

# Homosexuals: Military's Last Social Taboo

*Pentagon Defends Gay Ban;  
13,307 Dismissed Since '82*

*The Washington Post*

By Lynne Duke  
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A 30-year military career—including a Bronze Star from Vietnam, a doctoral degree in nursing, a Meritorious Service Medal and an entry in Who's Who of American Women—began unraveling two years ago when a Defense Department investigator asked Army National Guard Col. Margarethe Cammermeyer if she was homosexual. Cammermeyer answered: "I am a lesbian."

Those words, spoken in an interview required of officers seeking top-level security clearance, closed off Cammermeyer's chance of becoming the National Guard's chief nurse. Last month, she stood before a panel of four Army colonels assembled to determine her fate. Despite her "superb leadership" that had been a "great asset" to the military, they said, the Pentagon prohibition against homosexuals in uniform left them no choice but to recommend that Cammermeyer's military career be terminated. It was, according to one of the colonels quoted in a transcript, their "sad duty."

When the final paperwork is approved by the Department of the Army, Cammermeyer will join the more than 13,000 service people who have been discharged from the military over the past decade through the enforcement of a policy that gay-rights activists and other opponents say is based on discrimination and homophobia. Pentagon officials, generally backed by the courts, defend it as necessary "to maintain discipline, good order and morale."

The Defense Department publicly defended the policy this summer when a firestorm of



BY RAY LUSTIG—THE WASHINGTON POST

Epitaph on Air Force Sgt. Leonard Matlovich's gravestone points out the irony he saw in military life.

criticism from gay-rights advocates erupted after the honorable discharge of Air Force Capt. Greg Greeley was put on hold, and Greeley was interrogated for hours, because he marched at the helm of the annual Lesbian and Gay Pride Parade here. Reps. Gerry E. Studds and Barney Frank, Massachusetts Democrats who are homosexual and advocates for gay rights, have called along with others for the Pentagon to abandon its policy.

Early this month, the controversy swirled again when a gay-oriented magazine, the Advocate, published an article saying that a high-level civilian Pentagon official is gay. The article, and gay-rights organizations, charged that it was hypocritical for the Pentagon to allow the official to remain in his job while homosexual uniformed personnel are routinely discharged.

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BY MIKE LUTZKY FOR THE WASHINGTON POST

Cammermeyer was cited for "superb leadership."

# Pentagon Shows No Sign of Dropping Gay Ban

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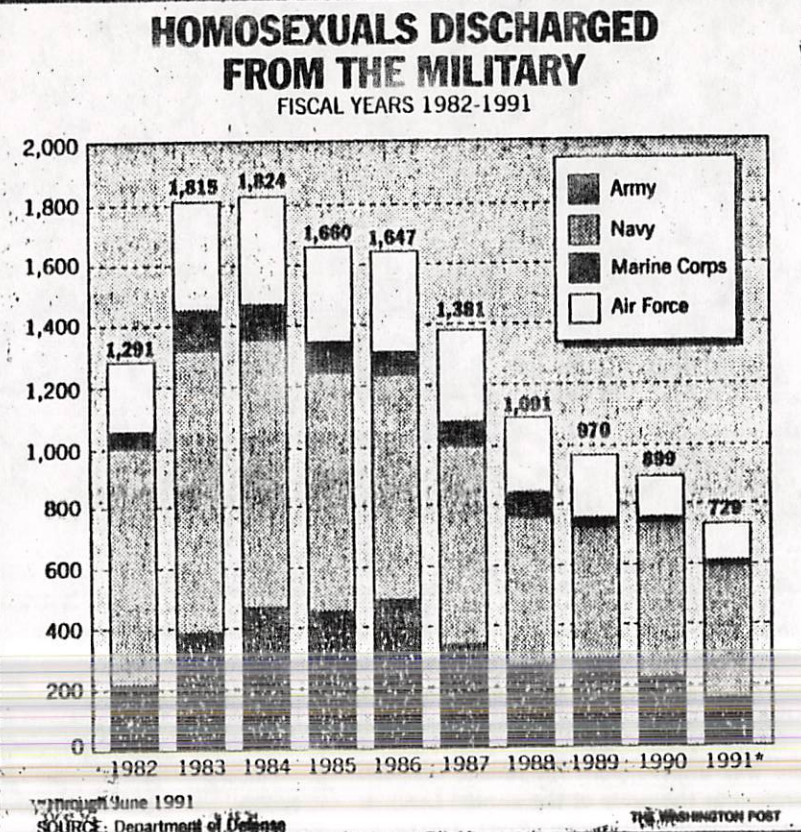
In congressional testimony and in a television interview, Defense Secretary Richard B. Cheney defended the policy, saying he did not think it "fundamentally wrong for us to make a distinction between civilian and military personnel." But he noted he had "inherited" the policy, and called the traditional Pentagon argument that homosexuals are a security risk "a bit of an old chestnut."

