Panel Two—Women Warriors

FIRST SPEAKER: MARTHA CHAMALLAS†

There is a lot we could say about women in the military, but I’m going to stick to what was the subject of a piece that I wrote on sex scandals and the military in 1998, and now it seems like quite a long time ago, since it was pre-Iraq and pre-9/11. Every time I think about the topic, I wonder, “Do I still feel the same way?” You can’t pick up a newspaper, like I did two days ago, without seeing a headline about reported rapes. This time it was Air Force women serving in the Pacific. These are recurring sex scandals. What we learn is that women in the military are at considerable risk of being raped, sexually harassed, or sexually assaulted. Unlike the prototypical image of a soldier captured by the enemy and subject to rape, however, really the greatest danger is to be subjected to assault by a fellow soldier. A very incisive and politically important series by the Denver Post, called “Betrayal in the Ranks,” cited supporting statistics. It stated that surveys by the Department of Veteran’s Affairs in the last decade have shown that between 21% and 31% of these women have reported that they have been a victim of rape or attempted rape. Supposedly, the civilian number is 18%. You know that these statistics are very hard to substantiate. Still, I wanted to at least mention them to you, because we are clearly talking about widespread sexual abuse. If you think about it for a moment, it’s not surprising.

The military is the largest employer in the United States, and women currently make up about 15% of officers and enlisted personnel, so it has always been a heavily male dominated workplace. As my favorite scholars, Kathy Abrams and Vicki Schultz have said, one of the many functions of sexual harassment and sexual abuse is to serve as a mechanism for preserving male control. It serves to preserve male turf and reinforce masculine norms. So, I think that the military is one site where we need to consider this function of sexual harassment. Whenever women in the military complain about rape or sexual harassment, it is called a “sex scandal.” I detest that term. I don’t know if you have the same reaction as I do, but to me, it conjures up an image of some kind of orgy—“they’re having a sex scandal over there”—rather than an image of sexual abuse. And you can be sure that whenever a sex scandal surfaces, there will be some discussion of women’s proper place in the military. We’ll get back to that old, uncomfortable question of “should we even be there.” For many of

†. Martha Chamallas holds the Robert J. Lynn Chair in Law at the Moritz College of Law at Ohio State University where she teaches torts, feminist legal theory, and employment discrimination. She writes about hidden biases in the law of torts, particularly gender and race disparities. In anti-discrimination law, she has published articles on the sex scandals in the military, sexual harassment law, constructive discharge, and pay equity. She authored the book Introduction to Feminist Legal Theory (Aspen, 2d. ed. 2003) and currently serves on the American Association of University Professors (AAUP’s) Committee on the Status of Women in the Academic Profession.
you, this will be going over familiar terrain, but I felt as the first speaker that I should take some time to refresh our memories.

I want to give you a few of the facts on some of the more prominent sex scandals. I do this only to show that like in civilian life, and in the military apparently, there is no one form that sexual abuse takes. It takes multiple forms. So the litany usually starts with “Tailhook” in 1991. Most people have heard of the infamous convention of naval aviators in Las Vegas where women were forced to go through a gauntlet of drunken men and were groped, fondled and molested. After this scandal, the Navy instituted its policy of “zero tolerance” for sexual harassment. As Ann and I were saying, this often signals that we have a hell of a problem that we can’t address when we have “zero tolerance.” Charles Moskos, who has written a lot about sex in the military, has the following assessment. I can’t validate this personally, but he says that the blunt truth of the matter is that those guilty of the most serious offenses got away. They were not prosecuted or punished in Tailhook, and the careers of those who were innocent were ruined. I thought about that, because I believe that is what often happens with this type of awareness. There was both terrible overenforcement and under-enforcement at the same time.

The next scandal in 1997 at the Aberdeen Proving Grounds and Advanced Training Facility outside of Maryland was one in which drill sergeants were accused of raping female sergeants under their command. Here, it was the unique situation of dominance and control presented by the drill sergeant playing a major role. In one case a staff sergeant was convicted of six rapes. There was testimony that he ordered female recruits to report to his office without wearing underwear and ordered them to take off their clothes. The interesting aspect of this scenario from a feminist’s perspective is that there was neither use of overpowering physical force, nor a threat of physical force. This was constructive force. So we have that kind of sexual abuse.

