

In Search of a New Culture:
The Sexual Violence Against U.S. Military Women By Their Fellow Soldiers, 1978-Present

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Introduction

Surveying the news of the past fifteen years, you are bound to find numerous articles and television specials claiming to expose sexual assault and rape that occurs within the ranks of the U.S. military. After reading my first article on such a topic, I was startled. Over the next few months I continued to see snippets here and there on this same topic. However, the bits and pieces I read always seemed incomplete. The bits and pieces I read would usually reveal one woman's story, or a few women's stories, but I could never understand precisely why it happened. I wanted to understand how women who chose to risk their lives in such a noble career were also forced to protect themselves from their fellow soldiers. Was the military just a microcosm for all of society, making these women's stories just some newsworthy material? Or, did the military differ in its history and traditions, making it a unique setting for sexual assault and rape against women?

Writing in the early 1970s, Susan Brownmiller helped lead the women's movement in redefining rape. She notes how many historians had ignored the systemic rape of women in nearly all chapters of history, as they believed this information to be "tangential, inconsequential or as possessing dubious validity."¹ Society's notions about gender and rape had led them to this conclusion. Rape only made it into history books, she asserts, "as a bit of color, a paragraph of vivid, gutsy writing," however, "it is never treated as more than an isolated incident."² Brownmiller and the women's movement redefined rape and assault as a violent crime instead of a sexual crime that is used as a weapon against women to control them and forcefully remind them of their inferior role in society. Redefining rape in this way had profound effects on society, especially within the court room where women could finally have a chance at justice. Within

¹ Susan Brownmiller, *Against Our Will: Men, Women, and Rape* (New York: The Ballantine Publishing Group, 1975), 114.

² Ibid.

this paper, I use the term “sexual violence” as my own interpretation of Brownmiller’s work and to encompass the rape, sexual assault, and other sexual crimes used against women in this way. Without the women’s movement and especially Brownmiller’s work, the understanding of these crimes against women as violent would not exist.

Understanding these crimes as violent is the only way to understand how they operate in society. Sexual violence is still used as a weapon against women, as power-wielding acts. Understanding it in this way allows historians to understand more about history, the parts of culture that have been transformed, and aspects of culture that have remained the same. Sexual violence as a weapon against women is a product of culture and traditions both steeped in patriarchy and the extending notions of gender. Hence, to gain the most insight and truth in understanding sexual violence as it occurs in the military can be – and should be – understood as a product of military culture, a culture even more pervaded by patriarchy and the extending notions of gender.

My goal with this paper is to establish a place within history for those stories I initially read by military women about sexual violence they had endured. I hope to add to the growing body of history that no longer sees sexual violence as “tangential, inconsequential or as possessing dubious validity,” but as illuminating reflections of societal attitudes and cultural vales. This paper will describe how sexual violence against U.S. military women by their fellow soldiers results from a centuries-rooted culture which defines masculinity in a way that is hostile and demeaning to women, contributing to gender harassment and further resentment against women. Both encourage an environment that is physically abusive towards women, many times through sexual violence.

In chapter one I will provide a detailed background of women in the military between 1940 and 1980 to prove how from the first moment women began entering the military, men dictated women's role and showed signs of hostility to women being powerful and stepping outside their traditionally viewed gender role. I will then show how by the 1970s the women's movement's redefinition of rape helped to understand the gender hostility and escalating sexual violence that was occurring in the military as women's roles expanded, and they were fully integrated into the ranks. I will continue to prove how despite women's integration with the branches, military culture's long-established definition of masculinity and the implications of that definition constructed an environment hostile and abusive to women, who appeared as a threat to age-old military culture.

In chapter two I will present two distinct episodes in the 1990s which exemplify the ingrained ideas of military culture and how they posed a problem for women who had been entering the forces in greater numbers. Finally in chapter three I will analyze some of the ways the military responded to the escalating claims by women of sexual violence within the military in an effort to prove that the military remains inattentive to the core source of the problem. To conclude, I will emphasize ways in which the military today in 2010 neglects the source of the problem and instead perpetuates the idea that women do not belong in war except in certain roles, thereby encouraging the same definition of masculinity which in turn creates a hostile, violent atmosphere towards women. Ultimately this results in a vicious cycle.

Chapter 1: Military Women and Military Culture

The history of women in the U.S. military is long and troubled. Women have served in the military unofficially, often disguised as men or as servants, since the Revolutionary War. But women have not officially been welcomed into the military until the establishment of the WAC in the 1940s. It took another three decades before women were allowed into the military branches, fully integrated with men. Women's presence has steadily grown since, increasingly dramatically in the 1990s. The influx of women into the military, however, has been fraught with problems, including official and unofficial discrimination, harassment, and even pervasive violent assault. This chapter will consider women's history in the military, as well as the patriarchal military culture and how that culture provokes sexual violence against women.

In 1942 the establishment of the Women's Army Auxiliary Corps (WAAC) made women a supplementary – if not a subordinate – branch for the United States armed forces. Viewed as a second class service, WAACs were often degraded and discredited by men in the military. Indeed the WAAC provides one example of immediate hostility to women's invitation to the military. The WAAC worked *with* the military but was not technically part of the military. As a result, WAACs could not receive overseas pay, government life insurance, veterans' hospitalization, death gratuity, or prisoner of war protection. Without any of these benefits or protections, WAACs' service alongside the military was quite risky. From the first moment women started working alongside servicemen, traditional military culture rejected them.³

WAAC director Oveta Culp Hobby and Congresswoman Edith Nourse Rogers introduced a bill to the Senate to improve military women's status. After Senate approval, members of the House dissected the bill, specifically asking questions about how much authority women would

³ Bettie J. Morden, "The Women's Army Corps, 1945-1978," *Army Historical Series*, Center of Military History, <http://www.history.army.mil/books/wac/index.htm#contents> (accessed April 28, 2010).

receive with this higher status. For six months House members mulled over questions such as, “What would be the top rank for women? How large would the new Corps be? What types of duty would Corps members perform? What benefits would be granted?”⁴ The House members, an overwhelming majority of whom were men, never even thought to assume women would have equal status as men. In July 1943, the WAAC became the Women’s Army Corps (WAC). In addition to no longer being called an auxiliary corps, the new WACs would finally receive payment and many of the benefits and protections they lacked before. The new WAC also had no size limitation, accepted more women from a greater age range (20-49 as opposed to 21-45), and abandoned their previously used military titles in favor of using the same titles as servicemen in the other branches.⁵

There were still limitations. Though the WAC lacked the “auxiliary” in its name it still did not have a branch of its own within the regular and reserve Army; in other words, WAC was an emergency, temporary group. Most obviously, they could not serve in combat. Despite Director Hobby’s efforts to make it clear the WAC should be treated no differently from servicemen, or given any special regulations, legislators assumed women would not participate in combat. The expectation was so pervasive that it wasn’t even included in the law, and it didn’t need to be. Society dictated that physiological differences would make it impossible for women to be in combat. Women were therefore excluded from all combat and weaponry training.⁶ Other limitations pertained to ranking. Within the WAC, the highest level a director could advance to was colonel. The highest level any other officer could advance to within the WAC was lieutenant colonel. The highest level any enlisted women could advance to was master

⁴ Ibid.

⁵ Ibid.

⁶ Ibid.

sergeant (E-7).⁷ Thus all higher levels of authority were for men only. Women were also barred from ever commanding men.⁸ Already, limitations on women's freedom and authority within the military were evident. Long before any talks of glass ceilings, the women in the WAC experienced them.

By Victory in Europe Day, May 8, 1945, there were 99,388 women in the WAC. Servicewomen built a reputation for themselves by participating in the many theaters of World War II, but their numbers remained low. The low numbers were a result of both the "slander campaign" and "continuous male opposition to women in uniform."⁹ The slander campaign began in early 1943. Critics of women in uniform, from both military and civilian society portrayed women who chose military life as disreputable, shameful, immoral, even obscene. As Bettie Morden writes in "The Women's Army Corps, 1945-1978," "This pastime seemed to have originated within the Army itself where the hostile attitude of many males, both officer and enlisted, toward the WAAC was well known and where little effort was made to disguise it."¹⁰ This was perhaps one of the earliest glimpses of military culture and direct male hostility to the idea of female soldiers. Military men found it a joking matter and harassed the women who chose to sign up.¹¹

The low numbers of WACs after the war caused training sites to close. Though women were no longer an auxiliary branch to the military, their permanency in the military after World War II was still questionable. As the war came to a close in 1945, the WAC ceased to enlist

⁷ Ibid.

⁸ Ibid.

⁹ Ibid.

¹⁰ Ibid.

¹¹ Ibid.

women.¹² Women in the WAC had no status in peacetime or reserve status. Once the war ended, 1943 WAC legislation called for a six month disbandment period.¹³ Future president and General Dwight Eisenhower supported women's right to regular and reserve status in the military. After Eisenhower ordered legislation to be drafted in support of this goal, the War Department announced a major campaign "to persuade active duty WACs, particularly those with specialist skills, to extend beyond their scheduled release dates and to encourage former WACs to reenlist."¹⁴ The "WAC bill" as it came to be known, offered stability to WAC as a real, permanent branch in the military, offering its members "a career with prestige and security."¹⁵ As the bill traveled through Congress, the question of regular and reserve status provoked new debates about women becoming part of the military, officially and permanently.

As women began putting more pressure on the military, groups opposing women's "watering down" of the military grew hostile, making official integration more difficult.¹⁶ However, the bill passed through the Senate. On July 15, 1947, the Senate approved the Women's Armed Services Integration Act of 1947, which applied to women across the branches of the armed forces. The bill passed to the House. To show his support, General Eisenhower wrote a letter for delivery to the chairman of the House Armed Services Committee. He wrote:

My experience in the use of WACs covers both wartime and peacetime conditions, both overseas and in the Zone of Interior. That experience has convinced me that a modern army must have WACs. Modern warfare places our future as close to the firing line as Europe's past. That means that the women of America must share the responsibility for the security of their country in a future emergency as the women of England did in World War II I heartily support,

¹² "The Women's Army Corp in Review," *The Jewish Women's Archive*, <http://jwa.org/discover/infocus/military/army/wactimeline.html> (accessed April 30, 2010).

¹³ Morden, "The Women's Army Corps, 1945-1978."

¹⁴ Ibid.

¹⁵ Ibid.

¹⁶ Ibid.

and urge speedy Congressional approval of, the bill to integrate women into the Regular Army and Organized Reserve Corps.¹⁷

After the Congress postponed hearings on the bill, many WACs were discouraged and disappointed. Colonel Mary A. Hallaren, director of WAC, attempted to boost morale:

You have been over the hurdles once-back in the WAAC/WAC days. There were many bets against you then: that you couldn't take itThose who bet against you lost. You sold the country on the value of women in a wartime Army. You sold the Army on the need for women in the peacetime establishmentBreaking the trail has always been harder than following it.¹⁸

Colonel Hallaren continued to push for the bill so the WAC would not be dissolved but would continue as a permanent branch of the military.

After some technical revisions, the Women's Armed Services Integration Act of 1947 became the Women's Armed Services Integration Act of 1948. As it headed back to Congress, the bill met more opposition as a secret "cloakroom" council developed consisting of men who felt women should only have reserve status "until their peacetime status could be studied and observed."¹⁹ Continuing to prove the contrary, Colonel Hallaren compiled more testimonies and evidence in support of women's reserve status to present at the hearings.²⁰ But evidence of women's positive contribution was not able to overcome inherent biases against women.

