

# Barry Winchell's legacy

Fear stemming from the young private's murder could be the reason behind the highest number of gay discharges since 1993 **BY CHRIS BULL**

**S**hortly after the motive behind the slaying of Pfc. Barry Winchell became public in 1999, C. Dixon Osburn's phone began to ring. Panicked gay and lesbian enlistees were seeking the advice of the executive director of Servicemembers Legal Defense Network. Caller after caller sought to avoid Winchell's fate without running afoul of "don't ask, don't tell."

"The murder shattered the illusion that it was safe to be gay," says Osburn of the attack at the Fort Campbell, Ky., Army base, where a fellow enlistee, who was known to refer to Winchell with antigay slurs, fatally bludgeoned the 21-year-old as he slept in the barracks.

"We got any number of questions from service members scared to death that they would be the next victim," Osburn says. "When you're called 'faggot' and 'queer' on a regular basis, it's not hard to imagine that violence might strike you next."

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—C. Dixon Osburn, SLDN  
executive director

ber 30) for violating "don't ask, don't tell." Another 19 discharges were reported for the Coast Guard. The numbers reflect a 17% increase over 1999 and the highest number since the policy was implemented in 1993. At least 161 of those discharges, or 13%, came from Fort Campbell alone.

Antigay harassment is at the heart of the crossfire over the skyrocketing statistics. According to the Pentagon report, 1,106 enlistees ousted under "don't ask, don't tell," or 91% received "statement discharges": They came out as gay or lesbian to commanding officers—automatic grounds for dismissal. But after Winchell's murder, SLDN blamed Fort Campbell's former commanding general, Maj. Gen. Robert Clark, for creating an environment where harassment went unchecked and gay and lesbian enlistees were forced to identify themselves to seek protection.

"There is no question that service ►

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This aftermath of the Winchell murder goes a long way toward explaining the huge increase in gay and lesbian discharges at military installations in the past year. The Pentagon announced June 1 that 1,212 service members in the four major branches were booted in fiscal year 2000 (which ended Septem-

## Painful reminder

Winchell died in 1999 after being bludgeoned with a baseball bat while he slept in his barracks at Fort Campbell, Ky.



members are making more voluntary statements, and there are fewer investigations," says Charles Moskos, a Northwestern University sociology professor and the chief author of "don't ask, don't tell." "I'd like to see more data about exactly why there are more statements being made. No one seems to know for sure."

Whatever the explanation for the increase, the Pentagon's report, released with little fanfare, caused barely a ripple outside of SLDN and other gay rights groups that angrily de-

status quo. "I'd be surprised if we see anything other than minor tinkering with the policy in the next four years."

Kevin Ivers, a spokesman for the gay group Log Cabin Republicans, agrees. "The political reality, which was ignored with predictable results in 1993, is that the military has unique power in the U.S.," Ivers says. "We want to work alongside SLDN and inside the Pentagon to make sure they are hearing our point of view on a number of issues. But we have to act cautiously."