Last year at the Air Force Academy, a survey indicated that 20% of female cadets had been victims of sexual assault. When I read the narratives of some of these women in the Air Force Academy, rather than Tailhook and the gauntlet or the kind of constructive force rape as in Aberdeen, these were stories of date rape. “We went out together, male and female cadets. There was an upperclassman there. We did a fair amount of drinking, and then I said, yeah, I’d like a ride home with one of the male upper classmen. When we were alone, he locked the doors and forced me to have sex. I was so shocked and scared, I didn’t report the rape.” Only about one-fifth of the female cadets ever reported sexual abuse. The distinction in the Air Force Academy date rape scenario is the reluctance to report. Of the women who did report, 45% said they suffered some kind of reprisal. The reprisal often took the form of charging them with some other infraction. This is interesting. It’s the “blame the victim” technique. You were drinking, and in the military context, you committed the offense of fraternization or adultery.

Finally, today the focus is on rapes of military women in Iraq and Kuwait
and Air Force women serving in the Pacific. Many of these women didn’t seek counseling or treatment until after their deployment when they went to VA Centers in the States. Over a decade after Tailhook, an Air Force colonel was cited in *New York Times* as saying that when he tried to investigate, he couldn’t because there was no good data. The data was a mess. There was no uniform reporting procedure. Senators Barbara Boxer and Olympia Snowe have introduced legislation for rape victim advocates in the military. There was one other interesting detail in their report—apparently now if a woman gets pregnant as a result of a rape in the military, she may get an abortion, but she has to pay for it herself.

In case you haven’t reflected on these issues of gender and the military, I believe it is important to consider that these issues are interconnected. While all of these sex scandals are going on, the military retains its “don’t ask, don’t tell policy.” There is this insidious link between the sexual abuse of military women, on the one hand, and the exclusion of gays and lesbians, on the other.

This is, by the way, what it means to be anti-essentialist and intersectional, that you try to see these links. These are two issues, which in the popular mind, don’t have anything to do with one another. Either that, or they all have to do with sex and they make different links. They make a different logical connection. Because of the exclusion policy, the military is able to deny the existence of homosexuals in the military. This amounts to saying that because there is a policy against it, gays and lesbians are not there. So sex truly is thought about exclusively in heterosexual terms. It is in an exaggerated form of a presumptively heterosexual world. And the military can pretend that sex and sexual abuse only happen when women come on the scene.

Because of this cognitive link that has been forged between sex and women, there is always the danger that the military and political leaders will believe that the way to get rid of the sex scandals is to get rid of or to segregate the women. So we have perennial calls for things like resegregating basic training and cutting down the accession policy for recruiting women as a response to the sex scandals.

If having women in the military is not the cause of sexual harassment, let’s just pause and reflect for the moment. What are the root causes? I like that term, “root cause,” because it makes us think deeply and go and look for the more structural and ideological determinants of sexual abuse. I’m going to briefly mention only three.

One cause has to do with the dynamics of tokenism, that there are too few women in the military. Next, I’m going to just mention the inadequate response to claims of sexual abuse by military authorities. In so many of these narratives, people have said that the rape was really bad, but what was worse was what happened when they reported it. And, finally, the hyper-masculine nature of military culture.

With respect to tokenism, the number of military women is now 15%. There is no magic number regarding how many members the social group needs
in an organization to make a difference, but we get a good indication from the University of Michigan affirmative action case, and now the term “critical mass” is in the popular discourse the way it never was before. Depending on the context, this number is typically something like 25%. Why? Because at that point, the group gets big enough to form alliances and coalitions and there is less of a tendency to regard the group as all thinking and looking according to the matching stereotype. By the way, the military is poised to go beyond tokenism. In 2002, 20% of army recruits were women. We’re really right at the cusp. Unlike the civilian workforce, or I should say in some contrast to the civilian workforce, the military makes deliberate decisions about how many women they intend to recruit. There is no longer a 2% ceiling. The policy is set very deliberately so that even in a time when they very much want people to enlist, we’re not going to see that number change very much. It’s not surprising that we see resistance in the form of abuse of women in the military, now that we’re at this figure of 20%. I do think that if there were more women in the military, that it might be good for military women.

