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# Homosexual personnel policy in the Canadian Forces

*Did lifting the gay ban undermine military performance?*

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**A**S THE NUMBER OF COUNTRIES THAT PERMIT GAY and lesbian soldiers to serve in the armed forces grows, it is increasingly important to determine whether official decisions to include homosexual service members in the military lead to changes in organizational performance. Although most member countries of the North Atlantic Treaty Organization (NATO), along with a handful of other nations, allow gay and lesbian soldiers to serve, there has been little empirical analysis of whether the decision to lift a gay ban influences the ability of armed forces to pursue their missions. Theoretical studies have addressed this topic, but there has been no in-depth empirical work on the consequences of a decision to lift a gay ban.

Canada is a case in point. A few careful studies appeared in the immediate aftermath of Canada's decision in 1992 to abolish restrictions on gay and lesbian soldiers. However, the long-term impact of the new policy could not be determined in those early studies, and

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even the most thorough analyses was based on few sources.<sup>1</sup> In 1993, an American officer, Lt Gen Calvin Waller, stated that because Canada had not been involved in armed conflict since the ban was lifted: 'We really do not know what those results are going to be.'<sup>2</sup> Our rationale for considering the evidence that has accumulated over the eight years since the ban was lifted is that senior Canadian officials predicted that changing the policy might compromise military effectiveness. Hence, the Canadian experience affords an opportunity to assess the impact of the policy change against early forecasts by senior military leaders. After discussing the historical evolution of homosexual personnel policy in Canada, we examine whether Canada's decision to abolish restrictions on gay and lesbian soldiers influences military effectiveness. Our findings, based on a review of primary and secondary sources, as well as interviews with 29 military personnel and experts from the academic, non-governmental, and policy communities, is that Canada's decision to lift its gay ban had no impact on military performance, readiness, cohesion, or morale.<sup>3</sup>

#### HISTORICAL EVOLUTION OF HOMOSEXUAL PERSONNEL POLICY

Before 1988, gays and lesbians were prohibited from serving in the Canadian Forces. The military did not allow openly gay recruits to enlist, dismissed soldiers who were discovered to be homosexual, and required service members who suspected another soldier of being gay to inform their commanding officer. The pre-1988 policy, outlined in regulation CFAO 19-20, 'Homosexuality-Sexual Abnormality-Investigation, Medical Examination and Disposal,' stated: 'Service policy does not allow homosexual members or members with a sexual abnormality to be retained in the Canadian forces.'<sup>4</sup>

1 See, for example, Rosemary Park, 'Opening the Canadian Forces to gays and lesbians: an inevitable decision but improbable reconfiguration,' in W.J. Scott and S.C. Stanley, eds, *Gays and Lesbians in the Military: Issues, Concerns, and Contrasts* (New York: Aldine de Gruyter 1994), 165-79.

2 Quoted in United States, Senate Armed Services Committee, *Policy Concerning Homosexuality in the Armed Forces* (Washington DC 29 April 1993), 399.

3 Space constraints preclude listing the 172 primary and secondary sources and the 29 personal communications. The authors, however, are happy to make this information available to interested researchers.

4 Quoted in David Vinneau, 'Human rights/key charter fights gay fights for career in military,' *Toronto Star*, 15 April 1989, D5.

Military policy dealing with homosexual service members came under increasing judicial and political scrutiny after the passage of the Canadian Human Rights Act in 1978 and the Canadian Charter of Rights and Freedoms in 1985. Although the Human Rights Act did not cover sexual orientation explicitly, it did require employers to justify exclusionary or restrictive policies. Nor was sexual orientation included in the enumerated list of prohibited grounds for discrimination in the Charter of Rights and Freedoms. Section 15 of the charter did, however, allow the restriction of other forms of discrimination if the courts so ruled.