With President Bush's campaign

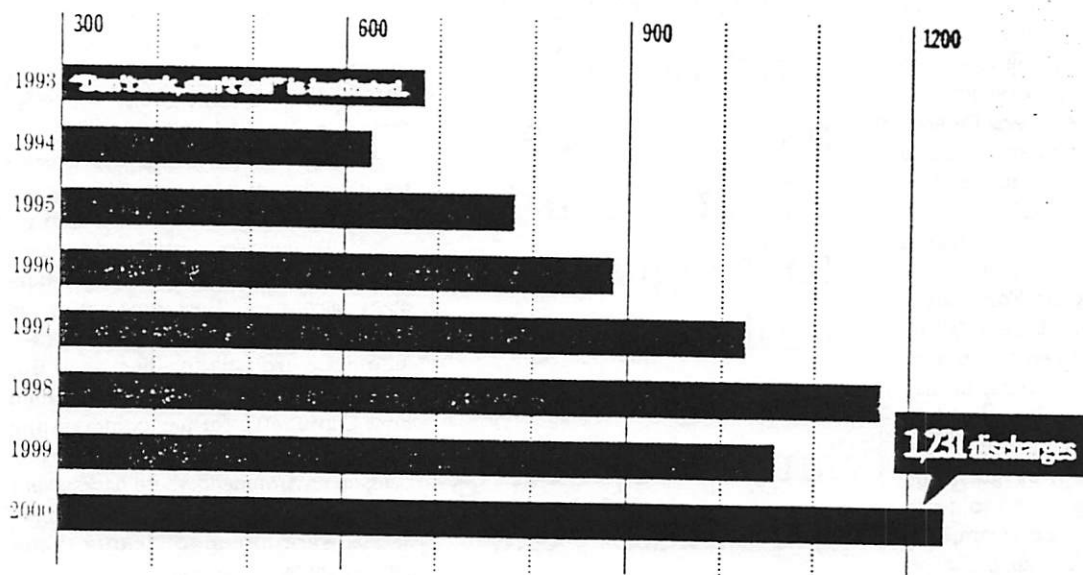
SLDN charges that the Pentagon has yet to fully implement the antiharassment plan, which includes a recommendation for rank-appropriate training for all military personnel. Early this year, Pentagon officials pledged to carry out the guidelines, but Osburn says it's too early to tell just how carefully the Bush administration and Defense secretary Donald Rumsfeld will monitor compliance with the pledge.

Bush has tried to stake a middle ground between those who advocate allowing gays and lesbians to serve

openly in the military and conservative groups lobbying for a return to a blanket ban. Yet the Republican White House could prove surprisingly sensitive to the plight of gay and lesbian service members. In 1991, while he was Defense secretary, Vice President Dick Cheney—the father of an openly lesbian daughter—defended a high-level gay civilian aide and dismissed the national security rationale for the ban as "a bit of an old chestnut" but defended the ban itself days later.

Bush passed over the early front-runner for his Defense secretary, Dan Coats, when the former Indiana senator suggested that "don't ask, don't tell" was not restrictive enough. And in one of his first moves as Defense secretary, Rumsfeld, a political moderate, named his friend Stephen Herbits, an openly gay marketing executive, to a 4½-month consultancy on civilian hiring. (After criticism from antigay groups, Herbits resigned after only three months.)

In addition, Rumsfeld and a newly appointed undersecretary, David Chu, have served in various capacities at the centrist Rand Corp., a pro-military think tank. In 1993, while Rumsfeld was on the Rand board, the organization's National Defense Research In-



Increasing discharges since the inception of "don't ask, don't tell"

noticed the increase. There were none of the fiery protests seen in 1993 when President Clinton, Congress, and the Pentagon hammered out the compromise that resulted in the "don't ask, don't tell" regulations. Despite a Gallup Poll taken in mid-May finding that 72% of Americans believe that gays and lesbians should be hired for the armed forces, the discharge statistics generated only murmurs of disapproval, even among gay rights supporters in Congress.

"Everyone in a position to do something about the policy has an interest in ignoring the numbers," Moskos says. "It's not even on the Bush administration's radar screen. This is not a Congress that would like to get into the act. The Pentagon is satisfied with the

pledge to maintain "don't ask, don't tell"—and with Congress almost evenly divided along partisan lines—there is little political will to eliminate or even liberalize the policy for the foreseeable future. As a result, advocates for gay and lesbian service members are taking an incremental approach by lobbying the Pentagon and the Bush administration to interpret and enforce the policy more fairly.

Topping the list of items needing to be enforced is the Pentagon's 13-point antiharassment plan, approved last year by former Defense secretary William Cohen in response to the Winchell murder and to a Pentagon survey that found that 80% of uniformed men and women had heard antigay remarks in the previous year.

stitute published a report concluding that the ban on gays in the military could be circumvented without damaging the "order, discipline, and individual behavior necessary to maintain cohesion and performance."

