

REFLECTIONS UPON HOMOSEXUALITY IN THE ARMED FORCES.

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Abstract

This paper will discuss the issues involved in the incorporation of homosexual personnel into the Armed Forces. From a comparative standpoint it is established that the increasing relevance of this matter in developed countries, is due to social changes, operative necessities and the development of a growing policy from the states towards the generation of maximum levels of equality of opportunities for all individuals, including the Armed Forces. Furthermore, this process can't be just tackled from a moral point of view, which tends to segregate society and can isolate society from its military institutions. Finally, there exist multiple options to face this topic, since there are not unique "recipes" and therefore, it must be addressed considering the particular features of society.

Key words: *armed forces, gender, homosexuality, defense policy.*

Introduction

Different aspects that link society and the armed forces have been discussed in order to comprehend a complex issue. Recently, an article intends to explain from an ethical point of view the inconvenience of admitting homosexual orientation people in the armed forces¹.

The effort for addressing an issue that concerns the society is remarkable especially when the analysis arose from a branch of the Chilean armed forces. However, although it is a valid point of view, I consider there are other elements equally valid to face the issue of homosexuality in the armed force, which have not come into light in this discussion's initial phase.

To begin our analysis, it is necessary to mention some basic aspects: What is homosexuality? Homosexuality is the sexual and emotional attraction that men feel toward men; and the sexual and emotional attraction that women feel toward women. This also is called "attraction to the same sex". Some of the words used to describe those who experience attraction to the same sex are: for men, gays; and for women,

¹ Santelices, Gonzalo. 2004. "Homosexualidad y Fuerzas Armadas". *Memorial del Ejército de Chile*. N° 473, Agosto.

lesbians. Notwithstanding, everyone that experiences attraction to the same gender does not choose to call themselves gays or lesbians.

Given that, the definition is focused on the attraction field, the attitude and life option (environment factor) become relevant. However, when the identification factor, which is a psychological process, is added, the definition of the personality structure becomes significant, including the parental seals and the inherited genetic component.

What makes that a homosexual, which identification causes the attraction to the same sex, take the option of a professional life, as the military, where the masculine patterns are strongly defined? Two reflections related to this subject can be addressed:

First, it may be connected to a person which origin is related to a functional family, where the upbringing patterns are based on assertively and common sense. Unfortunately, this especial person is not able to identify him or herself with his or her parental pattern, although the standard upbringing. Then, there is the hypothesis they have a feeling of guilty which forces them to accomplish the parents' social standards and desires, and the military enforce their weakened masculine approach.

If a homosexual person manages to be admitted in the ranks, how can be the fact interpreted? It is a problem of lack of clearness before the situation by the institution; there were not legal or policy norms for the eventual case. The administration didn't manage a thorough selection to discard the conditioner; or the evaluated person presented a structured personality with the central analysis axes: predictable intellectual operation, effective adaptation and bond relations.

In the efficiency scope, in which the natural presence of abilities, skills, that is "to be able to" lead a person to his or her professional orientation and election, for which the individual mind works for his or her personal development looking for the final goal which is happiness; it is a transversal need for all human being independently of his or her sexual condition. The problem of homosexuality is then superimposed, or it is implicit that a homosexual person is simply inefficient. The history knows cases related to this issue.

On the other hand, it could be highly beneficial to observe that inside the group of homosexual persons, as well as in the bisexual ones, there are stable and unstable personality structures. And the unstable personalities are inquired about to any labor scope, given that the organization requires profiles to adapt to the institution's mission, vision and orientation².

² In these points, I thank the comment and considerations of the psychologist Mabel Saavedra, which allow me to precise the concepts of homosexual personality, as well as the characteristics of the selection processes. Besides, to understand the subject complexity, I suggest reading the analysis of the Manual DSM-IV, User Guide. Editorial Masson, Madrid, 1997

The previous analysis exhibit that although there is a physiological element, homosexuality has been considered as a personality disorder, but it is not a disease able to infect like a plague. It is, so speaking, a self condition with social effect, because there are many relevant social expressions that influence the sexual orientation of individuals. Many visions and disciplines have addressed the subject: psychiatric science, psychology, history, anthropology, sociology, law, and politics, even economy. They have contributed with arguments to analyze the human being's behavior on this matter. However, this article focuses on the situation related to the occidental armed forces with some allusions to the Latin American reality.