One participant in the hearings was Leslie S. Perry of the National Association for the Advancement of Colored People (NAACP), whose very presence underscored that among women, there were also vast inequalities. He requested an amendment to eliminate "discrimination or segregation on account of race, color, religion, or national origin" in each of the women's services.²¹ Using statistics, he showed the number of black women who served in

¹⁷ Ibid.

¹⁸ Ibid.

¹⁹ Ibid.

²⁰ Ibid.

²¹ Ibid.

World War II and those who were still active. However, the proposal to add the amendment was defeated. Carl Vinson, one of the original members opposed to women having regular status, commented on the amendment, "Discrimination is forbidden by the Constitution and none can be practiced by the armed services, hence it is unnecessary to put such a provision in this bill If Negroes are qualified and meet the requirement, we can and do accept them Let us legislate for the whole country and not for any particular group."²² Vinson failed to recognize the parallel between discrimination against blacks and discrimination against women.

Legislators also failed to settle on how many women should be allowed in the military at once. Some congressmen said that women should comprise no more than two percent of the total regular army.²³ Some legislators questioned how two percent made sense. Lyndon B. Johnson posed the question, "The fighting forces of the Army [are] now 12,000 under strength.... Why do you want to tie yourself to two percent; why don't you put in a limitation of five percent, which would allow you to enlist up to 33,000?"²⁴ Vinson warned, "If you try to bring in 35,000, you will hear the cry all over the country that you have an Army of women."²⁵ Clearly, an "army of women" was unacceptable. Vinson's comment showed how a masculine military culture was taken for granted: it was the only kind of military that could be successful. Men were warriors, not women. And putting women into warrior costumes would appear weak.

Assumptions about gender became apparent in other discussions. Leroy Johnson of California questioned the provisions for dependent WACs. He believed that the provisions would "open the door for wholesale support of husbands by servicewomen."²⁶ Colonel Hallaren assured him that women would continue to be required to provide proof that their husbands were

²² Ibid.

²³ Ibid.

²⁴ Ibid.

²⁵ Ibid.

²⁶ Ibid.

dependent. As had been true under earlier legislation, even though a serviceman's wife and children were automatically assumed to be his bona fide dependents, a servicewoman would have to provide documentary proof that she provided over 50 percent of her dependents' financial support. The director added that women with dependent children under eighteen would not be admitted to the services.²⁷

The bill was defeated and emerged from the House without any mention of regular status. When supporters looked for a new platform to preserve a future for legislation granting military women regular status, opponents in Congress spoke out. Paul W. Shafer of Michigan noted that "male officers with combat records had not been accepted for the Regular Army."²⁸ Adding to this comment, Armed Services Committee Chairman Walter G. Andrews remarked, "You who favor putting women in the Regular service . . . will dish out Regular commissions to women in spite of the fact that these young men, who fought for their country during the war, were denied these commissions."²⁹ In other words, Andrews was asking, why would women be given regular commissions when those commissions could be given to men? The logic behind this statement assumed women were inferior to men. Taking women when there were men available was unacceptable. Dewey Short of Missouri remarked, "We were told that eight percent of all women while they were in the service became pregnant. I do not cast aspersions, I tell facts."³⁰ He continued that he had heard that women suffered many illnesses and disabilities related with menopause that "the costs of their medical care would be prohibitive."³¹ The discussion underscored a deeply sexist view of women's bodies as lesser than men's, as suspect, deficient, and unreliable – views which pervaded men's feelings about women in the military. Edward H.

²⁷ Ibid.

²⁸ Ibid.

²⁹ Ibid.

³⁰ Ibid.

³¹ Ibid.

Rees of Kansas asserted that the jobs done by women in the military women could be performed by women in the federal civil service, again implying that the military didn't need women.³²

Even congressmen who did support granting women in the military regular status did so with a narrow view. One such example includes Harry R. Sheppard of California. Sheppard responded, "Let the draft fill up the shortages which men alone can fill . . . but let us not take a man away from a farm, home, or school . . . to be a telephone operator. There are and always will be jobs . . . women can do better."³³ Sheppard revealed common assumptions about gender: women could do *certain* jobs, but only certain jobs. This meant women could be in the military, provided they stayed in less powerful positions.

Unable to reach an agreement on the bill, a joint conference committee formed to research and deliberate. Committee members frequently asked for statistics on "marriages, pregnancies, menopause, the GI Bill and other veterans' benefits, and dependency allowances within the women's services" to help them reach an agreement. During this time, Colonel Hallaren remarked, "I don't think it is possible for anyone to think of another point of opposition. They have all been used."³⁴ Women were viewed so differently from men, physiologically, emotionally and intellectually, that granting them regular military status was a serious concern.

Finally the conference committee reached a decision. International circumstances bolstered women's case for regular status. Cold war advancements combined with the Army's low recruitment numbers pressured the President to ask for a draft. Due to the unpopularity of conscription, politicians did not want voters to see them turn away women – women who were

³² Ibid.

³³ Ibid.

³⁴ Ibid.

willing to join – and instead implement a draft. Hence, many legislators reversed their positions and grudgingly supported the bill.³⁵

House members agreed to grant women regular status in all of the services, under two conditions. An amendment was added to limit the number of women integrated between 1948 and 1950. In addition, only two percent of all troops could be women. There was also a provision that women officers would be commissioned in the regular services in three or four increments instead of one. These amendments showed the concerns and biased attitudes of the men legislating. The amendments on their face alienated and discriminated against women, keeping them a very small minority. However, there was still achievement.

Despite its limitations, the bill was a victory for women's inclusion in the military, and on June 12, 1948 the Women's Armed Services Integration Act passed with President Truman's signature. After a draining five-year saga, WACs were finally an integral part of the Army.³⁶ Inequalities between the sexes in the military did loom large. After having to attain men's approval to be part of the military, military women now had to face men within the armed forces and a military culture that was tended and tilled by men for centuries.

Finally a part of the regular and reserve, the WAC remained until 1978. By this point civilian culture had different attitudes about women, most notably due to progress by the women's movement. The thirty years between the signing of the Women's Armed Services Integration Act in 1948 and the WAC's termination in 1978, the women's movement helped change attitudes about women in society.³⁷

The women's rights movement of the 1970s helped produce pivotal legal changes that opened up more opportunities for women in the military. However, the conflict in Vietnam also

³⁵ Ibid.

³⁶ Ibid.

³⁷ Ibid.

helped the women's case as military personnel shortages allowed women to have expanded roles in the military. In 1970, within the Army Nurse Corps and the Women's Army Corps (WAC), women were promoted to the rank of general for the first time. Two years later, women entered the Reserve Officer Training Corps (ROTC) program for the first time.³⁸ When the United States opted for an all-volunteer force in 1973, they could not attract men in the numbers they needed. As a result, women became appealing recruits to the military.³⁹ The military increased their efforts to gain women recruits and assigned them to a wider range of positions. It was one way to "meet [the] shortfalls in enlistments by qualified men."⁴⁰ It was also a way to offset the growing number of African American volunteers.⁴¹ By 1976 women were allowed to attend the service academies.⁴²

In 1978 society was ready to see women integrated as individuals alongside men in all branches of the military, and this is exactly what happened. The WAC was terminated and women no longer had their own branches but were integrated into all of the branches.⁴³ The women were ready, but were the men? The years following – the decades following – proved to be a transition as women adjusted to this change. This change proved to have serious consequences for the age old military culture. In decades prior, despite finally being granted regular and reserve status, writer and professor Cynthia Enloe alludes to how the change in 1978 suggested an even greater sense of permanency in women's permeation of the military. She writes:

³⁸ "The Women's Army Corp in Review," *The Jewish Women's Archive*.

³⁹ David F. Burrelli, "Congressional Research Brief: Women in the Armed Forces," Federation of American Scientists, <http://www.fas.org/man/crs/92-008.htm#summ> (accessed April 30, 2010).

⁴⁰ *Ibid.*

⁴¹ Cynthia Enloe, *The Morning After: Sexual Politics at the End of the Cold War* (Los Angeles: University of California Press, 1993), 207.

⁴² Morden, "The Women's Army Corps, 1945-1978."

⁴³ *Ibid.*

In both world wars the contradiction between the need to mobilize women as soldiers and the need to prevent women's presence from undermining the military's legitimizing image of manhood was softened somewhat by the very notion that the time was peculiar and finite: female recruitment was only 'for the duration.' In contrast, current recruitment [in the 1980s] is less time bounded....It is being carried out in order to compensate for long-term demographic changes in society and because of long-term need of the armed forces to acquire soldiers with educational standards that match their ever more esoteric weaponry.⁴⁴

In particular, as women joined the men's ranks, women were raped and assaulted in greater numbers by their fellow servicemen. Enloe observed how sexual abuse against women in the ranks grew "first, as the numbers of women in the military have increased; second, as the practice of integrating women into once all-male units has become more common and, third, as women have gradually moved into those technical jobs once considered securely 'masculine.'"⁴⁵ By four years after women's integration with the branches, the army felt pressure to distribute a film on sexual harassment.⁴⁶ Enloe described how "base commanders were instructed to show the film and to curtail such behavior because it was hurting combat readiness."⁴⁷ Their reasoning shows how they blamed women for causing a disruption. Additionally, Enloe noted how "simultaneously, however, the army announced that integrated male-female training units weren't working and also that women would be excluded from a great number of jobs."⁴⁸ Almost as soon as they had entered, women were being penalized for the increase in harassment that men were committing.

The women's movement of the 1970s contributed to women's progress with the military. The women's movement had achievements in a variety of fields, but one very substantial contribution included the movement's redefinition of rape and sexual violence. Susan

⁴⁴ Cynthia Enloe, *Does Khaki Become You? The Militarization of Women's Lives* (Boston: South End Press, 1983), 138.

⁴⁵ *Ibid.*, 147.

⁴⁶ *Ibid.*, 149.

⁴⁷ *Ibid.*

⁴⁸ *Ibid.*

Brownmiller played a pivotal role in the women's rights movement and for victims of sexual violence no matter what the setting by politicizing rape. Rape, she argued, was used as a political tool for centuries. In the United States, rape played a huge role both during slavery and post-civil war years.⁴⁹ White men stressed their power to female slaves by subjugating them to rape. At the same time, white men used the rape against white women as a way to target black men.⁵⁰ Brownmiller made it clear that rape wasn't necessarily about the act itself, but about the point men proved when they committed it. It wasn't a sexual act, but a violent one committed to prove the point that women have a place, and that place is inferior to men. In fact, Brownmiller even pointed out that men have raped women for many of the same reasons that whites lynched blacks: "as group punishment for being uppity, for getting out of line, for failing to recognize 'one's place,' for assuming sexual freedoms, or for behavior no more provocative than walking down the wrong road at night in the wrong part of town and presenting a convenient, isolated target for group hatred and rage."⁵¹ It was about controlling another group of people, stripping them of power, dehumanizing them.

By reminding women of their proper "place," rape acted as both a violent and sexist act, as it is often still used as a "weapon of terror" by a "conqueror."⁵² For a true understanding of rape, it is necessary to understand violence.⁵³ Brownmiller wrote, "Although it is not unusual to hear of one rapist who manages to keep a second victim at bay and immobilized while he methodically attends to the first, the numerical odds in rape situations are more typically in the

⁴⁹ Brownmiller, *Against Our Will: Men, Women, and Rape*, 240-250.

⁵⁰ *Ibid*, 255.

⁵¹ *Ibid*, 254-5.

⁵² *Ibid*, 35.