A Department of Justice review of federal regulations in 1985 determined that the Canadian Forces were in potential violation of the equal rights provisions of the charter in a number of areas, including discrimination against gays and lesbians. In response to the Department of Justice findings, the Department of National Defence (DND) conducted a survey of 6,580 soldiers, which found that military personnel, particularly men, were strongly against removing the gay ban. Service members expressed concern about all aspects of serving with gays and lesbians: 62 per cent of male soldiers stated that they would refuse to share showers with or undress or sleep in the same room as a gay soldier, and 45 per cent declared that they would refuse to work with gays. Many claimed that they would also refuse to be supervised by a gay or lesbian soldier.<sup>5</sup>

Based on the survey's findings, the Final Report of the DND Charter Task Force recommended retaining the exclusionary policy toward homosexuals based on the argument that the military's unique purpose necessitated the restriction of gays and lesbians. Given the aversion toward homosexuals in the military, the report concluded that the 'presence of homosexuals in the CF would be detrimental to cohesion and morale, discipline, leadership, recruiting, medical fitness, and the rights to privacy of other members.' It added that 'the effect of the presence of homosexuals would [lead to] a serious decrease in operational effectiveness.'<sup>6</sup> In

5 R.A. Zullani, 'Canadian forces survey on homosexual issues,' Charter Task Force, Ottawa, Department of National Defence, 1986.

6 See Canadian Forces, *Charter Task Force: Final Report* (Ottawa: September 1986); Paul A. Gade, David R. Segal, and Edgar M. Johnson, 'The experience of foreign militaries,' in G. Herek, J. Jobe, and R. Carney, eds, *Out in Force: Sexual Orientation and the Military* (Chicago: University of Chicago Press 1996); and National Defense Research Institute (NDRI), *Sexual Orientation and U.S. Military Policy: Options and Assessment* (Santa Monica CA: RAND 1993), 74-80.

response to the report, the minister of national defence announced in January 1988 that he intended to modify the existing policy only slightly; if servicemen or women were discovered or announced themselves to be gay, they would be asked to leave but they would not be dismissed. Those who chose to stay would not be eligible for training courses, security clearances, transfers, promotions, or re-enlistment.<sup>7</sup> According to DND statistics, the military discharged sixty service members for homosexuality between 1986 and 1992 and denied promotions to an additional fifteen because of their sexual orientation.<sup>8</sup>

The minor DND policies modifications did nothing to halt the mounting pressure to change the policy on homosexuals. As court decisions extended the rights of gays and lesbians under the Charter of Rights and Freedoms and the Human Rights Act, Michelle Douglas and four other soldiers challenged the policy toward homosexuals in separate suits against the Canadian Forces.<sup>9</sup>

In preparing its appeal in the Douglas case, DND concluded that it could not meet the standard of proof required to challenge the Charter.<sup>10</sup> Although the chief of the defence staff, General John de Chastelain, privately informed members of parliament (MPs) that the ban was about to be lifted late in 1991, the federal government delayed in the wake of adamant refusals by some Conservative MPs to support the policy change.<sup>11</sup> Finally, facing a case it knew it could not win on legal grounds, DND agreed to settle the case against Michelle Douglas

7 Clyde Fransworth, 'Canada ending anti-gay rules,' *New York Times*, 11 October 1991, A3.

8 Alan Hustak, 'Officials fear U.S. furore over gays could affect Canadian troop morale,' *Vancouver Sun*, 8 February 1993, A4.

9 For background on the Douglas case see David Rayside, 'Memo to Harriet Sachs and Clayton Ruby, Re: Douglas vs. H.M. The Queen,' 3 December 1990; Rayside, *On the Fringe: Gays and Lesbians in Politics* (Ithaca NY: Cornell University Press 1998); Stephen Bindman, 'Dismissed lesbian suing military,' *Toronto Star*, 5 February 1990, A3; Bindman, 'Air Force lesbian wins back her job,' *ibid*, 16 August 1990, A3; Bindman, 'Lesbian forced to quit loses bid for old job,' *Vancouver Sun*, 11 May 1992, A3; Bindman, 'Military refuses to reinstate lesbian,' *Toronto Star*, 11 May 1992, A4; 'Lesbian battles Ottawa over security clearance,' *Toronto Star*, 26 March 1990, A9; 'Secret war on gays,' *ibid*, 19 August 1990, B12.