Gay-rights advocates and others felt Cheney was distancing himself. But Christopher Jehn, assistant defense secretary for force management and personnel, said in an interview last week that Pentagon officials are not reviewing the policy and have no plans to review it.

Jehn defended the policy more forcefully than his boss.

"The fundamental thing I think everybody needs to understand is that the military is a conservative organization" reluctant to make changes unless the outcome is assured, Jehn said. "And what people are asking now is that the military become some sort of social science laboratory, and very frankly our first and foremost job is not to advance social causes, however meritorious they may be."

Asked to describe the basis for the Pentagon's belief that homosexuals are detrimental to military order, Jehn said the evidence "is not systematic in the scientific sense, but is based on a professional judgment of military leadership."



"The classic example, of course, is an individual on a ship or in an infantry battalion who winds up deciding, for whatever motives, to proposition or come on to some of his colleagues," he said. "Those kinds of situations inevitably have led to a breakdown in discipline, often fighting or disruption of some kind. And that, while I wouldn't say it's common, is something that has happened often enough to be in the minds of senior military officials when they think through the consequences of changing this policy."

Gay-rights advocates, homosexuals who have been discharged from the service and other opponents say sexual conduct of homosexuals in the military could be governed by the same rules that govern heterosexual conduct.

But Jehn said same-sex fraternization would be more problematic than that between men and women because it would be more difficult to control.

Homosexuals who want to join the military must lie on their enlistment papers, where they are asked if they are homosexual. As part of the necessary concealment, some enter into sham marriages. If they are discovered, their military careers are over.

Cammermeyer, 49, a neuroscience specialist at the American Lake Veterans Affairs Medical Center near Seattle, knew her career was over as soon as she acknowledged her lesbianism in the 1989 interview. She said she was not a lesbian when she enlisted 30 years ago. She married, had four sons and was divorced before realizing in the early 1980s that women were her sexual preference, she said. She considered it, she said, a "very private, very personal" identity that "had no bearing on my work."

When she admitted it to the investigator, she did not consider her case a cause. Now, however, "I'm hoping that the fact that I, as a senior military person, have come out . . . that perhaps it will enable people to see that we are not out of the ordinary, that homosexuality is a part of life, it is a part of our society, and currently that homosexuals are probably the most discriminated against group here in the United States," she said.

Lawrence J. Korb, a former assistant secretary of defense in the Reagan administration who testified on Cammermeyer's behalf, said in an interview: "Here is a woman who goes to Vietnam, gets a Bronze Star, gets thrown out for violating a policy enforced by people who

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skipped Vietnam. The ironies are incredible. Korb said he was referring to Cheney, who was of draft-eligible age during the Vietnam War but received numerous deferments and did not serve in the military.