⁵³ *Ibid*, 181.

rapist's favor. This in itself tells us much about the nature of the act," proving that rape is about power and domination, not sex.⁵⁴

The violence that is an integral part of rape stems from an attempt to demonstrate and enforce masculinity and toughness.⁵⁵ Brownmiller looks at rape in many settings. In prisons, she describes how "rape was a product of the violent subculture's definition of masculinity through physical triumph," proving once again how male superiority and violence were deeply entwined.⁵⁶ Her studies trace rape deep into history, and she writes, "Ethnological studies of primitive peoples far removed from us suggest the use of rape as an expression of manhood, an indication of the property concept of women and as a mechanism of social control to keep women in line."⁵⁷ Hence, a major part of the issue is that modern society still values similar concepts of manhood and ideas of women as property, even if they are more subtle messages. "The theory of aggressive male domination over women as a natural right is so deeply embedded in our cultural value system" that it seems impossible to expel of these notions (389).

Brownmiller and the women's movement successfully politicized rape and redefined how it was understood as specifically a *violent* act that is both fueled by sexist values and promotes sexist values creating a vicious cycle. The only way to stop it is to change the cultural values it stems from: "[T]he problem is...that cultural sexism is a conscious form of female degradation designed to boost the male ego by offering 'proof' of his native superiority (and of female inferiority) everywhere he looks."⁵⁸ As already noted, the military utilized this "cultural sexism" to "boost the male ego" and create unity among troops. By doing this, the military encouraged rape and sexual violence to continue, and it did.

⁵⁴ Ibid, 187.

⁵⁵ Ibid, 181.

⁵⁶ Ibid, 267.

⁵⁷ Ibid, 288.

⁵⁸ Ibid, 389.

Due to this unique military environment – where cultural sexism was directly employed to achieve male unity – sexual violence had the ability to thrive. Brownmiller notes how other settings create more opportunities for sexual violence. She notes that “police rape is special, for it is an abuse of power committed by those whose job is to control such abuses of power.”⁵⁹ She describes how police departments were similar to militaries in how they both were a “traditionally male, authoritarian institution.”⁶⁰ However, she continues that because police departments are “empowered by law to employ force where necessary to protect us from crime,” police rape represents one of the worst situations, “for when society’s chosen figure of lawful authority commits a criminal act upon one of those persons he has been sanctioned to protect, to whom can a woman turn for justice?”⁶¹ A military can be seen in this same light. The armed forces acts as the United States’ police against other nations. Like police, the military can use force when necessary and the purpose is to protect our nation. However when that military, which has been “employed by law” to protect the country, “commits a criminal act” – this time against one of his fellow soldiers in the military – how does a woman receive justice?

Because rape and sexual assault are both forms of violence, it follows that rape and war go hand in hand. Rape and assault in times of war are even more common because, as Brownmiller reports, “It has been argued that when killing is viewed as not only permissible but heroic behavior sanctioned by one’s government or cause, the distinction between taking a human life and other forms of impressible violence gets lost,” and as a result, “rape becomes an unfortunate but inevitable by-product of the necessary game called war.”⁶² This argument shows how sexual violence is merely one more way to demonstrate power over another person. Just as

⁵⁹ Ibid, 270.

⁶⁰ Ibid.

⁶¹ Ibid.

⁶² Ibid, 32.

war is based on violence, and based upon dehumanizing the enemy, so too is the rape of women by men. In fact, the war environment makes sexual violence inevitable, giving men the ultimate context to “vent their contempt for women.”⁶³ She continues how “the very maleness of the military – the brute power of weaponry exclusive to their hands, the spiritual bonding of men at arms, the manly discipline of orders given and orders obeyed, the simple logic of the hierarchal command – confirms for men what they long suspect, that women are peripheral, irrelevant to the world that counts, passive spectators to the action in the center ring.”⁶⁴

To make things clearer, a member of the U.S. Army Court of Military Review told Brownmiller that the number of prostitutes available makes no difference – there are always prostitutes in war, but there is rape too.⁶⁵ Thus, rape is a different kind of act, one that establishes power over and dehumanizes its victim. One Vietnam veteran mentioned rape as “standard operating procedure” and “it was a rare GI who possessed the individual courage or morality to go against his buddies and report, let alone stop, the offense.”⁶⁶ This was common behavior, and to try and stop it might jeopardize one’s own manliness.

The redefinition of rape by the women’s movement can be seen in military culture of the late seventies, eighties, and nineties. The rape and sexual violence that began after women blended into the ranks in 1978 can be understood as a result of gender hostility. Military culture consisted of only men for centuries, since its establishment. Women who did participate participated as nurses or in disguise as men until the formation of the WAC. As a result, military culture indicated for centuries that a soldier was everything that is stereotypically masculine: strong, aggressive, tough, heterosexual, and even violent. A soldier was a warrior, and warriors

⁶³ Ibid.

⁶⁴ Ibid.

⁶⁵ Ibid, 107.

⁶⁶ Ibid.

were men. The warrior could be said to embody what writer and professor Cynthia Enloe calls “a standard of manliness that men are supposed to live up to and women are supposed to look up to.”⁶⁷ Thus, when women were no longer separated in their own branch they could no longer be viewed as a separate-kind-of-warrior. This threatened the warrior culture and morale used in the military. In fact, the Army Administration Center released a “Final Report” in 1978 which indicated women would not have the masculine characteristics necessary for being in the military.⁶⁸ Enloe illuminates how militarism as an ideology – as opposed to just an institution – assumes this definition of masculinity, which is only supported and affirmed through the coordinating definition of femininity.⁶⁹ Enloe writes how this definition of masculinity “only makes sense if supported by the complementary concept of ‘femininity.’”⁷⁰ Michael Rustad, professor at Suffolk University Law School and author of *Women in Khaki: The American Enlisted Woman* wrote how the report mentioned women’s “size, strength, grip, arm and leg length, endurance, coordination, aggressiveness, toughness, mechanical ability, pregnancy, and self-image” all as potential issues that would limit women from succeeding as soldiers.⁷¹ After entering “an all-male domain,” women were often blamed for failure, as they were seen as the disruption.⁷²

Writing in 1982, four years after the final integration, Rustad provided examples of the warped masculine stereotypes that still seemed to dominate military culture. He emphasized the prevalence of masculine language used in everyday military life. He noted, “The cult of manliness is emphasized in recruitment and training. Males are encouraged to join the Army to

⁶⁷ Enloe, *Does Khaki Become You?*, xxix.

⁶⁸ Michael Rustad, *Women in Khaki: The American Enlisted Woman* (New York: Praeger, 1982), 191.

⁶⁹ Enloe, *Does Khaki Become You?*, 7.

⁷⁰ *Ibid.*

⁷¹ Rustad, *Women in Khaki*, 191.

⁷² *Ibid.*

become a man. The marine corps wants only ‘a few good men.’ In basic training, males who do not perform well are labeled as ‘women.’”⁷³ Enloe describes how the definition of masculinity the military relies on, influenced how the men acted: acting masculine meant not acting feminine.⁷⁴ Thus, to prove one’s manliness means to prove one is not a woman.⁷⁵

Entering the military in greater numbers, women became a threat to this “warranty of masculinity” men felt they earned in the military.⁷⁶ If women could be successful in the military, the job could not act as a way of affirming masculinity for those who looked for it.⁷⁷ Rustad describes how some military men who resisted women’s integration felt their all-male culture – their humor, language, and camaraderie – was threatened.⁷⁸ Thus, to be in the military, or to have military status, meant to be a man or act like one. Only men and the boasting of exaggerated stereotypical male traits yielded power, and therefore safety – because only a powerful military would keep the nation safe. Why did that power have to come from dehumanizing certain members of the ranks?

By focusing on the stereotypical masculine nature of the job, the military strengthened stereotypical ideas about both genders. If only men could be strong and aggressive – if only men could make for a powerful military – then women were weak. Since this “warranty of masculinity” was part of the appeal of the military to some men, many resisted women’s integration or remained hostile to women. Rustad described how sexist rhymes “functioned as cadence counts in basic training” to encouraged soldiers to be stronger.⁷⁹ Additionally, all branches of the military utilized misogynistic comments to put down women and boost unity

⁷³ Ibid, 181.

⁷⁴ Enloe, *Does Khaki Become You?*, 13.

⁷⁵ Ibid.

⁷⁶ Rustad, *Women in Khaki*, 182.

⁷⁷ Ibid, 191.

⁷⁸ Ibid.

⁷⁹ Ibid, 181.

among men.⁸⁰ Enloe discussed how drill sergeants shout “Woman!” into the face of a young man to strip him of his “feminine attributes.”⁸¹ Even after women were admitted to the armed forces, the military affirmed itself as what Enloe referred to as “a male bastion of identity,” emphasizing males as the superior, dominant sex.⁸² Women were sacrificed and often forced to endure “gender harassment,” for the sake of male unity. According to Laura L. Miller, gender harassment humiliates or harms women for violating their traditional gender role.⁸³ As women moved further into the military, an institution and culture created by men and for men for centuries, they did not adhere to women’s traditional, even if stereotypical, gender role.

Allowing women into the military, even if they were restricted from some roles – as they still are today – jeopardized “men’s certainty about their male identity and thus about their claim to privilege in the social order.”⁸⁴ Gender harassment served as an attempt to reclaim that privilege. Military women faced degrading attitudes toward their decision, and many attempted to conform to the centuries old mold. However, women didn’t always have the option of completely conforming to the mold: if they were too manly, they faced taunts about their sexuality. This clearly exacerbated gender harassment as women could have no identity in the military that was safe from criticism. Rustad wrote, “Females in khaki-collar jobs faced a double bind. If they succeeded in their jobs, doubt was cast on their femininity. If they failed, their sex role was affirmed at the expense of their work role.”⁸⁵ In her book *Camouflage Isn’t Only for Combat: Gender, Sexuality, and Women in the Military*, Melissa S. Herbert described how

⁸⁰ Gregory G. Gunderson and Sarah L. Zeigler, *Moving Beyond G.I. Jane* (Lanham, MD: University Press of America, 2005), 111.

⁸¹ Enloe, *Does Khaki Become You?*, 14.

⁸² *Ibid*, 15.

⁸³ Laura L. Miller, “Not Just Weapons of the Weak: Gender Harassment as a Form of Protest for Army Men,” *Social Psychology Quarterly* 60.1 (Mar 1997): 32-51. JSTOR. Carnegie Mellon University Libraries, <http://www.jstor.org/stable/2787010?cookieSet=1> (accessed April 30, 2010).

⁸⁴ Enloe, *Does Khaki Become You?*, 15.

⁸⁵ Rustad, *Women in Khaki*, 158.

women entering any environment where men dominate must manage their “femaleness.”⁸⁶ One strategy includes the nearly impossible process of balancing feminine characteristics with business characteristics, or in this case, military characteristics.⁸⁷ Too extreme on either side – femininity or business – results in “dyke” versus “whore” stereotypes to maintain a traditional definition of feminism.⁸⁸ Women are called dykes when they defeminize themselves too much and instead emphasize their professional status too much. These women who were too business-like – in other words, too manly – were sometimes raped in an effort to punish them or force them to be more feminine and “turn them on to men.”⁸⁹ Consequently, women were labeled whores when they did not defeminize their role *enough*, and therefore became *too* feminine and not professional. The assumption in this logic declared femininity and professionalism incompatible traits. Enloe notes how “40 women at a navy base and marine base in Millington, Tennessee were investigated on grounds of lesbianism after a number of women had rejected sexually harassing advances from their male instructors.”⁹⁰ This manipulation of women’s femininity had the power to control who was allowed in the military and who wasn’t. In addition, the fact that women even had to think about controlling how much femininity and masculinity they showed was an even larger issue, and proof of gender harassment at play. Women could not be women, and therefore had to try to create a different identity.