At this point, the social science literature indicates that the higher the percentage and the more gender-integrated the workforce, the lower the instance of sexual harassment. I realize that numbers aren’t everything. And even relative numbers aren’t everything. It depends on the positions that women occupy in the military, and not surprisingly, there is still occupational segregation in the military. About half of all military women work in health care administrative positions. I’m only going to say briefly that there are still restrictions with respect to combat in some of the services. The last time I looked, 67% of Army positions were closed to women and 62% of Marine positions. Women can’t engage in direct ground combat, and they can’t be in special operations or submarine duty. I think that is really significant—you look where the action is and that’s where women are not. There is an interesting student note called “Feminism on the Front Lines” that says “as long as we have the combat exclusion, women will be second class soldiers, limited in career advancement, presumptively incapable, disrespected and sexually harassed.”

The second root cause is inadequate enforcement. I told you about “blaming the victim” strategies. The other concern is that in the military there is great discretion in whether to court martial an individual or handle the case administratively. This could mean that a discharge from the military could entail no criminal punishment, and many military men accused of sexual misconduct would be handled administratively, not surprisingly. The other point that should be made is, unlike the civilian world, you can’t sue the military harasser or abuser in tort or under Title VII. There are the various doctrines and exclusions under Title VII, meaning that “it’s military justice or no justice at all.” That, I think, could really stand to be looked at.

One important way of cutting down on sexual abuse in the military would be to get rid of the “don’t ask don’t tell” policy. You have to think this through. Right now, the military can pretend that when you introduce women and the
biological urges of the men get triggered, all hell breaks loose. Kelly Flynn said
that when asked about what happened in her case. We know from looking at the
spate of sexual abuse cases that it is a much more complicated and multi-faceted
phenomenon. Getting rid of the women will not stop sexual abuse.

Why would getting rid of the “don’t ask, don’t tell” policy help? I think
that it would make us see the root causes of sexual abuse and we can look and
say, even in an all-male workplace and even in an all-male military, there is still
sexual abuse. Let’s look at it. Finally, let’s not just presume that men aren’t
being sexually abused. And then, at that point, the policies about “zero
tolerance” or reporting might be made with a base of knowledge that stood up
more to the reality of military life.

SECOND SPEAKER: VALORIE VOJDIK†

When I first began the lawsuit against the Citadel, the issue to me seemed
straightforward, a basic application of formal equality doctrine. The Citadel and
the VMI cases actually seemed to be the flip side of the Hogan case, and the
exclusion of women from these military-style institutions seemed to be clearly
about the use of overly-broad and outdated stereotypes regarding the proper
roles, characteristics, and abilities of men and women. The argument that was
made by the Citadel, for example, was that women were not suited for a military-
style environment because they lack aggressiveness and the fanaticism necessary
to succeed in a military-style environment. It was also argued that women lack
strength and self-confidence, and that in fact, if you added women to the Citadel,
it would detract from the education of the men. Another argument was that
women would suffer from stress and anxiety and literally break down in tears
while the men on the other hand, would be sexually distracted by the presence of
women in their class.

These are the sort of arguments that the Supreme Court has long rejected in
cases involving state-sponsored gender discrimination. As a matter of law, I
argued to the Court, gender was irrelevant. Women were fully capable of
performing well as cadets. They have been integrated into the United States
military. They had succeeded in participating in combat situations in Iraq in the
first Gulf War, and their admission to the Citadel would not require any changes
in its methodology or system. As a matter of law, you could simply admit
women and that would satisfy the requirements of equal protection.

As you know, the Supreme Court in the VMI decision agreed that the state

† Valorie Vojdik has been the lead counsel to Shannon Faulkner and Nancy Mellette in the
lawsuit that successfully challenged the males-only admission policy at the Citadel, a public,
military-style college in South Carolina. Since graduating from New York University
School of Law in 1986, Ms. Vojdik has fought to redress violations of constitutional rights,
particularly those of women, and to use the law to help advance gender equity. She is
particularly interested in the integration of women into traditionally male institutions,
including the military and the law, and the elimination of social and cultural barriers to
gender equity.
could not exclude women that were qualified and interested in the unique opportunities provided by VMI. The Court analyzed the case as one involving gender stereotyping. The Court concluded that the arguments used by the Citadel and VMI were in fact the same arguments used to keep women out of the legal profession, the bartending profession, and a host of other traditionally male occupations. The result of the VMI lawsuit, I believe, was a good one. Women are now at both VMI and the Citadel.