Homosexuality in uniform may be the last social taboo facing the military. Blacks were integrated into the armed forces in the 1940s. Women were admitted in large numbers in the 1970s and '80s, and given limited combat roles in the '90s. Gay-rights advocates say they believe that the taboos surrounding homosexuals within the military also will fall.

Jehn said, however, that "opening the military to homosexuals would represent a more radical, a bigger change, a more momentous change in policy than the racial-integrating the military did in 1948."

But, he said, comparing the homosexual policy to past policies on blacks is "misleading." Blacks were treated differently because of what they were; homosexuals are treated

differently because of what they do, he said.

"This is a situation where their behavior, the behavior of homosexuals, the behavior that they do not deny, contradict or argue with in any way, is viewed by a large segment of the population as not just distasteful but immoral, sinful. The Old Testament refers to it as an 'abomination,'" said Jehn, citing a verse out of Leviticus. He said the fact that homosexual activity is outlawed in more than half the states supports his characterization of American popular opinion.

To a lot of people, homosexuality is a "personal bother. . . . It's a personal, inner kind of negative feeling," said Army Col. Michael E.

McAleer, who sat on the panel that recommended Cammermeyer's removal. "I know that there are great Americans who are homosexuals or lesbians and I do not dispute that."

But, he said, "We all take an oath to obey and fight and defend the Constitution and defend the beliefs of Americans." Part of what Americans believe, he said, is that homosexuality is "against Christian ideals."

Major, nationwide public opinion polls, however, have shown consistently over the past decade that slightly more than half of those surveyed said homosexuals should be allowed into the military and should not be discharged for their sexual preference.

The military prohibition against homosexuals states that their presence "seriously impairs the accomplishments of the military mission," and "affects the ability of the military services to maintain discipline, good order and morale . . . and to prevent breaches of security."

An internal Pentagon study, concluded two years ago but criticized internally as technically flawed and never officially released, discounted the theory that homosexuals are more apt to fall victim to blackmail.

That internal report, called "Non-conforming Sexual Orientations and Military Suitability," said it is a "reasonable assumption" that the number of homosexuals in uniform "may be as high as 10 percent," mirroring estimates of their numbers in the general population. Jehn said estimating the number was impossible because those in the military must hide their orientation.

The study concluded, "The military cannot indefinitely isolate itself from the changes occurring in the wider society of which it is an integral part."

But from 1982 to this past June, 13,307 men and women in all branches had been discharged for violating the policy, according to the Defense Department. Their discharges can be honorable, other than honorable, or dishonorable, depending on the circumstances of their cases.

Among those discharged in the past decade was Donald O'Higgins, 27, until 1986 a senior airman, son of an Army master sergeant who died in Vietnam. While stationed at Minot Air Force Base in North Dakota, O'Higgins lived two lives.

According to an Airman Performance Report dated April 15, 1985, his performance was "superb." "His potential at this point remains virtually limitless," Maj. John B. Mallory wrote. "I strongly recommend his retention and continued progression in the Air Force, Promote."

In off-duty hours, however, O'Higgins lived as a homosexual, and perhaps too much so, he said in retrospect. "There didn't seem to be a threat to us for being discharged because it didn't seem to us that they were actively pursuing the witch hunts that we had heard about. We let our guards down. We went to the NCO [noncommissioned officer] clubs on base and we danced together . . . and that was a big flaw."

When rumors of an investigation circulated, he attempted to hide his homosexuality behind the camouflage of marriage, he said in an interview. His bride was a good friend.

"We'd known each other for years," he said. "We suspected there was some sort of a witch hunt happening. It scared us a lot and we got married as a way of covering up."

O'Higgins said he was caught in an investigation that he said netted 35 homosexual suspects. A sergeant claimed in an affidavit that O'Higgins had taken advantage of him at a party. O'Higgins said that although he had dated the sergeant, that specific allegation was untrue.