Gender harassment operated in more ways than one. To control women from gaining too much power after they joined the men’s branches, the military immediately implemented “a

⁸⁶ Melissa S. Herbert, *Camouflage Isn’t Only for Combat: Gender, Sexuality, and Women in the Military* (New York: New York University Press, 1998), 21.

⁸⁷ *Ibid.*

⁸⁸ Rustad, *Women in Khaki*, 158.

⁸⁹ T.S. Nelson, *For Love of Country: Confronting Rape and Sexual Harassment in the U.S. Military* (Binghamton, NY: The Haworth Press, 2002), 62.

⁹⁰ Enloe, *Does Khaki Become You?*, 149.

seemingly impenetrable thicket of restrictions, policies, and outright fabrications.”⁹¹ The armed forces found loopholes to help them get away with treating women differently, and not granting them too much power within. Enloe describes restrictions created in the 1980s that attempted to keep women in an inferior class of the military. She describes various measures the armed forces use – regarding pregnancy, menstruation, and upper-body strength – to prove that there is a “fundamental, intrinsic difference between male and female soldiers.”⁹² She continues that if they find this intrinsic difference, military officials will feel they have a legitimate excuse to keep women from higher command positions, combat, and other restricted roles.⁹³ Ultimately the military relied on the oppression of women to affirm the masculine code so crucial to military culture.⁹⁴

Gender harassment also operated within the justice system, though subtly. The military had and continues to maintain its own justice system to facilitate punishments, legal decisions, and address particular issues unique to the military environment including but not limited to desertion, conspiracy, and insubordination. All are dictated by the Uniform Code of Military Justice (UCMJ). Though the UCMJ shares similarities with the civilian justice system, the UCMJ is completely separate from the civilian code: military courts only have power over service members. The separate system helps to promote consistency and uniformity, two core values of the military, by providing swift actions and penalties.⁹⁵

The separate justice system is clearly a necessary component of the military, as civilian courts can be a slow process and may not keep to the same standard of uniformity the military

⁹¹ Donna M. Dean, *Warriors Without Weapons: The Victimization of Military Women* (Pasadena, MD: Minerva Center, 1997), 22.

⁹² Enloe, *Does Khaki Become You?*, 138.

⁹³ *Ibid.*

⁹⁴ *Ibid.*, 17.

⁹⁵ “Chapter 47 - Uniform Code of Military Justice,” *Cornell Law School*, Legal Information Institute, <http://www.law.cornell.edu/uscode/10/stApIIch47.html> (accessed April 30, 2010).

values. However, as author T.S. Nelson pointed out in *For Love of Country: Confronting Rape and Sexual Harassment in the U.S. Military*, “the criminal justice response can make the difference in the victims’ attitudes about reporting the crime and ultimately prosecuting the sexual offender.”⁹⁶ She elaborated, “For military rape victims, however, there are many obstacles to the successful court-martial (prosecution) of a fellow service member. The initial barriers are the military laws on sexual offenses.”⁹⁷ Although the Uniform Code of Military Justice was very straightforward in its laws – to encourage military uniformity – its directness was also its flaw as it left little room to protect those from other sexual offenses.⁹⁸ Nelson noted how the UCMJ did not “define other types of sexual assault, except perhaps under ‘sodomy.’”⁹⁹ “Moreover, until the recent changes to this section of the UCMJ in 1992 and 1996, the military still granted ‘marital privilege.’ It was not illegal to force ‘your wife’ to have sexual intercourse.”¹⁰⁰ The UCMJ was again amended in 2007.¹⁰¹ However this is a recent change after many decades of abuse against women, and many decades of little recourse for victims.

As noted earlier, gender harassment can be understood as punishing women for violating their gender role. By having a justice system that so clearly disfavored women, it was one way to punish women for entering the military. Even worse, service members were legally prohibited from seeking justice or legal remedies as government employees within the civilian justice system.¹⁰² In 1950, the U.S. Supreme Court established the *Feres Doctrine*, which prohibited armed forces members from claiming torts for injuries obtained in the military. The rationale

⁹⁶ Nelson, *For Love of Country*, 70.

⁹⁷ *Ibid.*

⁹⁸ *Ibid.*

⁹⁹ *Ibid.*, 71.

¹⁰⁰ *Ibid.*

¹⁰¹ “Sex offenses in the Military – The New Article 120, U.C.M.J.,” *Federal Law Enforcement Training Center*, U.S. Department Homeland Security, <http://www.fletc.gov/training/programs/legal-division/downloads-articles-and-faqs/articles/SexOffensesintheMilitary.pdf> (accessed April 30, 2010).

¹⁰² Gunderson and Zeigler, *Moving Beyond G.I. Jane*, 116.

was that these claims may “undermine military discipline, decision-making and this effectiveness.”¹⁰³ The *Feres Doctrine* was reaffirmed by the U.S. Supreme Court in 1987. Hence, the Department of Defense exercised “exclusive, non-reviewable control over its sexual harassment policies.”¹⁰⁴ Women who spoke out against their offenders could only do so in the military’s courts, which protected only specific acts and whose top priority was speed and uniformity. In a sense, women who were victims of sexual violence in the military were told it was their fault in the first place for leaving their gender role and disturbing the culture.

Gender harassment was also felt within the chain of command. The hierarchical military structure also punished women by intimidating them from reporting any instance of sexual violence, let alone taking legal action. Additionally, the behavior of higher level military personnel, tended to blame the victim of sexual harassment. Russell Carollo, an investigative journalist for *Daily News* in Dayton, Ohio, administered “an in-depth analysis of over 100,000 court-martial records, spanning the years 1988 to 1995.”¹⁰⁵ Ultimately, Carollo discovered that military personnel tend to settle sexual harassment and rape charges “quietly and informally.”¹⁰⁶ He reported, “At one base, more than one-third of those charged with sexual harassment were permitted to resign – without trial and without a blemish on their service records.”¹⁰⁷ He noted that the victims, on the other hand, had much more to risk as they reported the incident. Moreover, “Carollo found that women who reported rapes were often locked in psychiatric wards, forced to take polygraph tests (the results of which are generally inadmissible in civilian courts and were even court-martialed for bringing ‘false’ complaints in those cases where

¹⁰³ Ibid.

¹⁰⁴ Ibid.

¹⁰⁵ Gunderson and Zeigler, *Moving Beyond G.I. Jane*, 112.

¹⁰⁶ Ibid.

¹⁰⁷ Ibid.

officials chose not to proceed against the accused.”¹⁰⁸ Women who wanted to charge their attackers faced as many limitations as those in civilian society, plus even more.¹⁰⁹ But because they left their traditional gender role, there was a general attitude that women assumed the risks that went with that violation.

The gender harassment that occurred – that occurred as a result of a centuries-old culture that valued stereotypical ideas about masculinity, created not just a discriminatory culture, but contributed to a violent one. Violence validated the culture of masculinity that women were only partially allowed into, as they were – and still are – excluded from combat and only gradually allowed into other roles. The military ideology attributed power in terms of these masculine definitions, which included violence. To maintain the patriarchal culture, violence and fear are often used as a means of control over women.¹¹⁰ Maintaining the patriarchy and extending gender stereotypes “is the ideological foundation of sexism in our society,” according to Carole J. Sheffield.¹¹¹ As patriarchy conveys that men are superior to women, it cultivates violence, providing a rationale for what Sheffield terms “sexual terrorism,” a system in which men dominate women through fear and violence.¹¹²

Because women were punished for stepping outside their traditional gender role to serve in the military, the violent culture could grow and thrive. The fact that the military administration found loopholes in policies to prevent women from gaining too much power in the military shows how many times even top levels of authority did not stop the harassment and violence and instead protected it. By having little recourse for victims of sexual violence, the justice system,

¹⁰⁸ Ibid.

¹⁰⁹ Nelson, *For Love of Country*, 71.

¹¹⁰ Carole J. Sheffield, “Sexual Terrorism,” in *Gender Violence: Interdisciplinary Perspectives*, edited by Laura O’Toole (New York: New York university Press, 1997), 110.

¹¹¹ Ibid, 112.

¹¹² Ibid, 110.

too, condoned a violent culture, encouraging it to continue. The chain of command – by still having a majority of top positions filled by men – also posed a problem by intimidating and blaming victims. In *Warriors Without Weapons: The Victimization of Military Women*, Donna M. Dean also noted how military rape was often perpetrated by a person who held power over the victim, usually through a position of higher military authority.¹¹³ She noted, “The victim may have capitulated to nonviolent coercion from a superior to avoid being labeled a lesbian or to stop unfair job assignments, retaliatory negative evaluations, and other pressures that may be unrelentingly applied to force compliance.”¹¹⁴ In other words, some military women tolerated sexual assault to maintain fair opportunities for their future in the military; some women kept silent about sexual violence to protect their career, and men who were influenced by military culture exploited this.

A culture that prized stereotypical masculinity and, in doing so forced military women to endure gender harassment, cultivated an environment that encouraged the rape and sexual assault of anyone who did not fit the mold. Both aspects of the culture perpetuated gender stereotypes, hostility to women, and violence as a way of keeping women weak and inferior. After women were integrated, the military environment felt pressure to change, as it could no longer be a culture based on masculinity. However, after 1978, as evidenced by that *Final Report*, the military viewed women’s inclusion as the issue, not its own sexist atmosphere causing the violence. Violence, and the inherent violent nature of military culture, was responsible for sexual assault and rape. The women’s movement in the 1970s tried to expose violence as the underlying force in sexual violence, but the military still did not necessarily get the message.

¹¹³ Dean, *Warriors Without Weapons*, 100.

¹¹⁴ Ibid.

Chapter 2: Tailhook and Aberdeen

By the early 1990s, women entered the military ranks in growing numbers. However, as women entered in greater numbers, there were more reports by U.S. military women of alleging rape, sexual assault, and violence from their fellow soldiers. Women's presence had increased, putting pressure on the military's patriarchal culture. The military lacked a sexual assault response program until 2004, so an accurate number of victims remains unclear. In addition, as noted earlier, victims often chose not to complain as a result of the chain of command and biased response. However, one scandal in 1991 would draw public attention across the country due to the gross number of military women assaulted, forcing military officials to come up with solutions.

The first noticeable resistance in the armed forces' archaic systems and culture came in the early 1990s: The Tailhook scandal attracted media attention to the rampant rape and sexual assault that was now common against the growing numbers of female soldiers in the military. Of course, there had been incidences of sexual violence prior to Tailhook. Assistant secretary of the Navy Barbara Pope described how she had already been dealing with sex scandals at the Naval Academy and at the Navy enlisted training center in Orlando prior to Tailhook.¹¹⁵ The raucous '91 symposium was not a new incident, but one of many in the wake women fully integrated into the military. Somehow the military had managed to keep previous scandals under wraps. A combination of factors led Tailhook to become the last straw. The military saw increasing cases of sexual abuse on its bases in the uneasy months leading up to the Gulf War which began

¹¹⁵ Jean Zimmerman, *Tailspin: Women at War in the Wake of Tailhook* (New York: Doubleday, 1995), 63.

August 2, 1990.¹¹⁶ Reports of both rape and sexual assault had increased so severely that the Pentagon ordered investigations merely to avoid further humiliation.¹¹⁷ However, the services remained quiet about these incidents, and the public never asked.¹¹⁸ As Dean writes, “The relevance of low public interest, unfortunately, is that only those issues currently receiving intense media attention seem to receive adequate governmental attention, energy, and resources. The apportioning of resources tends to be heavily influenced by the visibility of competing issues in the public eye.”¹¹⁹ The sensational “newsworthy” aspect of the Tailhook scandal captured the public’s attention, and, consequently, government officials’.