But the more I litigated the case, the more I began to see the problems with achieving the full integration of women at these military-style institutions and indeed from the United States military combat as well. As Professor Chamallas has pointed out, nearly 20% of positions in the military are still closed to women under the combat exclusions. What I have come to realize is that the exclusion of women from these institutions is not purely based on incorrect stereotypes or assumptions about women's abilities, but in fact it is part and parcel of the institution of masculinity and hyper-masculinity that operates to reinforce and define the role of warriors in our society as both male and socially masculine.

I first began to see this while representing Shannon Faulkner. The Citadel is a fundamental part of the history of South Carolina as a southern state. So I expected that Shannon would be the target of a lot of abuse from people who wanted to maintain the traditions of the South, but what I didn't expect was the hostility directed against her specifically as a woman. By challenging traditional notions of femininity, Shannon became what I call a "gender outlaw," targeted and ridiculed by both alumni and cadets. Alumni sold t-shirts, for example, which you could see throughout Charleston, that proclaimed "1,950 bulldogs (that's The Citadel mascot) and 1 bitch." Citadel supporters would scream obscenities at Shannon in public. An anonymous columnist in the school paper, called "The Scarlet Pimpernel," dubbed her "Shrew Shannon." The columnist also called her the "divine bovine" and asked, "Who will be the first to saddle up?" This implied the risk of sexual assault and rape. As her admission grew nearer, the hostility against her escalated. A full-sized bulletin board outside one of the main highways in Charleston was painted-over, I believe by cadets at the Citadel proclaiming, "Die Shannon," and attributing itself to "H" company, a company of cadets within the Citadel. The district court judge called in the federal marshals to protect Shannon because of the death threats that she and her family had received. In one of the most chilling incidents, someone scrawled in a male bathroom stall at the Citadel, "Let her in. Then fuck her to death."

The more involved I became in this lawsuit, the more I saw that the exclusion of women was not just a relic from the past. It was part and parcel and the defining feature of this institution. Its mission, as the Citadel claimed (and VMI made the same claims), and I'm sure if you'll harken back you'll recall ads for "Be all that you can be" that appealed to manliness by the military, was to create what they called the "whole man" through this military-style system but which was structured around a hyper-masculinity which, in fact, depended upon the denigration of the female and social femininity.
One of my favorite comments came from the Citadel spokesman, Rick Mill, who was an active duty military officer at the time but was also the Citadel's P.R. man. He said, "We know how to train young men to be men. We don't know how to train young women to be men." I think that was one of the most succinct statements of what summed up their defense. Like the military, the Citadel and VMI both considered themselves proving grounds for real men to demonstrate their manhood. And in this institution, young men defined their gender identity as masculine in a range of ways by enacting various rituals within the institution that both tested cadets' masculinity and punished those cadets who were perceived as effeminate or weak. So, the exclusion of women was not just accomplished through its admission policy but actually came from within the institution itself—that the practices, policies, and rituals of the institution itself were also gendered, both male and masculine.

I'd like to discuss some of these rituals and practices, because interestingly enough, they never came to light in the published opinions. This was never discussed by the Court, in large part because the case was easy to win under formal equality. If framed as a sameness-difference dispute, our claim was that women were no different than men. Put them in. They can do the job. But again, that led to the Court ignoring the institution itself and the way that the institution was not only structurally but metaphorically gendered. The physical toughness and the mental discipline that the Citadel argued justified the exclusion of women was actually marked by a great deal of violence and hostility toward women and men who were perceived to be gay.

Since the 1960s, the Citadel had commissioned four blue ribbon committees to study violence within that institution, and each committee described rampant physical abuse and harassment of cadets. I learned a lot of this, and I think this is again an interesting part of being a litigator. How do you find this out? I am an outsider to the institution, a female, and a New York lawyer. Luckily, we had a wonderful alumnus named Ron Vergnolle who was a law student and business student at Duke. He was the star of the law school and a recipient of a full scholarship. His dad had gone to the Citadel and his uncle had gone to the Citadel. He came forward and testified that the Citadel, in fact, was predicated on assuming the inferiority of women.