Homosexuality in the Units

In general, in the international scope, the debate has focused on a capital aspect: How would affect the armed forces the presence of homosexuals? There are different visions that have addressed the subject; from biology to politics. However, there are not enough coincidence one to another, which has allowed to develop wide and important literature on the subject³.

The point of view of those that are against the inclusion of homosexuals in the armed forces, states that their presence interfere the effectiveness and will, decreasing the troops' cohesion and moral; there are potential sexual harassment possibilities by homosexuals, which is unmoral and there is a high risk of HIV/AIDS infection among homosexual; situation which would entail different kind of problems inside the armed forces. On the other hand, those who are in favor of the inclusion of homosexual men and women in the armed forces, insist that these arguments are not valid and indicate that exclusions are based on prejudices and not on real facts, because anything has been proved⁴.

Certainly, the application of theses policies and practices for this matter do not provide unique solutions and it depends on different aspects and characteristic of society where they develop in.

However, the main content the authority should consider facing the presence of homosexuals in the armed forces relate first to the disposition for analyzing different perspectives of the discussion, before committing serious prejudices that damages those groups, the armed institutions and, mainly, the society.

According to the classic work of Moskos, Williams and Segal⁵, tolerance toward homosexuality in the armed forces has had an evolution from punishment in

³ Dyer, Kate. 1990. *Gays in Uniform. The Pentagon's Secret Reports*. Alyson Publication, Boston. See also: Belkin, Aaron y Melissa Sheridan Embser-Herbert. 2002. "A Modest Proposal: Privacy as a Flawed Rationale for the Exclusion of Gays and Lesbians from the US Military". *International Security*, N°27 (Fall 2002), pp. 178-97.

⁴ Segal, Mady W. 2003. "Sexuality and the Military". En Callaghan, James y Franz Kernic (Eds.), *Armed Forces and International Security. Global Trends and Issues*. Lit. Münster, 2003, p. 217.

⁵ Moskos, Charles, John A Williams y David Segal, *The Postmodern Military*, Oxford, 2000, p. 15.

the modern period (1940-1945), the dismissal in the late modern period (1945-1990) and, finally, the acceptance in the postmodern period (since 1990).

This process has not been aseptic; on the contrary, it is an example of the transformation of developed countries' societies with problems and conflict caused by groups that seek for a social validation and other groups that reject them. However, this is not an exclusive process of the developed countries' societies; the difference is related to the emphasis exhibited in developing countries' manifestations, as well as the progress of permanent inquiry about society.

Therefore, a quite evident question arises: why the acceptance of homosexual was obtained in rather masculine environments? According to Moskos' analysis, it occurred because societies and also the armed forces have needed to be accepted for many reasons, leaving the confinement they experienced by the end of the cold war period⁶.

But there is other answer, after the analysis of the behavior of those homosexual, that showed a very committed conduct in military fight actions or peacekeeping international missions in the armed forces, like the United States, England, Canada, Australia and Israel military; they came to the conviction that although a big percentage of soldiers affirmed that they would not remain in the armed force if the homosexuals were accepted, this finally did not occur. Therefore, in quantitative terms, the presence of homosexuals has not been relevant once the development of operations and maneuvers take place, because it does not affect the essence of the military life⁷.

Consequently, the initial fears did not come to pass especially due to there was a strong process of acceptance, which was the result of a social culture that principally seeks for equality of opportunities to all members of the conglomerate. Additionally, the above can be complemented with the establishment of clear definitions and disciplinary measures that military authorities have imposed to prevent sexual harassment and violation intends.

But the norms that have been designed are just a statement that men and women have or should have the same safety in the military labor, without prejudice of his or her personal integrity⁸.

Comparatives Experiences

The analysis of the homosexuality issue, reveals that it is not a recent subject in the armed forces of countries such as United State or the European ones, although it can be affirmed that this is a relatively new matter in Latin American countries and

⁶ Moskos, op.cit., p. 3.

⁷ Belkin, Aarón. 2003. "Don't Ask, Don't Tell: Is the gay ban based on Military Necessity?" *Parameters*; N°33, (Summer 2), p. 111.

⁸ Ibid. p. 112.

some Asian sectors, which has been addressed by investigations based on the military sociology studies and especially on military psychology of the last years⁹.

In the “The Postmodern Military” (which definition was coined by Moskos) as well as in society, homosexuals are tolerated but not accepted basically because at the time of the selection, there is not an inquiry about the sexual orientation¹⁰.