While their Rand association does not necessarily mean Rumsfeld and Chu support the study's findings, it does indicate at least a familiarity with the nonpartisan research.

"I've noticed a creeping Log Cabinism in the White House and in Bush's defense team," Moskos says. "These

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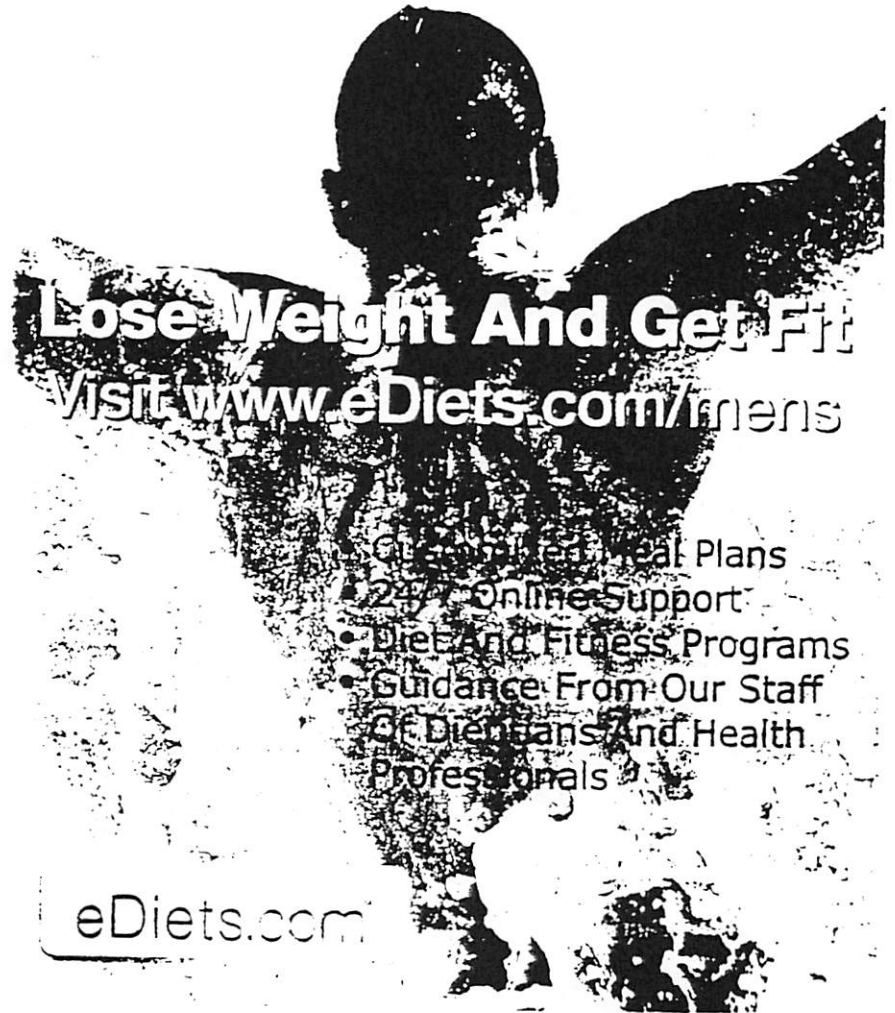
—Charles Moskos, chief author of "don't ask, don't tell"

people are quietly tolerant, while Clinton wore his tolerance on his sleeve. I think a lot of people in the military establishment at this point would be willing to revisit "don't ask, don't tell"—but only if they are pushed, and pushed hard."

Osburn, however, isn't holding his breath. "There's no doubt the Rumsfeld-Cheney-Bush team would have enormous credibility if they wanted to go for a bold stroke. But that's a very big if," he says. "In the meantime, we have to keep chipping away until we find the right time to strike." ■

Find more information on the Pentagon's report and on SLDN at [www.advocate.com](http://www.advocate.com)

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