10 See NDRI, *Sexual Orientation and U.S. Military Policy*, 77.

11 Tim Harper, 'Tories give up on plans to let gays in military,' *Toronto Star*, 25 January 1992, A3.

in October 1992.<sup>12</sup> In doing so, the military acknowledged that its policy of exclusion violated the Charter of Rights and Freedoms, and it consented to the immediate repeal of that policy.

The policy change in October 1992 concerning gay and lesbian soldiers in the Canadian military was less an affirmative order than a dismantling of existing policy. De Chastelain issued a press report declaring that: 'The Canadian Forces will comply fully with the Federal Court's decision. Canadians, regardless of their sexual orientation, will now be able to serve their country without restriction.'<sup>13</sup> In a communiqué entitled 'Homosexual Conduct,' de Chastelain revoked CFAO19-20 and all related interim policies. The military would henceforth make no distinction between heterosexual and homosexual soldiers. He expressed his 'full support' for the Federal Court's decision and said that he expected the chain of command to support the new policy. He also declared that 'inappropriate sexual conduct by members of the forces, whether heterosexual or homosexual,' was unacceptable.<sup>14</sup> Because the courts provided the impetus for change, senior military leaders endorsed the change and encouraged a sense of duty among service members. Senior political and military leaders agreed that reliance on equal standards for the conduct of gays and heterosexuals and emphasis on behaviour rather than on the transformation of individual beliefs was the best way to implement the policy. No accommodation exceptions for homosexual or heterosexual troops were allowed once the military leadership decided that gay and heterosexual service members could share living quarters.<sup>15</sup>

After the ban was lifted, the Canadian Forces did not institute a separate programme to handle same-sex sexual harassment or personal harassment based on sexual orientation. In 1996, however, DND implemented the Standards for Harassment and Racism Prevention (SHARP)

12 For an analysis of the legal obstacles that DND encountered in the Douglas case, see Rosemary Park, 'Opening the Canadian Forces to gays and lesbians,' 169-71; and F. C. Pinch, 'Perspectives on organizational change in the Canadian Forces,' United States Army Research Institute for the Behavioral and Social Sciences, Alexandria VA, 1994, 40-2.

13 Cited in NDRI, *Sexual Orientation and U.S. Military Policy*, 77.

14 Cited in *ibid*, 78.

15 Abbe Swardson, 'No problem with gays in ranks: military's restrictions lifted last fall,' *Washington Post*, 6 July 1993, A8.

programme to increase general awareness about abuse, including harassment based on sexual orientation.<sup>16</sup> The mandatory programme provided information designed to help service members recognize and prevent harassment and racist conduct. The SHARP workbook lists sexual orientation in its explanation of prohibited grounds of harassment and provides examples of prohibited dialogue, such as 'He's the best sergeant I ever had. He can't be no fag,' and 'He could be a fag; he's got those big ears so as a guy could hold him from behind.' The materials use gender- and orientation-neutral terms to describe specific misconduct such as leering, requests for sexual favours, derogatory name-calling, and sexually suggestive gestures that constitute harassment regardless of the gender or orientation of the harasser or the target. By the summer of 2000, the SHARP phase of harassment awareness was complete, and the Directorate of Gender Integration and Employment Equity is developing additional programming.