Multiple incidents in a Las Vegas hotel in September 1991 became the subject of much debate and controversy. The Tailhook Association, which started as “an old man’s drinking club,” for the U.S. Navy began in 1957.¹²⁰ The creators assembled in Rosarito, Mexico, a town just south of San Diego, for a youthful drunken ritual. They named the association after “a piece of military hardware” that drops from an aircraft in an attempt to latch onto a steel wire on the deck and force the aircraft to come to a skidding halt. Pilots usually refer to these events as a “controlled crash.”¹²¹

The Tailhook Association developed into a nonprofit, professional group, today defining themselves on their website as an “independent, fraternal, nonprofit organization internationally

¹¹⁶ Susan E. Linville, “‘The Mother of All Battles’: Courage Under Fire and the Gender Integrated Military,” *Cinema Journal* 39.2 (2000): 100-120. MUSE. Carnegie Mellon University Libraries, http://muse.jhu.edu/journals/cinema_journal/v039/39.2linville.html (accessed April 30, 2010).

¹¹⁷ Ibid.

¹¹⁸ Dean, *Warriors Without Weapons*, 48.

¹¹⁹ Ibid, 86.

¹²⁰ Zimmerman, *Tailspin*, 6.

¹²¹ Ibid, 7.

recognized as the premier supporter of the aircraft carrier and other sea-based aviation.”¹²² Their mission statement declares:

The purposes of the Association are: to foster, encourage, develop, study, and support the aircraft carrier, sea-based aircraft, both fixed and rotary wing, and aircrews of the United States of America; and to educate and inform the public in the appropriate role of the aircraft carrier and carrier aviation in the nation's defense system.¹²³

In addition to this goal, in February 1992, 5 months after the history-making Las Vegas party, Tailhook members created a charitable nonprofit corporation. The Foundation's mission is to "educate the nation's public with regard to the history and present day activities of the United States Navy carrier aviation and its importance to our country's national security," and they follow through with this by providing educational scholarships, sharing *The Hook* magazine with schools across the country, and establishing a historical library.¹²⁴ However, Jean Zimmerman, who completed extensive research on the controversy culminating in the book *Tailspin: Women at War in the Wake of Tailhook*, notes how Tailhook's "rude and ragged beginnings" as an old man's drinking club dominated over these better causes.¹²⁵ "Over the decades," she writes, "Tailhook had developed a split personality, part respected professional organization and part wild-ass brawl."¹²⁶

Even more importantly, the male aspect of this wild brawl dominated, resulting in testosterone contests symbolic of most fraternities.¹²⁷ Zimmerman explains the drinking competitions between the old men versus the boys. Drinking ability determined respect.¹²⁸ The annual parties continued this way, choosing the Las Vegas Hilton for their scene in 1968 and

¹²² "Welcome to the Tailhook Association," *The Tailhook Association*, <http://www.tailhook.org/> (accessed April 30, 2010).

¹²³ Ibid.

¹²⁴ Ibid.

¹²⁵ Zimmerman, *Tailspin*, 7.

¹²⁶ Ibid.

¹²⁷ Ibid.

¹²⁸ Ibid.

each reunion after that.¹²⁹ The parties' third floor "gauntlet" became celebrated as it competed against itself each year to become the most outrageous "drunken and sex-drenched" atmosphere.¹³⁰ Navy Lieutenant John Loguidice described how the Association paid \$20,000 up front to the hotel because "they love it –you know, because we trash the place. They can rip up the carpets and redo the walls. You know, 'It's yours, guys, have at it.'"¹³¹ Loguidice's attitude towards the military embodies the culture at its crudest. Loguidice portrays the men as so masculine – they're beastlike. By telling them to "have at it," the Loguidice implies they can turn loose, be themselves. Being themselves meant destructive, violent behavior, behavior that the military encouraged as powerful and strong. It was traditional masculinity.

The hotel didn't mind either, considering it was making big money from the convention hall, 1000 rooms, and 22 suites booked by Tailhook, not to mention the hefty bar tab.¹³² Approximately 5000 people attended the symposium in 1991; about 4000 included Navy and Marine Corps aviation officers. In the early years Defense contractors paid for the popular hospitality suites that were such a key component to having the blowout party. However in the late 1970s, the Department of Defense regulated the funding more strictly, forcing individual naval squadrons to raise their own funds, which they did. However, though the government was no longer footing the entire bill, the fact that funding was still coming from within the military shows how this Vegas bash was a sense of entitlement.¹³³

There were contests to create the most popular suite. In other words, contests which became intense battles to have the most alcohol and sex-drenched party.¹³⁴ Here, they could let

¹²⁹ Ibid, 21.

¹³⁰ Ibid, 7.

¹³¹ Ibid, 21.

¹³² Ibid.

¹³³ "The Tailhook Association," *Frontline*, PBS, <http://www.pbs.org/wgbh/pages/frontline/shows/navy/tailhook/assoc.html> (accessed April 30, 2010).

¹³⁴ Ibid.

loose for once, and no one could say anything because it was some of the strongest, bravest men in the country, acting as anyone might suspect they need to, to unwind from their stressful job. The obscene room contests were even more explicit displays of the military masculine culture, perpetuating gender harassment and violence. Zimmerman also adds how the Navy, as do most of the armed forces, tends to set up a homophobic culture through its promotion of stereotypical masculine ideals.¹³⁵ This homophobia “might lead to men feeling as though they must prove something with women,” and competing for the most provocative suite would be one way to do this.¹³⁶ Additionally, Zimmerman describes how the hierarchy in the Navy, with fighter pilots at the top, cause those below to feel the need to prove themselves even more.¹³⁷ They did this by partying harder, drinking more, and sleeping with more women.¹³⁸ Because all of the military branches are rooted in some kind of hierarchy, this desire to identify with one of the top guns – whether by working hard *or* playing hard is probably common throughout the branches.

Inevitably, women started making complaints about the harassment and assault they endured at the Convention. One of the first complaints at the 1991 convention came from two civilian women who were invited to a party on the Hilton’s infamous third floor. When they reported their horrifying experience in the gauntlet, Hilton assistant managers laughed at their complaint, remarking, “Don’t you girls know what goes on at these parties?”¹³⁹ Once again, attitudes toward the military men demonstrated a nonchalance, a shoulder shrug, even a chuckle – all of which prove how accepted and expected this behavior was from Navy men.

Lieutenant Paula Coughlin received a similar response when she tried to draw attention to the gross violations. Looking for a friend one night, Coughlin was caught in the gauntlet and left

¹³⁵ Zimmerman, *Tailspin*, 55.

¹³⁶ Ibid.

¹³⁷ Ibid.

¹³⁸ Ibid.

¹³⁹ Ibid, 22.

to fend for herself against a gang of men who ripped at her clothes, grabbed her breasts and buttocks, and pushed, shoved, and groped until Coughlin broke free.¹⁴⁰ Following chain of command rules, Coughlin immediately arranged a meeting with her boss Admiral John Snyder. Even after she told him how a gang of men had overpowered her and grossly violated her, Snyder shrugged it off, saying “I know. That’s what you’ve got to expect on the third deck with a bunch of drunk aviators. That’s why I just go, walk through the suites, have one drink, say hello and go.”¹⁴¹

Coughlin tried to bring the subject up multiple times hoping Snyder would finally understand, but instead he repeated the same line every time she mentioned her disgust with the behavior.¹⁴² Exasperated with Coughlin, Snyder finally agreed to send a letter to the head of naval aviation, Vice Admiral Dunleavy. When Snyder failed to send it in the next few weeks, Coughlin took matters into her own hands, submitting her own letter to the head of naval aviation, and, consequently, leaving the chain of command.¹⁴³

This was a serious decision on Coughlin’s part. Most women in her position would have felt compelled to weigh the benefits and costs of reporting – let alone reporting outside the chain of command – which could potentially have meant being humiliated, called crazy, demoted, silenced, etc. All of these possible repercussions were part of the military culture that encouraged gender harassment and subordination. Looking to Zimmerman, it is obvious this culture derives from tradition and the past. Zimmerman points out how “devotion to tradition has made the Navy one of the only places in America where people still exist within a feudal, heraldic society. Get underway with a Navy ship and you enter a universe that is still broken along the lines of

¹⁴⁰ “Debating Tailhook,” *Frontline*, PBS, <http://www.pbs.org/wgbh/pages/frontline/shows/navy/tailhook/debate.html> (accessed April 30, 2010).

¹⁴¹ Zimmerman, *Tailspin*, 27.

¹⁴² *Ibid*, 26.

¹⁴³ *Ibid*, 42.

nobles and commoners (here called officers and enlisted).”¹⁴⁴ This feudal type of chain of command, Zimmerman explains, was still very much alive in the Navy in 1991, and she blames the social interactions within the Navy on its history, a past dating back to Medieval European times.¹⁴⁵ Today’s “class-oriented, rank-based, and rigorously structured” Navy had these same characteristics for much of its history.¹⁴⁶ Zimmerman even goes as far to claim that “almost every human interaction within this sphere has been formulated and prescribed,” showing how little has changed to drastically alter the culture of navy members.¹⁴⁷

Thus, Coughlin making the decision to go against centuries of rooted culture was a serious decision, but she felt she had no choice. In doing so, she ultimately sparked 83 women officers to report the abuse they endured at the convention.¹⁴⁸ After receiving the letter, Dunleavy called Coughlin telling her he would begin an investigation immediately. As Zimmerman most accurately portrays, in the months following the event, “it became uncomfortably clear that something had gone wrong at Tailhook ’91.”¹⁴⁹ The Navy “had finally rumbled awake,” sparking public curiosity in how military women were actually being treated in the service. As more women, including Coughlin, spoke out about their harassment, local news on the topic became national attention, and civilians wanted explanations.¹⁵⁰ Civilians, demanding to know what was going on, in turn pressured the military to take matters seriously. Age-old military culture that displayed itself so prominently in the wild Tailhook parties was finally being questioned. The downside of this situation is that only those subjects that capture the public’s attention, even if only because those subjects were chosen by the media to receive

¹⁴⁴ Ibid, 49.

¹⁴⁵ Ibid.

¹⁴⁶ Ibid.

¹⁴⁷ Ibid.

¹⁴⁸ Linville, “Courage Under Fire and the Gender Integrated Military.”

¹⁴⁹ Zimmerman, *Tailspin*, 60.

¹⁵⁰ Ibid.

the most attention, tend to be given adequate governmental consideration and resources.¹⁵¹ At last, the harassment and abuse towards women in the military would have its chance. As Dean writes, “The apportioning of resources tends to be heavily influenced by the visibility of competing issues in the public eye.”¹⁵² One can guess that the sensationalism of the big Tailhook party in '91 helped attract the media. Either way, the public noticed the women who spoke out and the government had to respond. The fact that civilian culture spoke against this behavior shows a split between military culture and civilian culture. Finally, civilian culture had moved on enough from the gender stereotypes the military drew on and new to question when those stereotypes were being exploited.

Both the Naval Investigative Service (NIS) and the Inspector General (IG) started investigations into the women’s complaints. \$40,000 and a 15 pound report later, the NIS had their patchy information. In that 15 pound report, the NIS came up with a skimpy two names to blame for all of the complaints at the convention. The IG produced a much more condensed report but it was still patchy and failed to name suspects. The confusion and media attention forced the Navy to call for a larger new investigation by the Department of Defense IG.¹⁵³

Ultimately, the second probe found 119 Navy and 21 Marine Corps suspect officers to be considered for their role and potential consequences. None of these cases went to trial. The officers were cited for “incidents of indecent assault, indecent exposure, conduct unbecoming an officer or failure to act in a proper leadership capacity while at the convention,” focusing on bad behavior rather than the sexual violence that occurred.¹⁵⁴ Fifty one officers were accused of making false statements when being questioned, but not with anything related to sexual

¹⁵¹ Dean, *Warriors Without Weapons*, 86.

