

Case 2

“Don’t Ask, Don’t Tell”

In February 2010 Admiral Mike Mullen, Chairman of the Joint Chiefs of Staff, announced his intention to work to repeal “Don’t Ask, Don’t Tell” (DADT). This practice requires, in essence, that anyone serving in the military is forbidden to inquire about anyone’s sexual preferences (don’t ask), and that homosexuals may serve in the military as long as they do not reveal their homosexuality (don’t tell).

Since at least 1981 the US Department of Defense (DOD) has maintained explicitly that homosexuals are ineligible to serve in the armed forces. This ineligibility was retained in the 1993 law passed by Congress. Nonetheless, President Clinton implemented DADT as a practice, in which recruiters were instructed not to ask about sexuality, and recruits were instructed not to reveal sexual orientation. As a result, the law came to be known (inaccurately) as “Don’t Ask, Don’t Tell”.

In 1993, when DADT became standard operating practice, the majority of US residents did not favor military service by homosexuals. But times have changed. A 2006 poll by Zogby International of 545 veterans returning from service in Iraq and Afghanistan found that approximately 75% were comfortable serving with gay service members. A 2009 USA/Gallup poll revealed that 69% of respondents favored allowing homosexuals to serve in the military and not requiring them to keep their sexuality secret. To date, no survey of the attitudes of the current 1.4 million active service members has been conducted.

Admiral Mullen's testimony to the Senate Armed Services Committee, as reported in the 3 February 2010 New York Times, quoted him as saying, “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.” While, strictly speaking, they do not have to lie about their sexuality (they need only not to admit to it), still, they are denied the freedom to engage in age-appropriate behavior—sexual expression—that is typically an important facet of their personalities and social relationships.

In addition, DADT poses a raft of practical challenges. First, it is in conflict with a number of state laws. For example, in 1996 the Connecticut Supreme Court found that the DADT policy on homosexuality violated the state’s 1991 Gay Rights Law barring discrimination based on “sexual orientation”. This violation allowed the University of Connecticut to ban military recruiters from their campuses, a policy decision that has been repeated on many high school campuses. As a result, military recruiters’ access to many of the young people who would be good candidates for military service is restricted.

Second, in support of equality, diversity, and non-discrimination, many university campuses have evicted ROTC (Reserve Officer Training Corps) units, and have enacted policies precluding their return until DADT is repealed. In addition to eliminating an historically important option for training officers, these university policies may pose an irresolvable conflict for land grant colleges, which were charged in the 18th century to prepare young people for military service.

On the other hand, past Chair of the Joint Chiefs of Staff, General (Ret.) Merrill A. McPeak argues in an opinion piece in the March 5, 2010 New York Times that DADT is a necessary practice for maintaining effective armed forces. Gen. McPeak asserts that if the purpose of the armed forces is fighting and winning wars, then combat forces most effectively achieve these ends when members of combat units are closely bonded with and dependent on each other. Gen. McPeak claims that openly gay comrades might discourage the development of this interdependence—“unit cohesion”, thus undermining the ability of the armed services to fulfill their fundamental mission effectively. The General suggests that the failure of the Joint Chiefs to present a united front on this issue could encourage negative attitudes within ranks and contribute to dissension therein—a situation that occurred when the armed forces undertook racial integration in the 1950s.