On 15 June 1996, a federal human rights tribunal ordered the federal government and federally regulated companies to provide the same medical, dental, and other benefits to gay and lesbian couples as to heterosexual common-law couples. The tribunal ordered the government to review its statutes and regulations within 60 days to identify any provisions that discriminated against same-sex couples.<sup>17</sup> In December 1996, the Canadian Forces Human Resources Office distributed a memorandum outlining military policy for granting domestic partner benefits. Same-sex partner benefits were to include compassionate leave and leave without pay for spousal accompaniment, military foreign service regulations, isolated post regulations, and relocation.<sup>18</sup> Same-sex partners would also be entitled to dental care and health care plans as dependents. Same-sex couples would be entitled to benefits if 'for a continuous period of at least one year, a member has lived with a person of the same sex in a homosexual or lesbian relationship, publicly represented that person as his/her life partner and

<sup>16</sup> SHARP, 'Standard for Harassment and Racism Prevention,' course materials provided by the Canadian Forces, 1996.

<sup>17</sup> Kathryn May and Stephen Bindman, 'Gay public servants cheer benefits victory: ruling expected to have impact in private sector,' *Ottawa Citizen*, 14 June 1996, A1.

<sup>18</sup> D.J. Hurl, 'Same-sex partner benefits,' Ottawa, National Defence Headquarters, 14 January 1997.

continues to live with that person as his/her life partner.<sup>19</sup> In April 1999, DND noted that 17 lesbian soldiers had filed claims for medical, dental, and relocation benefits for their partners in 1998.<sup>20</sup>

In June 1999, the federal government agreed to settle cases before the Canada Pension Plan appeals board that would allow same-sex partners to receive survival benefits, including military pensions. Ten days earlier, the Supreme Court of Canada declared that the Ontario Family Law Act was unconstitutional because it limited the term 'spouse' to heterosexual partners.<sup>21</sup> More recently, members of the Canadian Forces Legislative and Regulatory Service have worked with legislators to craft the language of Bill C-23. Should the bill pass, same-sex partners will be considered common-law partners under the law and entitled to all remaining benefits relating to 'dependents' in existing military regulations.<sup>22</sup>

#### THE IMPACT ON MILITARY EFFECTIVENESS

According to Allan Millett, a leading expert on military performance, combat effectiveness refers to 'performance of military units in direct contact with the enemy.'<sup>23</sup> Military effectiveness, in turn, refers to a broader range of organizational, political, and strategic considerations, including the articulation of legitimate national security policies, procurement of effective weapons systems, provision of sufficient manpower, and formulation of sound strategies that match means to ends.<sup>24</sup> Although the literature on military and combat effectiveness addresses numerous determinants of organizational performance, participants in the debate on gays and lesbians in the armed forces have tended to use

19 Canforgen, *Same-sex Partner Benefits* (Ottawa: National Defence Headquarters 1996).

20 The first claims were filed in 1997, but figures for that year are not available. See 'Few soldiers claiming same-sex benefits,' *Edmonton Sun*, 12 April 1999, 13.

21 'Gays get survivor benefits,' *Gazette (Montreal)*, 1 June 1999, A9.

22 Personal communication, Diane LaBelle, legal counsel, Legislative and Regulatory Service, 2 and 24 February 2000.

23 Allan R. Millett, 'Combat effectiveness,' in J. W. Chambers II, *The Oxford Companion to American Military History* (Oxford: Oxford University Press 1999), 161.

24 Allan R. Millett and Williamson Murray, eds, *Military Effectiveness* (Boston MA: Unwin Hyman 1988).

'military effectiveness' to refer to cohesion and trust among members of combat units, overall morale of the military, and recruitment.

Early evaluations prepared in the immediate aftermath of the decision to lift the gay ban reported few problems with respect to military effectiveness. For example, RAND Corporation researchers conducted interviews with Canadian military personnel several months after the ban was removed and found no evidence that the policy change had had any appreciable effect on military performance. RAND found 'no instances of people acknowledging or talking about their homosexual relationships, no fights or violent incidents, no resignations (despite previous threats to quit), no problems with recruitment, and no diminution of cohesion, morale, or organizational effectiveness.'<sup>25</sup> Similarly, a United States General Accounting Office analysis of the first six months of the new policy, based on interviews with members of parliament, gay advocacy groups, a veterans' umbrella group, the Canadian Human Rights Commission, the Department of National Defence, and the Department of Justice, found no reports of resignations, gay bashing, or problems involving recruitment, morale, or cohesion.<sup>26</sup>