¹⁵² Ibid.

¹⁵³ Zimmerman, *Tailspin*, 61.

¹⁵⁴ “Post Tailhook Punishment,” *Frontline*, PBS, <http://www.pbs.org/wgbh/pages/frontline/shows/navy/tailhook/disc.html> (accessed April 30, 2010).

violence.¹⁵⁵ As Zimmerman describes, Tailhook ran deeper than just the scandal portrayed in the news. “[W]hat no one seemed to grasp,” she writes, “was that Tailhook, an event that called out for change, was itself an aftershock of a seismic change within the aviation community. Women had entered and irrevocably transformed what been heretofore been a closed clique.”¹⁵⁶ Before women were there, naval aviation was “a place where men were men and boys would be boys.”¹⁵⁷ With women filling the ranks, it couldn’t be that same military anymore. However, in their immediate response to the incident, both military and government officials did not grasp that this was the issue. The investigation was launched because boys had been boys and taken their games a bit too far this time. The investigation was not launched to solve the core issue of a military culture based on gender stereotypes and violence. This is obvious in how officials attempted to find all of the perpetrators involved and punish them – a next to impossible task given the wild nature of events, *instead of* considering military lifestyle. Affirming the military’s complete blindness to the core issue, Navy judge, Captain William T. Vest Jr., dismissed the last three Tailhook cases in a 111 page decision. In these pages he focused on Tailhook’s reputation as a lewd, wild party, suggesting that “sex, not assault, was on trial here.”¹⁵⁸ His remark illustrated the military justice system’s limitations in representing victims of sexual violence.

Additionally, there was the view that the men who attended the Vegas bash had some sense of entitlement to “go wild” due to the Gulf War. Bill Hoover, a former Navy lawyer, attributed the abuse against women, specifically in the Tailhook scandal, to the fact that the Gulf War was not like other wars. It wasn’t like past wars where rape was an inherent part of war.

¹⁵⁵ Ibid.

¹⁵⁶ Zimmerman, *Tailspin*, 61.

¹⁵⁷ Ibid.

¹⁵⁸ “Post Tailhook Punishment,” *Frontline*, PBS, <http://www.pbs.org/wgbh/pages/frontline/shows/navy/tailhook/disc.html> (accessed April 30, 2010).

Hoover plainly described the Gulf as a “dry country” since women were “under lock and key.”¹⁵⁹ “Okay,” he says, “we’re going over there and we’re going to bomb all these people down there, but you can’t drink and you can’t have sex.”¹⁶⁰ Hoover noted that there was therefore no way to release the tension. “So these people get to Tailhook, in Vegas, where you have nude women dancing on the stage, it’s a party town.”¹⁶¹ In other words, it was expected that military guys would need these stress relievers, and, due to the stress and brutalities of war, they were entitled to them. This logic exemplifies Brownmiller’s theories. Not only were rape and war inherently tied together by violence, men kept up their morale – they relaxed – through the dehumanization and violent power over another. Hoover comments, “[T]here’s a lot of stress [that] builds up when you go out day after day and you’re being shot at. And you have no traditional warrior stress relievers.”¹⁶² Warrior stress relievers, also known as alcohol and rape, in traditional military culture, needed to change when women entered in the military. However, the military culture still focused on men.

Meanwhile, Paula Coughlin did not fare much better. The military dropped charges against the captain Coughlin had accused of sexual molestation. The Marine Corps had decided “there was not enough evidence to proceed with a court-martial against the captain and that Coughlin misidentified her assailant.”¹⁶³ Once again, the system overlooked the victims abused *and* the inherent source of the injury: military culture’s acceptance of gender stereotypes and

¹⁵⁹ Zimmerman, *Tailspin*, 57.

¹⁶⁰ Ibid.

¹⁶¹ Ibid.

¹⁶² Ibid.

¹⁶³ “Post Tailhook Punishment,” *Frontline*, PBS, <http://www.pbs.org/wgbh/pages/frontline/shows/navy/tailhook/disc.html> (accessed April 30, 2010).

gender harassment. As the prosecution came to a close in 1994, Lieutenant Coughlin resigned.¹⁶⁴

Tailhook stimulated lots of debate and controversy, with some arguing that women shouldn't be allowed in the military. As Susan E. Linville writes, "the infamous Tailhook naval convention...is the best known early episode. While it eventually led to several high-level resignations, including that of the navy secretary, Tailhook and its handling did little to counter perceptions that the violence-based military culture remained sexist at heart."¹⁶⁵ Tailhook brought the issue of women's abuse in the military out into the open. News stories here and there reported more instances of assault and violence in the following years. However, it was the Aberdeen Proving Ground scandal in 1996 that would wake up the country once again to the assaults going on within the military. This time though, the Navy could thank the Army for taking the negative publicity spotlight.

Aberdeen Proving Ground is a vast, advanced training facility in Aberdeen, Maryland.¹⁶⁶ After the first official report in November 1996, the number of charges against 10 army officials continued to grow. At one point, there were reports of 26 alleged rapes, among other charges including "forced oral sodomy, battery, buttocks grabbing, hair pulling and threats

¹⁶⁴ "Post Tailhook Punishment," *Frontline*, PBS, <http://www.pbs.org/wgbh/pages/frontline/shows/navy/tailhook/disc.html> (accessed April 30, 2010).

¹⁶⁵ Linville, "Courage Under Fire and the Gender Integrated Military."

¹⁶⁶ Martha Chamallas, "The New Gender Panic: Reflections on Sex Scandals and the Military," *Minnesota Law Review*, (1998). LexisNexis. Carnegie Mellon University Libraries, http://www.lexisnexis.com/us/lnacademic/results/docview/docview.do?docLinkInd=true&risb=21_T9229155167&format=GNBFI&sort=BOOLEAN&startDocNo=1&resultsUrlKey=29_T9229155104&cisb=22_T9229155174&treeMax=true&treeWidth=0&selRCNodeID=23&nodeStateId=411en_US,1,10,266&docsInCategory=5&csi=7347&docNo=4 (accessed April 30, 2010).

for reporting such misconduct.” Investigations began in November and continued well into the following year.¹⁶⁷

Society was already recognizing the Aberdeen scandal as an event of a different magnitude from Tailhook. After the incident was public, *the New York Times* wrote, “No American institution has ever confronted such charges of sexual misconduct, including the Navy, which struggled five years ago with charges that drunken male aviators had groped or stripped 26 women at the Tailhook convention in Las Vegas.”¹⁶⁸ The press even reported that the pervasive reports of abuse were not due to isolated circumstances or “a few bad apples,” as was originally thought.¹⁶⁹ Instead, “the accusations of sexual misconduct are reverberating throughout the Army.”¹⁷⁰ Reverberations throughout the entire army further prove that sexual violence was a result of the entire military culture and its influence on perpetrators. It was not about sex but power and subordination of a entire group of people. Women’s advocates called the Army one of the most abusive American institutions towards women, despite its success in “bringing women aboard.”¹⁷¹

On February 10, 1997, the *New York Times* reported that “interviews with Army officials and female recruits, a review of the Pentagon's own surveys on harassment and an examination of the cases so far show that the Army failed to heed signs of widespread sexual misconduct dating back as far as two decades, when women began moving from hospitals and offices into fatigues and formations.”¹⁷² Sexual violence in the military did not begin in the 1990s, even if that was when many people learned about it. The fact that it had been happening for two

¹⁶⁷ Peter T. Kilborn, “Sex Abuse Cases Sting Pentagon, But the Problem Has Deep Roots,” *The New York Times* (New York, NY), February 10, 1997, <http://www.nytimes.com/1997/02/10/us/sex-abuse-cases-sting-pentagon-but-the-problem-has-deep-roots.html?pagewanted=all> (accessed April 30, 2010).

¹⁶⁸ Ibid.

¹⁶⁹ Ibid.

¹⁷⁰ Ibid.

¹⁷¹ Ibid.

¹⁷² Ibid.

decades with little reaction demonstrates the military's condoning of the behavior, in addition to its emphasis on stereotypical masculine ideas that sparked hostility to anything but that norm. The *New York Times* reported polls conducted in 1996 revealed that a majority of service women experienced some form of sexual harassment.¹⁷³ In addition, if they complained, their claims were ignored or used against them.¹⁷⁴

As a result of the growing scandal, the Army created a blue ribbon commission with the task to investigate sexual harassment. However, six women then accused one of the appointees, Sergeant Major Gene McKinney, of aggressive sexual harassment, including pressure for sex, forced kissing, "verbal boasting of his sexual prowess to female subordinates."¹⁷⁵ At the time, McKinney was the Army's highest ranking enlisted man. To make matters worse, he had just participated in a video for recruits "in which he declared 'there is absolutely no place for sexual harassment in America's Army.'"¹⁷⁶ Ultimately, McKinney was only found guilty of obstruction of justice after he tried to manipulate one of his accuser's testimonies. Once again, McKinney received a slap on the wrist as he was demoted and reprimanded.¹⁷⁷ If the alleged claims against McKinney were true, these cases illustrated the corruption of the chain of command system. As Brownmiller made clear, using the hierarchy for sexual violence kept women from gaining too much power by keeping them inferior and intimidated. As the Army's highest ranking enlisted man, McKinney committed this double crime.

A troubling side to the Aberdeen Proving Ground scandal was that all of the men who were accused at the Maryland training facility in 1996 were black. Gene McKinney was also the first African American to hold the position of sergeant major, the top army position for an

¹⁷³ Ibid.

¹⁷⁴ Ibid.

¹⁷⁵ Chamallas, "The New Gender Panic."

¹⁷⁶ Ibid.

¹⁷⁷ Ibid.

enlisted service member.¹⁷⁸ These circumstances must call to mind questions comparing how the cases were handled compared to how they would be treated if the accused were white. Race and sexual harassment can be understood together: “When warriors who are white are accused of sexual offenses, the questions raised seem to be about the military itself. . . . But when the accused are black, the questions inevitably become more complicated, raising old suspicions about how justice is dispensed in America, particularly when race and sex intersect.”¹⁷⁹

Additionally, the military’s reaction and steps to stop the abuse proved problematic in how they exacerbated women’s already precarious role. The army fell into a classic trap: blaming the victims. Though some of the precautions taken were applauded, including increased supervision of recruits, punishing past offenders, and creating systems to encourage victims to report the abuse, the military did not plan these for long term. They simply used them as a band aid. As Diane H. Mazur states, some of the actions the military took were obviously only because they were “in the hurry ‘to do something,’” with little attention paid to whether those actions are helping or hurting the situation.¹⁸⁰

For example, one of the first measures the military undertook was “the buddy system.” The point was for trainees to travel in pairs so that no one was ever alone. Mazur writes, “Interestingly, newspaper reports alternately describe the “buddy system” as either applying to all recruits or as applying only to female recruits,” making evident that even while the Army declared this rule for both men and women, the goal was to prevent women from traveling

¹⁷⁸ Linville, “Courage Under Fire and the Gender Integrated Military.”

¹⁷⁹ Ibid.

