well as a large numbers of soldiers with "mission critical" skills. In 2005, the Government Accountability Office (GAO) released a report that estimated the financial impact of DADT to be \$190.5 million over the previous ten years (GAO-05-299, 2005). The report estimated the cost of DADT by analyzing the cost of recruiting and training the number of soldiers that have been discharge for being gay. However, the University of California Blue Ribbon Commission that included former Secretary of Defense William Perry found the actual cost of DADT, if separation costs are included, to be \$363 million over the same time period (Blue Ribbon Commission Report, 2006). That's over thirty-million dollars a year, or \$82,000 every day. However, the most disturbing costs are not the financial loss, but instead, the costs associated with discharging talented soldiers; many with talents in high demand areas. Defense Department statistics released at the request of Congress and the Servicemembers Legal Defense Network (SLDN), a gay advocacy group, show that nearly seven percent of the 726 troops discharged under the policy in 2005 were medical personnel. This brings the number of health care workers dismissed under DADT since 1994 to 334. The same GAO report also found that at least 800 dismissed gay service members had skills deemed "mission critical" by the Pentagon. Among the 800 dismissed, fifty-four were Arabic-language specialists (GOA, 2005). This is worrisome considering the fact that the United States in involved in two wars in the Middle East and fighting a global war on terror against mainly Arabic speaking people. In 2007, Stephen Benjamin, an Arabic translator for the military, was dismissed from the Navy. Shortly after he was dismissed from the navy he wrote an Op-Ed in the New York Times in which he notes that the Army had only filled half of its authorized positions for Arabic translators in 2001. Benjamin goes on to say that if the military had had more Arabic translators in 2001 it may have prevented the terrorist attacks of September 11 (Benjamin, 2007). It is impossible to know if more Arabic translators would have prevented the terrorist attacks of September 11, but it is certain that the true cost of DADT cannot be measured by looking at the financial costs but instead at the cost of discharging hundreds of service members with "mission critical" skills.

Opponents of the repeal of DADT often neglect to examine the costs accompanied with the ban. However, when these costs are analyzed it is clear that the United States is bearing a large burden due to DADT. DADT is costing the United States finically as well as jeopardizing its security.

Conclusion

The evidence is clear that DADT must be repealed. The studies have provided research declaring that if the ban were to be repealed there would be no disruption in unit cohesion. There are numerous examples of countries that have lifted their bans with no negative effects. Military leaders have declared the time has come for the United States to repeal DADT and the American public is overwhelmingly in support of gays serving in the military. Even more, it is evident DADT is costing the military hundreds of millions of dollars and threatening the security of the country. The time for Congress to repeal DADT is now. In ---- one of the Navy's top lawyers called DADT a "transitional policy." He said, "It bought us some time, but now I think that time has come and gone" (Stone, 2007).

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