Because early evaluations were prepared before the long-term impact of the new policy was apparent, we sought to collect and assess the evidence that has accumulated in the eight years since the ban was removed. We systematically collected information, written between 1987 and 1999, from all relevant primary and secondary sources, including all available government documents, scholarly materials, and news articles and wire service dispatches relating to homosexual service in the Canadian Forces. In addition we used snowball techniques to identify and interview 29 military officers, ministry representatives, and experts from the academic, non-governmental, and policy communities. During the interview process, we sought to ensure that the universe of sources drawn upon for the study was complete by repeatedly asking expert observers from different sectors for recommendations of additional contacts and sources of information. It is possible that additional confidential information on outcomes not

<sup>25</sup> NDRI, *Sexual Orientation and U.S. Military Policy*, 29

<sup>26</sup> United States General Accounting Office, 'Homosexuals in the military: policies and practices of foreign countries,' Washington DC, 1993.



documented in this report may be maintained by the Canadian military, but senior officials contacted for this study were unaware of (or would not acknowledge) any additional data.<sup>27</sup>

All of the military officials interviewed repeatedly stated that lifting the gay ban had a minimal impact on the operational effectiveness of the Canadian Forces. No one could cite any incidents of recruitment or other problems related to the issue of sexual orientation, and they did not believe that the change influenced the efficacy of working relationships. The following remarks are typical of the statements we collected from military officials: 'It's not that big a deal for us [including gays and lesbians in the military] ... On a day-to-day basis, there probably hasn't been much of a change. People who were typically high performers before are typically high performers now.'<sup>28</sup> Another official emphasized the continuity in the policy change: 'The actual transition was relatively quiet. People realized that there had always been gays in the CF. They certainly didn't make an issue of it before, and they don't make an issue of it now.'<sup>29</sup>

Military officials we contacted believe that their emphasis on the distinction between attitudes and behaviour has been essential to the success of the new policy. While training promotes the idea that abuse and harassment will not be tolerated, the military does not attempt to impose acceptance of homosexuality, and it is clear that not everyone in the military welcomed the lifting of the ban. In 1993, for example, an anonymous officer in the Black Watch, a militia (reserve force) infantry regiment, stated that: 'There are a lot of guys in uniform who hate homosexuals, and don't want them around in the service. A lot of men are disgusted with the court ruling, but they have to live with it. They don't want to speak up. They're just keeping their heads down.'<sup>30</sup>

27 A senior military official told us that she believed additional longitudinal data on recruitment patterns might exist, but she was unable to verify the possibility. Personal communication, Sharon Beaton, Captain, Canadian Forces, Recruiting Enrolment Training School Headquarters, 5 February 2000.

28 Personal communication, Steve Leveque, civilian, Canadian Forces Executive Directorate on Conflict Resolution, 4 February 2000.

29 Personal communications, Captain D.S. MacKay, Canadian Forces Directorate of Military Gender Integration and Employment Equity, 18 January and 28 February 2000.

30 Quoted in Alan Hustak, 'Officials fear U.S. furore over gays.'

Even though some soldiers feel hatred towards their homosexual peers, the military's expectation of professional conduct seems to have been sufficient to prevent individual beliefs from undermining military effectiveness. Master Cpl Mike Simic, who felt that gays and lesbians could disrupt the critical teamwork necessary in the military, kept his opinion to himself: 'My attitude is, grin and bear it. There's a lot in the military that's out of your hands. The policy is very clear.'<sup>31</sup> As one official told us: 'in this case, it is also a deeply moral issue and that is a real complication ... Even though some have found it difficult, loyal members changed their behavior when the institution changed.'<sup>32</sup>