According to Ron, inside the barracks, a culture of violence flourished that was enforced by a code of silence that chilled protests or complaints. According to Ron, the worst term of criticism that can be used against a cadet was to call the cadet a "female." But that term was never used. As he testified, when you make a mistake, you are called a faggot, a queer, weak, a woman, and then the terms "just go right down into the gutter from there." Terms such as "pussy, cunt, whore, bitch, fucking little girl" were the general terms used. Not just sporadically, but regularly, every minute of every hour of every day, according to Vergnolle. Other taunts compared male cadets to women. "Are you menstruating?" for example, was a comment made to male cadets who were not keeping up with the physical requirements. "You look like you are having an
abortion” was often used. Vergnolle explained that if you were not doing what you were supposed to do, you were not a man, you were a woman. And that is the way you were disciplined in the barracks every day and every hour.

The Citadel’s hyper masculine culture also expressed itself in violence toward women and toward the image of the feminine. Cadets used sexually derogatory terms to describe the day-to-day activities of the Corps of Cadets. For example, washing the floors of the barracks was called “douching the quad.” A uniform hat worn by the cadets was called a “cunt cap.” And when I asked, interestingly, the Vice President of the Citadel about that term, he said, “Oh yes, that’s true, but that was the term used in World War II, it’s not a Citadel term.” (Laughter) It was an interesting litigation.

Cadets marched and drilled to cadences like those used in the military, which, again, affirm their masculinity by the representation of sexualized violence against women. One Citadel cadence, which is what they shout out when they march and drill, was chanted in tune with the song “The Candy Man”. And it goes like this: “Who can take two jumper cables, clip’em to her tit, turn on the battery, and watch the bitch twitch? The S&M man can. The S&M man can.” And then there were verses that continued in a similar vein.

Susan Faludi has written a great book and articles that talk about the masculinity at the Citadel, and she has pointed out that the cadets actually constructed their own class of women from among the male cadets and those men were targeted for censure. And those “women,” so called “social women,” were comprised of cadets considered effeminate, weak, or gay. It was an effective way to not only drive out that cadet from the corps but to also enforce the belief and the identity of the remaining cadets as male and masculine. Unlike the weaker men who were “women,” the remaining cadets were the “real” men and their masculine identity was therefore reaffirmed and proven to the other men. I think that is an important component of what goes on, both at the Citadel and in the military. The performance of masculinity is for other men, and men themselves construct masculinity and perform it in front of other men, and those are the people whose views count.

In one conversation I had with the chaplain at the Citadel, he described the case of a cadet who was considered to be gay. Cadets hazed and harassed him; he took a semester off for leave and during that time committed suicide. Suicide threats and attempts were not uncommon at the school, because, as I said, the violence was actually quite endemic. Cadets would beat each other. One cadet, for example, a member of the elite junior sword drill team, jumped from a five-foot dresser onto the head of another cadet, breaking his teeth. There is vast evidence of rituals, for example, that reinforced this sort of sadistic notion of sexuality. One company, for example, required cadets to insert bananas in their anus, calling it “bananarama.” Behind the doors of this institution, this culture flourished. Again, it never came to light, because under equal protection analysis as it stands, it’s not really relevant.

The remedy for the Citadel’s unconstitutional exclusion of women was to
assimilate women into this existing culture that is predicated on masculinity and that defines cadets as warriors. The same sort of rituals happen in the military itself. The same sorts of “Candy Man” tunes are used. Professor Chamallas did a great job of describing some of the sex abuse scandals. Again, I hate the term “sex scandal” because under my view these incidents of rape, abuse, and harassment are not scandals—they are the natural part of the institution. They are, in fact, essentially required by the hyper-masculine culture. Violence against women and the denigration of women is necessary to prove the manhood of the warrior.