In the mass army, once homosexuals were discovered, they were jailed or dishonorably dismissed. In the modern period, the punishment diminished but a kind of a social stigma was confirmed as a serious offense against the military honor. This is the United States armed forces’ position. The policy “don’t say; don’t ask” can define the context; in that way, the United States’ armed forces admit the fact that there are homosexual militaries, but due to the need of permanent contingent – besides, society’s liberality reflects itself in its military component- and given the high specialization of labors in a sophisticated military; the sexual orientation shouldn’t be a problem of effectiveness in developing military operations. It is “to turn blind eye” to a situation that they do not want to control or diffuse, because the results could damage the prestige of the institution in an unpredictable way¹¹.

In other countries such as the United Kingdom, it is evidenced a more severe position. Homosexuals are not admitted for incompatibility with the service. However, they do not request information on the applicant’s sexual orientation during the selection process. Although, nowadays there is a kind of internal debate on what are the best practices, which is based on two quite irreconcilable points: the importance of the individual and his or her rights and the value of the community meaning. In which, even the European Court of Human Rights had to intervene¹².

Anyway, in Great Britain, the most important consideration –jointly with the possibility of right equality- is that the armed forces have codes of conduct and organizational principles which enforce the restrict respect of them, whatever the sexual, religious or racial condition of the soldier¹³.

On the other hand, France does not discuss the sexual orientation, as long as the service obligations are accomplished. Although that homosexuality is not illegal, it is expressly set forth that sexual engagement is prohibited inside military facilities¹⁴.

⁹ As long as the homosexuality may affect the group cohesion, and cause stress or anguish events in the Units members. See Goldstein, Joshua. 2002. *Gender and the Military*, Cambridge University Press, Cambridge.

¹⁰ Moskos, op. cit., p. 23.

¹¹ *Ibid.* p. 24.

¹² Moskos, op. cit., pp. 44 y 45. Also see Dandeker, Christopher. 2003. “Homosexuality and Military Service”. En Callaghan y Kernic (Eds.), op. cit., pp. 226 - 227.

¹³ Dandeker, op. cit.

¹⁴ Moskos, op. cit., p.68.

Holland, which is recognized as a liberal country, exhibits a particular position. In the mid eighties began an active integration of homosexuals in the armed forces, although officers and troop stood distant from this option. However, the seeking for equality of opportunity followed by Holland society prevailed, including for homosexuals. Anyway, regularization has been sought out for conducts in conflict with discipline¹⁵.

The studies especially carried out by the *Center for the Study of Sexual Minorities in the Military*, of the University of California in Santa Barbara, have demonstrated that there are not problems of discipline and cohesion in the armies of Israel and Canada in general; and when there are problems, they are solved according to very well defined proceedings which are well known by the organization¹⁶.

Although in Latin America this is a very new subject, there are some studies that show a path in accordance to the comparative perspective¹⁷. The study of Maria Celina D'Araujo states that in many Latin American countries the admission of homosexuals is prohibited to the military forces, although in some countries such as Bolivia, Brazil and Colombia, a public debate on this matter has taken place. In Colombia, since 1999, the homosexual cannot be dismissed from the armed forces because of their sexual orientation¹⁸. It seems that, in this matter, each country has adopted the measures that they consider appropriate and according to society's needs, where each armed force develop.

Generally speaking, the moral aspect could be considered only just one of the diverse factors that the organizations should consider at the time of selecting their personnel. Accordingly, the sexual orientation shouldn't be considered at the time to select the soldiers. Besides, it is not the military institutions' duty to supervise the society, therefore, if these institutions define criteria on the personnel profile they wish, they have to be clear enough to create the adequate selection mechanisms. Certainly, European or North American armed forces have considered other factors more relevant than the moral one.

The Debate in Chile

The debate in Chile has just begun and it hasn't progressed too much. In general the armed forces declare that they do not have big public problems with this subject, assuming that the ratio of reports due to homosexual acts problems inside

¹⁵ Ibid. p. 113.

¹⁶ Ver <http://www.gaymilitary.ucsb.edu/Publications/PublicationsHome.htm>. According to the opinion of institutions that care about this subject in USA, most of the renounces of homosexual soldiers are not caused by moral problems, but denounces reported by their partners that for any reason decide to expose their condition inside the armed forces.

¹⁷ D'Araujo, Melina Celina. 2003. "Pós-modernidade, sexo e gênero nas Forças Armadas". *Security and Defense Studies Review*. Volume 3 (1), Spring.