Senior officials we contacted pointed out that the removal of the gay ban was a minor irritant compared with other transformations of the recent past. Like most Western militaries, the Canadian Forces underwent substantial changes after the end of the cold war and sustained both a reduction in size and a reconceptualization of its mission. As one official stated: 'there are so many changes that have been occurring in the last fifteen years, with massive downsizing and so on, that incidents like these changes in policy have been greatly overshadowed by budget cuts, downsizing, changes in operational roles, operational tempo. This issue of the acceptance of homosexuals into the forces pales into insignificance ... it's a non-issue.'<sup>33</sup>

Comments by staff representatives of members of parliament and academic experts reinforce the statements of military officials. Senior staff members for MP Svend Robinson, an openly declared homosexual who was at the centre of the parliamentary debate over the military ban in the 1980s and early 1990s, are not aware of any evidence that military performance has been affected, for better or for worse, as a result of lifting the gay ban.<sup>34</sup> David Rayside and Gary Kinsman, two of the most widely cited scholars on sexuality in the Canadian military,<sup>35</sup> agree that the policy change was a minor event in the context of

<sup>31</sup> Quoted in Abbe Swardson, 'No problem with gays in ranks.'

<sup>32</sup> Personal communications, D.S. MacKay.

<sup>33</sup> Personal communication, Karol Wenek, civilian, Canadian Forces Directorate of Policy Analysis and Development, 20 January 2000.

<sup>34</sup> Personal communication, Bill Siksay, assistant to Svend Robinson (MP British Columbia), 10 February 2000.

<sup>35</sup> David Rayside, *On the Fringe*; Gary Kinsman, *The Regulation of Desire: Homo and Hetero Sexualities* (Montreal: Black Rose 1996).

broader Canadian political debates and conflicts. Rayside says that: 'There has not been since that day [when the ban was lifted] a suggestion from any quarter, including the military, in public, that this change has damaged morale.'<sup>36</sup> Because a number of organizations and individuals highly antagonistic to ending the ban most certainly would have publicized any deleterious consequences associated with the policy change, both Rayside and Kinsman are reasonably confident of their assessments.

Although the Canadian Forces have not as yet conducted a formal evaluation of the effects of the 1992 policy change, we obtained a briefing note on the removal of the ban, written in 1995 by the section head for Human Rights Policy, a bureau of the Department of National Defence. The note was prepared in response to a request for information from lawyers defending an American lieutenant who the United States Navy had fired for homosexuality. Although the author of the note ultimately was prohibited from offering an affidavit in the case, he took the opportunity to share the data he had gathered with the Canadian military command. His conclusion? 'Despite all the anxiety that existed through the late 80s into the early 90s about the change in policy, here's what the indicators show - no effect.'<sup>37</sup>

The 1995 briefing note examined all available behavioural data related to possible policy effects of lifting the ban. A search of the military police staff's database indicated that none of the 905 assault cases between November 1992 and August 1995 involved gay bashing or could be attributed to the sexual orientation of one of the parties. Of the 544 cases of sexual misconduct between December 1992, when the first statistics were collected, and August 1995, 22 involved same-sex conduct. The Canadian Human Rights Commission reported that only three of the 213 complaints reported between November 1992 and August 1995 concerned sexual orientation. Of these, two pertained to differential treatment and release before the policy change, and the third dealt with the eligibility of same-sex couples for financial benefits. Those responsible for military grievances at National Defence

<sup>36</sup> Personal communication, David Rayside, professor of Political Science, University of Toronto, 19 January 2000.

<sup>37</sup> Personal communication, director, Policy Analysis and Development, DND, 20 January 2000.

Headquarters (NDHQ) did not have an accurate count of grievances involving sexual orientation but told the author of the briefing note that they were fairly confident that no more than a dozen of the approximately 2,000 grievances filed in the same period involved sexual orientation.