I think it is particularly interesting to bear this in mind now as more and more women are serving in the United States’ current war against Iraq and Afghanistan. The images of Jessica Lynch and Shoshanna Johnson show up on television, highlighting the participation of female soldiers in combat. Not only are women in combat support, they come under enemy fire and have been captured and held by the Iraqis as prisoners of war. There has been a backlash by a number of conservative women’s groups. The Center for Military Readiness, for example, is lobbying to repeal women’s role in combat, citing the risk that women will be raped as POWs. I completely agree with Professor Chamallas that the greater risk to women is rape by their peers. The Pentagon has confirmed more than one hundred incidents of sexual assault of female troops by their male comrades.

The military traditionally has opposed eliminating the exclusion of women from direct ground combat because women will destroy male bonding and “unit cohesion” among men. But what exactly is “unit cohesion”? The military has no official definition for the term. I suggest that “unit cohesion” is a kind of code word for the hypermasculine culture within the military that not only defines warriors as male and masculine, but that denigrates women and celebrates symbolically sexualized violence against women. It’s important to consider whether this is the kind of cohesion that we value and choose to foster?

THIRD SPEAKER: JO ANN HOENNINGER†

First of all, I want to thank the Women’s Law Journal. This is a really interesting topic for those of us who work with SLDN (Service Members Legal Defense Network). That is the organization that is fighting “don’t ask, don’t tell” and a number of friends. I am the co-chair of the board of that organization. Just as an aside, I want to say something about that organization. Many of the people on the board are men who were in the military, many of whom are gay.

†. Jo Ann Hoenniger is an associate at Heller Ehrman White & Mc Auliffe LLP, where she practices general civil litigation. She is very active in supporting Heller Ehrman’s pro bono work, having logged over 500 hours on pro bono matters last year (2003). She has a Master’s degree in Astronautical Engineering from the University of Illinois and received her law degree from USC.
When I joined the board, there were about four women on the board and then it dropped down to me and one other woman. There was a really fabulous meeting of the board where the other woman wasn’t even able to be physically present. The men on the board made a commitment. What they wanted to do was to have gender equality on the board and ethnic diversity on the board in a way that they never had before. And they made such a commitment to it that we now have virtually equal numbers of men and women on the board, and our ethnic diversity representation is really fabulous. I’m very proud to work with that group of men. I think it is something that can happen when women and men work together and when men make a commitment to doing something that is inclusive. I just wanted to kind of talk about that as a little bit of an aside which doesn’t have a whole lot to do with what I have to say except that it is the group of people that I work with on the issue of the “don’t ask, don’t tell” policy.

I want to tell you a little bit about my story. I was, as a child; I am fifty years old, and I am proud to say that, first of all. In high school, the Vietnam War was just heating up. So when I hit college, the Vietnam War was really raging. I really wanted to be in the military and I loved the structure. I wanted to go to a prep school for women in the military, but there weren’t any that would allow me in at that point in time. Frankly, I’m going to sort of “out” myself here in a way. I love Lara Croft. I loved GI Jane. And, I think it’s okay that I do. I think it’s okay that many men like to get in there and duke it out, and I think it’s okay that women like to do that too. I think we just need to find new ways and better ways for them to do it and for us to do it without it resulting in death, maiming, violence and emotional damage. And I think that’s really the challenge now, because people aren’t going to change drastically. We’re not going to become a place where people are going to be able to be “nicey nice” all the time, and I think we do have aggression sometimes. And I think that’s okay. We just have to manage it well. I think that is really the true challenge here.

As for statistics, I actually want to tell you a little bit of history stuff that I found last night when I was looking. The concept of women in the military is not a new thing. There were Amazon tribes thousands of years ago of women who fought with men on equal terms. There is some really interesting research on that. I don’t have it with me but I’ve seen the research. It’s really fascinating to go back in time. What it brings to mind is that the minds of the Amazon tribes were all about power dynamics. We’ve been talking about that but we have not said the words “power dynamics”. And that’s what it is. The military is the way that the United States, and every other country in the world, is exerting their power dynamic and trying to become the “top dog” in the world. That’s what it is about. Let’s tell the truth. That is what it is about. So why is it a surprise to us that the military, as an institution, is all about trying to figure out who is going to be the “top dog” in the military? I think it is a great challenge to women who want to work within that structure to allow and understand that that is what the power dynamic is but you don’t have to play the game. That’s the really interesting thing. We can either ignore that the game is going on—who is going
to pick the top dog—and do it the way and often in groups of men, and the men in the audience probably know this very well. Women probably recognize this very well from their own observations of groups of men. It's great teamwork. You're on. You can go forward. We don't do that so much as women, I don't think. Frankly, I appreciate that a great deal. I think that is one of our better characteristics. We don't do that. I think we do need to understand the power dynamic and determine whether we want to participate in the structure. I think we do.