¹⁸ D'Araujo, op. cit., p. 99. It is evident that the need of contingent in conflict moments permits liberties, where the sexual orientation does not matter.

the institutions do not exhibit an important incidence in their institutional policies development.

In general, there is not an especial interest among homosexual groups and associations to put pressure on the armed institutions to open especial vacancies exclusively to homosexuals, in a sort of positive discrimination, which certainly is not possible in organizational structures such as the military.

In the internal analysis, the Military Justice Code does not sanction the armed force integrant's homosexuality as a fault that might have any punishment. Neither is there a norm that avoids the admission of homosexuals in the main academies, in the disciplinary rules of the armed forces¹⁹.

As well, the expression to avoid the homosexual to enter in the defense institutions should be expressly stated, which does not occur. Besides, following the analysis of the military organizational structures, the personnel selection method can define who are suitable to join the military, according to the admission requirements.

The sanction applications in the military or naval units are set forth in the dispositions which state that the personnel cannot commit actions that infringe the armed forces' moral and values. Such sanctions, which are applied to both homosexual and heterosexual people, result in the expulsion of the institution.

These disciplinary measures are stated in the military legislation in most of the countries of the world, given that infringement not only affects the moral and coexistence, but it also affects the essence of military discipline. Chile is not the exception. As we said above, discipline and the rules' explicit statement are two basic factors to provide a base to coexistence forms, not to prevent the admission of homosexuals, but to avoid that other aspects -like sexual orientation- affect the coexistence in the military life.

Although in Chilean society there is a group of homosexual citizens, it doesn't mean that they cannot fulfill the military duties. The question is whether the moral convictions are determinant to restrict their admission in the armed forces; if so, then it may arise the argument that also ethnic or religious groups are likely to be discriminated as well, due to their values or culture are different from the institutional ones, and eventually they could lead to conflicts and the armed forces would become confined far from society, which is exactly the situation they want to avoid.

Then, it seems that morality is not a good efficiency factor, because no organization can guarantee their members' morality. The human being conduct regulation has not been set up by norms, but rather by oriented criteria. If so, there should be the certainty that no immoral behaviors occur in no state department, such

¹⁹ Military Justice Code, Decree 1.614 of November 24, 1992. Editorial Jurídica de Chile. See also: Disciplinary Rules for the Armed Forces. Supreme Decree No.1.445 of November 14, 1951.

as interfamilial violence, drug abuse, corruption or any other expression that threat the essence of the state organizations, which is the society general good.

The moral factor cannot be related only to sexual issues, so that the immoral cannot be only attributed to homosexuals. Although it is truth that there are some homosexual groups that are more likely to get infected by sexual diseases, heterosexual individuals present propensity to those diseases when they do not have an adequate behavior in this matter. Therefore, these indicators constitute hardly a variable.

Defense institutions, in their global context, represent a source of safety and defense for the community that creates them and they do not have to become an excluding or excluded institution. If so, the definition should be set forth before its execution; for instance, by explicit requirements and the application of instrument that would thoroughly identify the excluding factors to people who do not fulfill the previously expressed requirements. Or, the selection processes should be reinforced with projective tests that guarantee the applicant's heterosexual orientation.

Final reflection

The armed forces make part of the society, therefore they evolve together; and the armed forces represent it as well. In that sense, there is no room for those actions that may deform that good path.

These reflections do not intend to induce the thinking that armed forces ought to set up policies related to any kind of positive discrimination; instead, they do state that all the social and cultural processes have a generation and natural evolution which don't have to be forced or limited by fixed considerations. The analysis that has to be performed, relates to focus on the search of the best military personnel that fulfill the military admission requirements.

However, the armed forces member's sexual orientation should not be inquired about morally while the individual does not infringe the regulation and disciplinary frames based on which the institution develops. Otherwise, the question could arise related to what would be the actions to be taken before the probable existence of homosexuals, men or women; even though they exhibit neither their sexual orientation nor any disciplinary problems.

The societies organized under the state should look at the armed forces as reflection of their own, organized to face any threat. However, the vision has to be extensive in order to avoid the exclusion of incredible society's diversity. Fixed considerations obstruct the armed forces and the society to progress together.

Courage, honor, loyalty, responsibility and even moral are essential values for many cultures, and the result of the analysis of the issue is the comprehension that, cultural evolution not only tolerate, but in a way it accepts social changes which eventually will produce effects in the different society's components, including the armed forces.

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