After O'Higgins was targeted for discharge, he said, he was transferred to Fairford Air Base in England, where upon his arrival "my new sergeant said, 'I'd like to show you around the base. I think the first place we'll start is the Office of Special Investigations,'" where O'Higgins said he was read his rights. He said he was segregated from other airmen, placed under guard, and eventually discharged with honors.

"I just think it's basic discrimination," said O'Higgins, now an events planner with the Human Rights Campaign Fund, which lobbies on behalf of gay rights.

Homosexuals are not among the classes of people protected from discrimination by the Civil Rights Act of 1964. Gay-rights legislation has been proposed in Congress for the past several years.

While it is against civil service regulations to fire someone merely because of sexual orientation, the military has been allowed to retain its absolute prohibition on homosexuality.

Until 1982, the policy prohibited homosexual acts, not homosexual orientation, but it was applied differently from branch to branch of the military services and some exceptions were allowed.

The courts, however, challenged the application of that policy in the case of Air Force Sgt. Leonard Matlovich, who was discharged in

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1975. An appeals court ruled that the Air Force had not clarified possible exceptions that would have allowed Matlovich to remain in the service. Matlovich eventually settled his case out of court. Later, he died of complications of AIDS.

In 1982, the Pentagon adjusted the policy and made homosexuality, whether acted out or admitted, grounds for discharge, with no exceptions.

Since then, the courts generally have not tampered with the policy.

In the case of Army Sgt. Perry Watkins, who was denied permission to reenlist in 1982 on the grounds of his sexual orientation, the Supreme Court last year refused to hear an appeal of a ruling that favored his reenlistment. Watkins disclosed his homosexuality to the Army when he was drafted, but an examining psychiatrist apparently did not believe him, according to the court. The narrow ruling in the case did not examine the constitutionality of the Pentagon policy.

Also last year, the high court refused to hear the appeal of Miriam Ben-Shalom, an Army sergeant who argued that the efforts to bar her from reenlisting after she announced she was a lesbian violated her rights to equal protection and free speech.

The court last year also declined the case of James M. Woodward, a discharged Navy airman. A federal appeals court had rejected his request for reinstatement, saying the military's policy "serves legitimate state interests."

As those cases went to the Supreme Court, Pentagon officials had braced themselves for a possible challenge, said Air Force Lt. Col. Doug Hart, a Pentagon spokesman. An internal memorandum prepared by the Headquarters Office of the Department of the Army proposed a revised policy that would have allowed homosexuals to join and remain in the military so long as they exercised "restraint and discretion." Because the court did not challenge the policy, the memo, prepared 18 months ago, "just didn't go any further than that," said Hart.

Because homosexuals are not afforded strict judicial scrutiny given groups protected under the Civil Rights Act, lawyers for discharged homosexuals say they have been hamstrung.

"What the courts have not allowed us to do is to look at and examine the basis of the policy," said Mary Newcomb of the Lambda Legal Defense and Education Fund. "What they have done is deferred to the military's judgment."

The policy can be changed by an act of Congress, an executive order of the president or by the secretary of defense.

Pressure for change is not likely to come from within the uniformed ranks, said Korb, who described the military's self-image as "a macho male occupation."

"The only way it's going to change is civilians have to do something about it just as they have to do everything," Korb said. "If you left it up to the military, it would be composed of white, single, hetero-

sexual males, because then they wouldn't have all these quote-unquote other problems."

But Charles Moskos, a military sociologist and professor at Northwestern University, supports the policy as a necessity. If any change is to occur, it should be limited, he said, such as a return to the old policy of prohibiting homosexual acts. McAleer, the colonel from the panel that recommended Cammermeyer's removal, also has thought about this distinction and said, "The homosexual tendency that's not acted on is something that needs to be addressed."

Moskos said that because of the close and constant contact between members of the armed forces—in trenches, on ships, in barracks—the debate hinges on a question that heterosexuals should ask themselves:

"If you were compelled to live with a homosexual, what would you think? That's the question people have to answer," Moskos said.