I am really getting completely off of what I was going to say or at least some of what I was going to say. We will get to it. I have a little slideshow about gays and lesbians in the military. I would like to first talk about a man named Samuel Francis that really talks about the attitudes of the military towards women. He says that men are naturally more aggressive than women. Women shouldn't be in the military for that reason because the military is an aggressive organization. This is just another manifestation of this power dynamic. You know it's quite interesting that the Citadel has its own little group of women. In the military, the question used to be “are you a person of color?” I was quite interested. It was all about this issue of color. You know who is the “lesser than.” If we want to stop wars, we have to stop this “lesser than” dynamic about everything. Because that is how we end up having women raped. It's how we end up having men raped. It's how we end up raping the planet. I think it is really crucial that we understand that.

By the way, he also justified sexual harassment and rape of women in the military based on the fact that he said, “Well, of course these guys are aggressive. You know, you have to expect this. Women just don't belong in the military.” Okay. The opposite side of the story, however, is that last night I was doing some research and I found something and I just wanted to throw this out there.

My background—way back—was in astronomical engineering. This was way back there. But I didn't have the triple threat. I wasn't the most athletic woman in the world. I wasn't a PhD. I had some of the other characteristics that were really good, but because I didn't have the PhD, I didn't really make it to be an astronaut, and that's okay with me. How many of you know about the Mercury 13? You know about the Mercury 7, right, John Glenn and all of those guys? This is what internet research can do for you. There was a group of women who went through the testing in New Mexico. They were then weighted down to a group of 13 women and what they discovered, interestingly enough, was that when these women were subjected to the excessive g-forces of being shot into space, they did better when they were in the simulated zero gravity situation. So, these 13 women were going to become the Mercury 13, and then some decision was made by the government and they were knocked out of the program and sworn to secrecy. Only now in 2004, am I, who in 1971 wanted to be an astronaut, finding out about it. It's just very interesting to me. How that applies to women in the military is this. Women generally have
faster reflexes. It’s a proven fact that we have faster reflexes. Put a woman in the car next to a man, and you are going to see which one of them can really go faster in the car if they put their foot on the pedal right away. It will be a woman because she has faster reflexes. Women have a greater endurance, generally speaking, and women have a greater ability to tolerate pain. That is the child birthing thing. Okay, and while I hate gender stereotyping, and I really don’t want to engage in that, there are some differences whether it be through socialization, whether it be that we are naturally somewhat different than men, whether it is testosterone and estrogen operate differently. I don’t know. I’m not that kind of scientist, and I can’t really say. But police departments have found that when there is a bar fight, they put a female police officer in the situation, she will de-escalate the battle and get everybody to cool down. You put a male police officer in there, his ego gets involved and somebody ends up punching somebody.

So, the UN is very interested in perhaps having the peacekeepers be much more represented by women, because women will de-escalate the situation. Let us think about the world today and what the military is about, and it’s interesting to me that, at least we pretend in America to say, that we are the peacekeepers. I don’t believe it under this administration and, frankly, I don’t think that someone who hasn’t served in the military should ever be in charge of our military as we have now. The attitude becomes “Oh well it’s just, you know, it’s just a movie.” I don’t care if I kill a hundred Americans. I don’t care if I kill tens of thousands of Iraqis and Afghanistan citizens. You know, for him it’s just a movie. But the point is: what is our military really for? I strongly believe that we have to have one, but our military should be for one thing and one thing only, and that is preventing war, not causing war. You can’t juxtapose these two things. Okay, men are trained to be more aggressive. Women are naturally less aggressive and will not escalate a situation. Who do you want being the peacekeepers? I have my own answer to that. So, what I want to do real quickly is to get into the dialogue and the questions and answers.