¹⁸⁰ Diane H. Mazur, “The Beginning of the End for Women in the Military,” *Florida Law Review* (July 1996). LexisNexis Academic. Carnegie Mellon University Libraries, http://www.lexisnexis.com/us/lnacademic/results/docview/docview.do?docLinkInd=true&risb=21_T9234793156&format=GNBFI&sort=RELEVANCE&startDocNo=1&resultsUrlKey=29_T9234793159&cisb=22_T9234793158&treeMax=true&treeWidth=0&selRCNodeID=2&nodeStateId=411en_US,1&docusInCategory=215&csi=140715&docNo=1 (accessed April 30, 2010).

alone.¹⁸¹ As one recruit puts it, "Women get reminded constantly to stay with their buddies and are watched more closely."¹⁸² Thus, the rule restricted women's freedom under the guise of protection from other men harassing them. Once again, the military missed the point. Once again, the military hurt the victim, instead of looking at the nature of the problem.

As Mazur writes: "Will women be permitted to perform duties only where they can be escorted, for their own protection? Will women be barred from all pursuits in which they cannot be supervised or monitored by someone else? Under that thinking, astronaut Shannon Lucid could not have performed the record-setting mission she recently completed. She traveled aboard the space station Mir, completely unescorted, with two male Russian astronauts."¹⁸³ The idea that women should be protected from harm by restricting their liberty is always a dangerous one.

Restricting women's liberty should not be an option. However, this also shows how the military had regressed to male and female stereotypes, in addition to continuing its actions in regard to the culture that persists within. The military culture still understood women as people who needed to be protected and as disruptions to the system. By protecting them, they implied a number of messages including that 1) women aren't on the same level as men; 2) women are weaker and need to be protected; 3) if women need to be monitored, then letting them into roles where they are still barred from entering will prove even more difficult – they won't ever be allowed into combat positions because no one will be on the battlefield to protect them; 4) instead of reacting to the fact that men continually committed crimes, the military focused on the victims, painting a portrait that women are disruptive to the military.¹⁸⁴ They did not consider the oppressive, violent culture that was centuries old.

¹⁸¹ Ibid.

¹⁸² Ibid.

¹⁸³ Ibid.

¹⁸⁴ Ibid.

After Aberdeen, another policy discussed was resegregation of military troops. Specifically, in 1997 a federal advisory committee chaired by former Senator Nancy Kassebaum Baker suggested that men and women go back to being segregated during basic training.¹⁸⁵ According to Chamallas, “the advisory report was the last in a series of rapid developments that year relating to what had become the explosive issue of gender and the military. If adopted, it would have reversed a long-standing policy of gender-integrated basic training in the Air Force (since 1976) and the more recent integration initiatives by the Navy (1993) and the Army (1994).”¹⁸⁶ The marines, however, still segregated basic training.

As Chamallas writes, the idea to resegregate the military seems to have indicated a “disconnect between the crisis and the response.”¹⁸⁷ First of all, though the report was issued in the wake of Aberdeen, a scandal at an advanced training facility, the report discusses resegregation of basic training. It should be noted that even with basic training segregated, women recruits could still be trained by male instructors. The report did not try to prove how resegregation would stop the violence against women from these male instructors. The report did not even suggest that women recruits only have women instructors.¹⁸⁸

Similar to the buddy system solution, resegregation portrayed the military blaming the victim. This did nothing to address the source of the violence. It also restricted women’s freedom – so that the perpetrators of the rapes and sexual assaults ultimately won. News stories even showed the harassment in the armed forces as a “woman problem,” again focusing on the victim, instead of the accused.¹⁸⁹ It became clear to some that the decision to allow women in the military was merely an experiment that had failed. Conservative Senators like Rick

¹⁸⁵ Chamallas, “The New Gender Panic.”

¹⁸⁶ Ibid.

¹⁸⁷ Ibid.

¹⁸⁸ Ibid.

¹⁸⁹ Ibid.

Santorum of Pennsylvania used this rationale to justify resegregation, instead of looking at what was really the source of failure: military culture.¹⁹⁰

When people viewed military women as merely an experiment that failed, it suggested that women were the troublemakers and the ones to blame. Even deeper than that, it caused a questioning of women's "place" within the military. Remembering how Brownmiller related the rape of women as a way to "put them in their place," essentially, the sexual violence had the exact affect the perpetrators intended. As Chamallas writes, "In this scenario, the response to what is essentially a complaint about discriminatory working conditions takes a punitive turn, with the effect of questioning the rights of the person who complains, rather than addressing the source of the discriminatory behavior."¹⁹¹

The few improvements over time in how this case was handled should be noted. It was evident that the women's movement redefinition of rape had impacted sexual harassment as a whole: "constructive force" and unwelcomeness was continually used as a measure for sexual harassment.¹⁹² The trials were also noted for how they took context into consideration, so the jury could "take into account all the circumstances in making its determination of coercion."¹⁹³ They also acknowledged the power structure at work in the military culture, so the jury could understand how the abusers usually held power over their victims, forcing them to comply or ruin their careers. "Feminists have long advocated such a contextual approach in making determinations of consent, particularly by insisting that the absence of physical or even verbal resistance on the part of the victim should not be used as a litmus test in all cases."¹⁹⁴

The military still didn't understand.

¹⁹⁰ Ibid.

¹⁹¹ Ibid.

¹⁹² Ibid.

¹⁹³ Ibid.

¹⁹⁴ Ibid.

However, despite those improvements, the military clearly missed the point as it considered the allegations. First, the charges of rape and sexual harassment were sometimes lumped together with adultery and fraternization.¹⁹⁵ This implied that the military understood these crimes to all be about the same thing: sex, the product of “biological urges.”¹⁹⁶ However, the difference between consensual and coercive sex are huge. The former might be biological urges, but the latter must be understood in light of Brownmiller’s research. Coercive sex or harassment, sexual violence, stemmed from power and misogyny, not biological urges. Also, as Chamallas points out, “this conflation obscures consideration of the relative power of the parties and the vastly differing social contexts of the incidents,” it obscured the progress the women’s movement made so juries could hear the context.¹⁹⁷ “At times it seems as if the cultural changes produced by the feminist movement of the 1970s and 1980s and the liberalization of sexual mores occurring since the late 1960s have been erased, leaving for analysis only the categories available in 1950s America.”¹⁹⁸ The military did not understand the crimes and its responses missed the mark, especially in the subsequent regulation of the “private and professional lives of its personnel and its framing of ethical questions relating to sexual conduct.”¹⁹⁹

¹⁹⁵ Ibid.

¹⁹⁶ Ibid.

¹⁹⁷ Ibid.

¹⁹⁸ Ibid.

¹⁹⁹ Ibid.

Chapter 3: Military Responses

Writing in 2008, Women's Rights Law reporter Jessica L. Cornett describes the "unique culture of the male-dominated U.S. Military" and how exactly this "provides insight into the problem of rape."²⁰⁰ The masculine culture uses sexism and sexual images even in military training.²⁰¹ In 2009 Marjorie Cohn, former president of the National Lawyers Guild and professor at Thomas Jefferson School of Law in San Diego, writes – similarly – how "young soldiers are encouraged to think of strength and discipline in combat as sexual prowess; to equate military violence and sexual violence; to see disobedience, nonconformity, or weakness as feminine," emphasizing traditional gender roles that affect how women are understood in the military.²⁰² She mentions how soldiers who rebel against these stereotypes are called women or "faggots," thereby reinforcing gender ideas.²⁰³ If 2008 and 2009 have continued to see reviews of military culture as a culture centered around masculinity and sexism, and power, clearly the military missed the mark in its responses to Tailhook and Aberdeen. Clearly, they did not do enough to eradicate the pervasive culture causing the violence.

After the tumultuous 90s scandals, the media continued to expose military women's stories. The band aid responses the military responded with in each scandal's immediate aftermath did not hold. The military needed a broader reaction that would better address the problem and prevent it in the future. In 2004 the Department of Defense created a task force to address the abuse specifically within the military academies. The Task Force consisted of 12 members appointed by the Secretary of Defense, Donald Rumsfeld. Half of the members were

²⁰⁰ Jessica L. Cornett, "The U.S. Military Responds to Rape: Will Recent Changes be Enough?" *Women's Rights Law Reporter – Rutgers, The State University of New Jersey* (Winter/Spring 2008). LexisNexis Academic. Carnegie Mellon University Libraries, <http://lexisnexus.com> (accessed April 30, 2010).

²⁰¹ Ibid.

²⁰² Marjorie Cohn, *Rules of Disengagement: The Politics and Honor of Military Dissent* (Sausalito, CA: PoliPointPress, LLC, 2009), 105.

²⁰³ Ibid.

senior military officials and the other half represented the civilian community, including “subject matter experts from the private sector and Department of Justice.”²⁰⁴ The goal of the Task Force was to assess the only academies’ effectiveness at responding and preventing sexual violence. The Task Force completed its assessment in September of 2004.²⁰⁵ In the cover letter of the report to Secretary Rumsfeld, Task Force Co-Chairmans wrote:

Our assessment found the Academies had been actively addressing these issues prior to the Task Force’s assessment. We applaud their efforts, but underscore the fact that understanding the human, environmental and cultural dynamics associated with sexual harassment and violence requires expertise beyond that available within the Academies. Our recommendations outline areas that need improvement....It will take significant resources to implement our recommendations, but we believe that investment is essential if the Academies are to resolve these issues. We expect an increase in reporting of sexual assault by cadets and midshipmen as these recommendations are implemented, indicating that assault victims are placing confidence and trust in the new processes and programs.²⁰⁶

The Task Force’s cover letter acknowledged the “cultural dynamics” in military culture that caused sexual violence. However, the writers never demonstrated that they understood what cultural dynamics were. Instead they glossed over the idea. By not understanding the significance of the cultural dynamics and the role they play in the military, the Task Force had

²⁰⁴ Diana Price, “Women’s Rights Violations Still Pervasive in the U.S Military,” *National Organization for Women*, <http://www.now.org/issues/military/082906sexualassault.html> (accessed April 30, 2010).

²⁰⁵ Ibid.

²⁰⁶ “The Report of the Defense Task Force on Sexual Harassment and Violence at the Military Service Academies,” *Defense Technical Information Center*, Department of Defense, http://www.dtic.mil/dtfs/doc_recd/High_GPO_RRC_tx.pdf (accessed April 30, 2010).

little to offer for a lasting solution. As Tailhook and Aberdeen both showed, rape and all forms of sexual violence are exactly what Browmiller theorized in the 1970s: products of cultural sexism used to boost the male ego.²⁰⁷ Military culture had been about making men feel powerful so they could brave the war environment. Sexual violence against women accomplished that.

The co-chairs did acknowledge that the Academies needed to do more to recognize these “cultural dynamics” – though they never define this term – and seemed to indicate that their recommendations in the report would address this problem. They emphasized policies aimed at responding to victims, which was a significant and definitely necessary addition to military life, especially since a report from the Inspector General’s office in 2005 found that a majority of women did not report abuse because of the perceived consequences of reporting it. However, the task force did not do enough to point out exactly what parts of military culture had been problematic for the previous few decades.

Though the Task Force recognized that officer accountability needed to improve, they did not try to understand why it was bad in the first place, thereby admitting boys will be boys - until they are threatened with severer punishment. The Task Force instead suggested changing statutes. “[A] key obstacle to increasing accountability for rape and sexual assault is that current statutes, though flexible, do not reflect the full spectrum of criminal and sexual behaviors encountered at the military service academies and society at large.” To one end, this did need to change for legal opportunities to open up. However, it’s effectiveness also hinged on addressing the gendered, violent culture that caused those injuries.²⁰⁸

²⁰⁷ Brownmiller, *Against Our Will*, 389.

²⁰⁸ “The Report of the Defense Task Force on Sexual Harassment and Violence at the Military Service Academies,” *Defense Technical Information Center*.