The 1995 briefing note also cited a 1993 attitudinal survey on quality of life issues, which asked members to describe their level of satisfaction with Canadian Forces policy on sexual orientation. Of 3,202 respondents, 43.3 per cent were either satisfied or very satisfied with the policy, 24.4 per cent were neutral, 28.5 per cent were either dissatisfied or very dissatisfied, and 3.8 per cent had no opinion. The briefing note compared these findings with answers to a question on employing women in all units and occupations: 44.1 per cent were either satisfied or very satisfied with women in the forces, 21.0 per cent were neutral, 32.9 per cent were dissatisfied or very dissatisfied, and 2.1 per cent had no opinion. Analysis of the 1993 survey also revealed that female service members were more accepting of the sexual orientation policy than were males (although no figures were provided), that senior officers were the most dissatisfied (37.5 per cent), and that junior non-commissioned officers were the least dissatisfied (25.7 per cent). In his conclusion to the 1995 briefing note, the author declared that 'behavioral and conduct data ... yield little or no evidence to suggest that allowing homosexuals to serve in the Canadian Forces has been problematic, either in terms of their behavior or their treatment by other members.'<sup>38</sup> He qualified his statement by noting that there was no information available from which to estimate the extent to which gay and lesbian service personnel were disclosing their sexual orientation to peers.<sup>39</sup>

Formal assessments by senior officers and other experts provide a dispassionate and consistent appraisal of outcomes associated with the policy changes. However, the experiences of military personnel who identify themselves as sexual minorities provide additional insights

<sup>38</sup> Karol Wenek, 'Briefing note for director of public policy,' Ottawa, Canadian Forces, 25 August 1995, 3.

<sup>39</sup> Based on data from anonymous large-sample surveys of Canadian Forces personnel in 1986 and 1991, the note estimates that in the years leading up to the lifting of the ban 3.5 per cent of service members disclosed that they were bisexual or homosexual.

into the real-world effects of the policy. For this study, we interviewed nine current and former service members who identify themselves as gay, lesbian, or transsexual. Six served in the Canadian Forces after the ban was lifted in October 1992, and three left the service shortly before the policy change. The six recently serving members include a gay captain currently stationed at NDHQ in Ottawa, a gay staff sergeant seaman with current posting at NDHQ, a post-operative male-to-female transsexual technical communications specialist, a reserve major, a recently retired lesbian sergeant and candidate for promotion to warrant officer at the Canadian Forces Logistics School, and a gay staff sergeant who has served with the Royal Canadian Air Force, the North American Aerospace Defence Command (NORAD), and on ships involved in United Nations missions. The three former personnel include a retired major, a former captain in a security position who was discharged in 1979 because he was homosexual, and the former Air Force lieutenant, Michelle Douglas, whose suit led to the removal of the ban.

The six members who served after the new policy was implemented had diverse personal experiences that reflected differences in the time and place of their service, gender identity, and personal decisions about how, when, and where to reveal their sexual orientation to peers. Although most have encountered situations in which particular individuals accidentally or deliberately made derogatory remarks in their presence, all six reported a generally positive and unremarkable experience navigating working relationships with peers and superiors. One member we contacted described her experience as she and other personnel in a training class watched news footage of the announcement of the lifting of the military ban. When Michelle Douglas and her female lawyer appeared in the television report, the interviewee recalled that 'there were no negative comments in the classroom. The only thing some people said was, how does she get a girlfriend who looks that good? It was her lawyer, but, of course, no one in the class knew that, except for me. It was actually quite ironic.'<sup>40</sup>

Common to all the stores was an emphasis on how military culture in general, and the implementation of the new policy in particular, places paramount importance on getting the job done and respecting

<sup>40</sup> Personal communication, Rosemary Kelly, retired sergeant, Canadian Forces, 26 January 2000.

the chain of command, regardless of one's attitude concerning homosexuality. One member said: 'If you can do your job and do it properly, well there you go, that is what matters. When there's a combat situation and you have to defend a position, or you have to go on patrol or whatever, then the most important thing here is to be able to achieve the order you receive.'<sup>41</sup> The six recently serving members all acknowledged that homophobia and personal discomfort are present among their peers, but they believe that shared military values about fulfilling one's duties have prevented dislike from undermining performance. One captain suspected that 'there are more people who are uncomfortable about us, but they're professional enough to keep their opinions to themselves.'<sup>42</sup>