I want to give you a little bit of background on the work that SLDN does and what is faced by gays and lesbians who are in the military. So let’s see if I can do this. Hang on just a second. I’ll try it again. Yes, okay. These are the number of people who have called SLDN for assistance. In 2003, it was up to 1,200 people who called SLDN saying “I have been harassed, I am being kicked out, something has happened, please help me.” I want to talk to you a little bit about what “don’t ask, don’t tell” is. It is really a four part policy: don’t ask, don’t tell, don’t pursue, don’t harass. So here is the “don’t ask” part. They’re not supposed to ask, right? “Have you been to a gay bar? Are you currently dating anyone?” All of these really invasive questions that put someone who is a gay or lesbian into a very difficult position. “Don’t tell”—this airman, young woman, told her chaplain, who told the commander, and then she was later discharged. I can give you copies of these if you want them and I don’t want to take a whole lot of time. This gentleman had been in the service for a very long
time and while we have him up here I want to tell you about someone else too
who is not in the slides. Her name is Captain Monica Hill. Monica Hill is a
doctor. She is still a doctor. She was a captain in the Air Force. Around the
summer before 9/11, her partner was diagnosed with cancer. She was about to
go to Andrews Air Force Base in Washington D.C. to begin her work as a
battlefield medical specialist and asked her commander to defer her entry into
active duty for a while. The commander said, "Well, I'm happy to do that, but I
need to know why." So she told him. And shortly thereafter, she was
discharged from the Air Force and now they asked her to pay back the money
that they gave her to go to medical school. I mean this is the injustice of the
system.

I just want to show you, this is the "don't harass," and we don't need to
spend a lot of time on this except to note that as the military harasses women, it
harasses gay and lesbian people. They are a little bit more accepted but gays and
lesbians have become the accepted target. So, for example, they are not allowed
now to say "oh, you're a woman, oh come on ladies let's go." Now they use the
term "faggot" to describe them or "queer," and that's the Citadel issue. There
are lots of lovely stories. In one of the trainings they are using anti-gay epitaphs,
and if you don't like it, come out. Right. This was actually right after 9/11.
This was found on one of the naval ships equating gay and lesbian people with
Al Qaeda, because we are after all, the enemy. We're so dangerous. These are
just some statistics that the DOD survey found. 80% of service members have
heard derogatory remarks. Thirty percent have witnessed or experienced anti-
gay harassment, and 57% reported that they haven't received training in spite of
the fact that the training is mandatory. A good use of our dollars is $258 million
wasted on kicking people out for being gay and lesbian. I especially like that, I
think. So, there you go. I just wanted to give you a little bit of background
information on that. And I want to agree with my co-panelists about all of the
interactions there are here. It is not an issue about being a woman. It's not
necessarily an issue about being gay. It's an issue of the power dynamic.

I would like to kind of close with two things. First of all, I would like to
take the opportunity to say that SLDN is also looking for interns so if you are
interested, there is a summer program in D.C., and we could certainly use some
bright minds from Berkeley. The other thing that I want to say is that in spite of
all of its failures, the military is one of the great equalizers in America. I think
this somewhat rings true. After the military was integrated in I believe it was
1940-something, there really was a change in America. Here's how it happened.
There would be black soldiers in the foxhole with white soldiers and they
realized, "This guy was saving my ass" and the black guy thought, "He's saving
my ass" and everybody is coming home to Kentucky, and they could no longer
hold onto those stereotypes either same or different. In difficult situations with
women there are some wonderful stories that I have heard. So, it is an equalizer.
It is a place where a lot of good can come, if it's used properly. I think when the
ban (the "don't ask, don't tell" ban) is lifted that it will do the same thing having
graciously granted by Mayor Newsom, and I got one.

So with him doing that, it is not as big an issue for me and for the gay and lesbian community because I now think of that as marriage is being accepted. "Don't ask don't tell" is going to be something we look back at and say "Well, we should have taken care of that." I really think it will, as long as we get the landscape done with marriage. To use a great military metaphor, the battle has been joined here. The very last thing that I want to say is, and men in the audience forgive me just a second, I am talking only to the women here. A woman warrior, and a male warrior, certainly fits into that category and if you weren't somewhat aggressive, by the way, you probably wouldn't be in law school.