Lesbian, Gay, and Bisexual service members in the U.S. Military

Summary
Current federal law (10 U.S.C. § 654), also known as “Don’t Ask, Don’t Tell” (DADT) policy, prohibits openly gay, lesbian or bisexual service members from serving in the U.S. military. The military is the only employer in the United States not subject to laws against discrimination based on sexual orientation.

Background
Prior to the early 1990s, gay, lesbian, and bisexual persons were banned from serving in the U.S. military by regulation. In 1993, following intense congressional debate, the “Don’t Ask, Don’t Tell” policy was signed into law under President Clinton as an interim measure. However, the military ban remains in force largely unchanged until today. Over the last fifteen years, this legislation resulted in the administrative discharge of at least 12,500 trained service members, including about 800 individuals with 'mission-critical' skills. Enforcing the ban also cost more than $363 million for U.S. taxpayers.

The most recent attempt to repeal this law was initiated in March 2009, when Representative Ellen Tauscher (D-CA) introduced the Military Readiness Enhancement Act of 2009 (H.R. 1283) with 121 co-sponsors. This bill is designed to repeal the military ban and institute a policy of nondiscrimination on the basis of sexual orientation in the U.S. military. By the end of March 2009, the bill had 136 bipartisan co-sponsors.

The Social Science Behind this Issue
The rationale for the “Don’t Ask, Don’t Tell” policy, as stated in its legislative text, is that the presence of gay, lesbian or bisexual service members in the military would pose an unacceptable risk to morale, decency, and the development of unit cohesion (strong bonds of trust based on social similarity and shared interests). Unit cohesion, in turn, is emphasized as one of the main predictors for combat effectiveness, and thus success in military operations.

However, objective analyses of these assertions suggest that at least some of these claims are not rooted in science or impartial assessment of the issue:

• The military ban on openly lesbian, gay, and bisexual troops is unrelated to the question whether lesbian, gay, and bisexual individuals are indeed fit to serve in the military. As early as 1992, General Colin Powel, then-chairman of the Joint Chiefs of Staff, argued that the reason why gay and lesbian persons are banned from serving is not related to “performance on the part of homosexuals who might be in uniform.”
• Instead of unit cohesion, research shows that the critical predictor for a unit’s military success is task cohesion (a joint commitment to completing the task at hand). Task cohesion does not depend on whether or not all team members share the same sexual orientation.
• At least 24 countries allied with the United States have successfully lifted comparable military bans. A large proportion of these nations have public and military cultures that are less tolerant of gays and lesbians than the U.S. Several of these countries, including the U.K., have conducted service-wide comprehensive analyses of how lifting the ban affected performance in the military as a whole. All of these analyses documented that allowing gays and lesbians to serve openly had no overall adverse effects on military readiness.
The argument that lesbian, gay or bisexual service members pose a threat to decency in the military is based on the belief that they would be disproportionately more likely to be sexual predators. In fact, there is no scientific foundation for this assertion.

Prejudice against gay, lesbian and bisexual persons in the military would likely be reduced, rather than heightened, if they were allowed to serve openly. When heterosexuals enter into contact with gays and lesbians, sexual prejudice is reduced consistently.\(^8\)

The wars in Iraq and Afghanistan continue to necessitate the recruitment of qualified military personnel. In order to recruit sufficient numbers of service members, the U.S. military has been granting increasing numbers of felony waivers to recruits convicted of serious crimes (some of which include rape, child molestation, assaults involving maiming of victims, and terrorist threats). In 2007, the same year that 903 such felony waivers were issued,\(^9\) 627 qualified service members were dismissed under the DADT policy.\(^10\)

**Policy Implications**

Research on issues related to the “Don’t Ask, Don’t Tell” policy suggests that a person’s sexual orientation is unrelated to determining whether he or she should, or should not, serve in the military. Hence banning openly gay, lesbian, and bisexual troops because of their sexual orientation amounts to sexual discrimination in this particular workplace. Such a policy is liable to result in adverse consequences not only for these individuals, but also for the effectiveness of the U.S. military in general.

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*Fact sheet created by Jutta Tobias; March 2009.*

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