The gay, lesbian, and transgender personnel we interviewed repeatedly stressed the importance of steps taken by higher-level officers to minimize discriminatory and disruptive conduct. The military's emphasis on preventing all forms of sexual harassment, for example, helped create a relatively safe working environment where social anxieties and tensions have eased. While the service members with whom we spoke all identified themselves as sexual minorities, all describe their public personae as professional, relatively private, and discrete. They confide in close friends without fear of reprisal and invite their partners to military functions; nonetheless, they do not feel the need to 'out' themselves in any formal way. Most of the respondents attribute their lower-profile public position to a dedication to simply doing a good job and minding one's own business. As Michelle Douglas noted about fears over a possible flood of conspicuous homosexual activity: 'It just doesn't happen - gay people have never screamed to be really, really out. They just want to be really safe from not being fired.'<sup>43</sup> That being said, most of the currently serving members we spoke with believe that at least some members of their units know of their status as sexual minorities.

<sup>41</sup> Personal communication, Sylvia Durand, sergeant, Canadian Forces, technical communications specialist, 5 February 2000.

<sup>42</sup> Personal communication, Marcel Forget, captain, Canadian Forces, 8 February 2000.

<sup>43</sup> Personal communication, Michelle Douglas, former lieutenant, Canadian Forces, 23 January 2000.

CONCLUSION

The removal of the Canadian military's ban on gay and lesbian soldiers followed years of judicial and political struggles. During those years, senior military leaders worried that a change in policy would seriously compromise the mission of the Canadian Forces. In addition, concerns about sexual harassment by homosexual soldiers, gay bashing, resignations, and refusals to work with homosexuals translated into ongoing support for an exemption for the military from the protections proscribed under the Charter of Rights and Freedoms. Because the Canadian Forces are entrusted with the fundamental task of protecting the interests of Canadian citizens at home and abroad, which can mean putting soldiers' lives on the line, military personnel were wary of a policy change that they thought could compromise the operational effectiveness of the armed services.

Once the demise of the ban was imminent, however, the chief of the defence staff and other military leaders took decisive steps to make the transition as smooth as possible. They dissolved any distinction in the regulations between heterosexual and homosexual soldiers, and they made it clear that the policy change had the full support of the military leadership. The Department of National Defence outlined the standards of behaviour that would be expected of all military personnel, regardless of sexual orientation, and distributed the new standards and regulations widely. Perhaps most importantly, the military leadership emphasized the distinction between beliefs and behaviour. The personal attitudes and decisions of individual soldiers would be respected, but soldiers would be expected to put personal feelings aside to accomplish military objectives and to uphold the law.

In the eight years since the ban was removed, the Canadian Forces have continued to integrate gay and lesbian soldiers and have done so as part of a larger effort to reduce harassment and discrimination among all personnel. In these efforts, sexual orientation has been neither singled out nor ignored as a potential source of conflict. The success of these steps has been borne out by all of the available evidence. Officials, military scholars, non-governmental and political leaders, and gay soldiers all concur that the removal of the ban has had, to their knowledge, no perceptible negative effect on the military. The issue of gay and lesbian soldiers in the Canadian Forces has all but disappeared from public and internal military debates.

Although the removal of the ban is not universally embraced among heterosexual soldiers, it does appear to be universally accepted. Despite potential differences, personnel appear to be able to get their jobs done in a manner that does not compromise their effectiveness. For sexual minorities who serve in the forces, the change has been less about publicly declaring their sexual or transgender orientation than about being able to do their work without fear of discovery or of losing their jobs. The removal of the ban was accompanied by policies and practices that were meant to preserve military effectiveness and simultaneously decrease the fear and anxiety of soldiers who self-identify as sexual minorities.