Additionally, the Task Force seemed to make progress when they recognized the UCMJ make proceedings in cases closed.²⁰⁹ However, once again, they asked as a formality to the victim. They did not ask because they recognized that a centuries-old male culture of violence caused a systemic problem and closed proceedings would be the only fair way to continue. The same was true for their next request: that education on sexual violence be made at normal class hours and taught by qualified individuals, unlike in the past when the information was only offered at inconvenient times and ideas were conveyed ineffectively.²¹⁰ Although this too was an improvement, the Task Force never plainly asserted that Academies need to stop treating the education like a joke and take it seriously. For each improvement and suggestion, they missed the mark in how they failed to think about why and how they came to be on a Task Force for this issue in the first place.

Though having some specific suggestions, under the subtitle “Prevention,” the Task Force had little to say. They admitted that prevention was inadequate at the academies; however, they then note, “In order to change prevailing attitudes and social norms, we recommend that the Academies develop an institutional sexual harassment and assault prevention plan that is evaluated and updated annually.”²¹¹ The language used here was particularly revealing. The Task Force writers – whether they realized it or not – substituted the words “prevailing attitudes and social norms” for the behavior they are discussing, proving that this behavior is normal, pervasive, and deeply rooted in history and tradition.²¹² However, they did not directly react to the behavior as any of the above. Instead they asked the Academies to come up with their own prevention plan. However, if they had recognized what they had said – that sexual violence,

²⁰⁹ Ibid.

²¹⁰ Ibid.

²¹¹ Ibid.

²¹² Ibid.

harassment, and assault were normal, pervasive, and deeply rooted in military history and tradition – they might have realized that leaving the prevention plan up to the Academies was illogical. The people “on the inside” at the Academies already participated in the environment that was causing the issues. Hence, their prevention plan, chances are, would prove ineffective.²¹³

The Task Force also addressed women as a minority. Not only were they a minority, they were excluded from “some of the highly regarded combat specialties.”²¹⁴ They were also held to different physical fitness standards. As a result, they were usually not seen as on a level playing field with men and this influenced how they were understood and, consequently, how they were treated by their fellow service men. The Task Force observed, “Some in the Academy communities do not value women as highly as men.”²¹⁵ Hence, the Task Force recommended:

Increase the number and visibility of female officers and Non-Commissioned Officers (NCOs) in key positions to serve as role models for both male and female cadets and midshipmen. Increase the percentage of women cadets and midshipmen at the Academies within current service operational constraints. Ensure consistent opportunities for women to be involved in leadership and Academy decision making, e.g. academic boards and admission boards. The Task Force concludes the leadership, staff, faculty, cadets and midshipmen must model behaviors that reflect and positively convey the value of women in the military.²¹⁶

Unfortunately, Task Force reports don’t cause change, they can only inspire change. Continuing gender stereotypes will not recruit women and it will drive others away.

Nearly simultaneously with the academy Task Force, Rumsfeld authorized the creation of the Care for Victims of Sexual Assault Task Force. This Task Force was given 90 days to provide a series of recommendations, which were released in April 2004. The Task Force noted

²¹³ Ibid.

²¹⁴ Ibid.

²¹⁵ Ibid.

²¹⁶ Ibid.

the need for “a single point of accountability for sexual assault policy within the Department.”²¹⁷ Thus, the Joint Task Force for Sexual Assault Prevention and Response was the result. Brigadier General K.C. McClain was named commander of this organization in October 2004.²¹⁸

In 2005, Congress created a Task Force on Sexual Assault in the Military Services, recognizing that sexual violence does not only occur in the academies. However, still by the summer of 2006, nobody had been appointed to this committee.²¹⁹ This delay created doubt that the Department of Defense was serious about change. It continued same old ideas that violence against women did not need to be a top priority.

In the meantime, the Department of Defense released a report in March 2006, providing an update on the situation. Praising their own Sexual Assault Prevention and Response program, they continually highlight the program’s response structure. They note improved *prevention* efforts through “aggressive training and education programs.”²²⁰ The DoD writes, “Moreover, the Department of Defense (DoD) implemented a fundamental change in how the Department responds to sexual assault by instituting a confidential reporting structure for victims of sexual assault.”²²¹ While the confidential program was necessary and an improvement, seeing it as a huge step did not address military culture, the source of violence and abuse. The report detailed the confidential reporting policy, the training of over one thousand sexual assault response coordinators and victim advocates, the training of more than 1,000,000 service members, and the integration of sexual assault awareness on both the entry and professional military level. In addition to confidential reporting, victims were given the opportunity to make a restricted report

²¹⁷ “Mission and History,” *Sexual Assault Prevention and Response*, Department of Defense, <http://www.sapr.mil/index.php/about/mission-and-history> (accessed April 30, 2010).

²¹⁸ Ibid.

²¹⁹ Price, “Women’s Rights Violations Still Pervasive in U.S. Military.”

²²⁰ “Executive Summary,” *United States Department of Defense*, <http://www.defense.gov/news/Mar2006/d20060316sexualassaultreport.pdf> (accessed April 30, 2010).

²²¹ Ibid.

in order to receive treatment and support after their abuse without having to inform command or law enforcement officers.²²²

Despite the efforts of Military Services and the Department of Defense, the policies failed to address the misconduct embedded in military culture. At a hearing to assess the success of the Academies' Task Force in June 2006, Christine Hansen, executive director of the Miles Foundation, spoke about the shortcomings of the task force:

[P]revention, intervention, treatment and justice systems for survivors of violence remain inadequate in the military. The Department of Defense (DoD), she explained, has failed to analyze sex offender behavior, or educate military communities about it. Protocols have yet to be developed for military law enforcement, criminal investigations, and healthcare. Also, Hansen related that while new DoD policy states that survivors have a choice of whether to disclose the details of their assaults without triggering the military investigative process, some survivors report being pressured to choose non-restricted reporting, meaning their communications are not confidential and they are subject to retaliation from other service members and superiors.²²³

Hansen's ideas also show the gap between a policy on paper and what is actually practiced within the military institution. Though the policy seemed to cover all bases, it was not proceeding exactly as one might think. Additionally, the military culture, and the values and attitudes it cultivates influence the outcomes. Though having the option to make a restricted report, victims are pressured to choose non-restricted reporting. However, by praising the fact that on paper they do allow for restricted, confidential reports, it doesn't matter if they don't actually allow women to have them because they are protected by the paper policy. Ultimately, Hansen's remarks make it evident that change was not happening quickly, and the military still failed to address their harmful culture.

Constantly reinforcing stereotypes creates a discriminatory environment for women that proves alienating and oppressive. As Cohn writes, "Sexual discrimination in the military, like

²²² Ibid.

²²³ Price, "Women's Rights Violations Still Pervasive in U.S. Military."

racism, has a life and tradition of its own, with roots preceding its extensive use in training.”²²⁴ And even in 2009, Cohn describes how the military has kept that discrimination alive.²²⁵ Though the Department of Defense suggests that the military is now an equal opportunity employer, “women soldiers experience discrimination in training, duty assignments, promotions, and many other areas. Exclusion from direct combat roles is only a small part of the picture, for female GIs encounter gender-based assumptions about their worth as soldiers and their abilities, strength, intelligence, and honor.”²²⁶ The discrimination of women in the ways listed has helped make the underlying sexism so inherent in military culture even worse and even more embedded. This sexism in turn, informs the decisions of those participating in the military, influencing their values and assumptions about women.

The fact that Cohn can continue to write these ideas again in 2009, after seeing them in action for over three decades, means the military has missed the mark. However, the next question that automatically comes to mind is *how?* How has the military continually missed the mark for so many decades – first by not acknowledging the problem, and then by not solving the problem in a logical way?

Sexual violence, especially rape, can definitely be understood as products of gender stereotypes and the harassment that follows. However, this issue can be understood on an even deeper level due to the military setting. The military’s purpose is to fight in war. War often requires the dehumanization of another group, and soldiers may have to dehumanize the enemy to maintain a mindset appropriate for the barbarous acts of war. On this macro level of military life, troops have to strip the other side of power with violence. On a micro level the same is true within the U.S. military’s own ranks. Servicemen dehumanize women through sexual violence.

²²⁴ Cohn, *Rules of Disengagement*, 105.

²²⁵ Ibid.

²²⁶ Ibid, 106.

They dominate when they strip women of power and keep them inferior. The only way these two contradictory ideas can coexist is through one warped definition of power that hinges on dehumanization and destruction. Soldiers are powerful in the military when they dehumanize and destroy the enemy – that’s their job. Thus, the definition ultimately provides the basis for war. However, it is counterintuitive to apply this definition – one that is used against the enemy – to fellow service members. The fact that some men do attack their fellow service women implies that these men must think of women as the enemy.

Conclusion

The military has made progress in some areas regarding the violence against servicewomen. The Tailhook and Aberdeen scandals helped to expose a problem within military culture and reveal how military ideology regarded women. However, military response did not target both of these discoveries: military response only responded to the problem and *not* to military ideology. Though the armed forces eventually responded with a series of policies, they did little and have yet to recognize and tackle the core issue of military culture, how it defines masculinity, and the negative implications it has for women in the military.

The fact that military officials cannot understand the detrimental nature of military ideology, tells us something about war ideology. Generally, nations accept militaries as their forces to fight in war and as their forces to protect the country. For both war and the protection of the country, militaries involved are expected to be powerful. In combat they have to be violent. Violence becomes power as one military triumphs over another in war. Using the patriarchal ideas about gender and specifically masculinity, men can be violent, whereas women cannot. Men are traditionally thought to be the most violent, therefore the most powerful, and therefore those who should compose the militaries. Hence, the military's definition of power hinges on violence, and the culture perpetuates this idea. Because women threaten the masculine nature of the military and men's power within the institution, the sexual violence that happens to women can be attributed to the desire of men wanting to strip women of their power; they do so in the way the military teaches them: violence.

Complicating these conclusions is the fact that military women in 2010 are still barred from combat. Writing in the early 1980s, Enloe describes how "the military plays a special role in the ideological structure of patriarchy because the notion of 'combat' plays such a central role

in the construction of concepts of ‘manhood’ and justifications of the superiority of maleness in the social order.”²²⁷ The combat ban for women is a way to keep “manhood” alive by creating a marked distinction. Although women are constantly fighting on the front lines, the fact that this technical distinction survives indicates the military’s unwillingness to grant women this power. It represents a possession over women, a possession so that women are still not completely integrated and equal with military men. Enloe’s ideas still apply nearly 3 decades after she wrote them: she describes how due to the ban, the military continues to “categorize women as peripheral, as serving safely at the ‘rear’ on the home front. Women as women must be denied access to ‘the front’, to combat, so that men can claim a uniqueness and superiority that will justify their dominant position in the social order.”²²⁸ The ban indicates that women should not have the supreme power of combat – the ultimate violence and, therefore, power – which reinforces the same patriarchal ideology about masculinity and gender. As Enloe writes, “to be a soldier means possibly to experience ‘combat’, and only in combat lies the ultimate test of a man’s masculinity.”²²⁹ Women participating in combat take away from this “test,” making it seem less violent and powerful, which undermines the military’s power as a bastion of safety and force.

Ultimately, the military should realize that women in combat will not harm the military’s effectiveness and the nation’s security. Since women fight in combat anyway, getting rid of this distinction will award women with the proper titles for what they have accomplished. Perhaps it can also begin to take away the distinctions between servicemen and servicewomen, so that those men in the military influenced by the institution’s ideology can realize that women are worthy of being in the military and deserve a culture that does not hinge on power through violence and

²²⁷ Enloe, *Does Khaki Become You?*, 13.

²²⁸ *Ibid*, 15.

²²⁹ *Ibid*, 13.

dehumanization. Though violence and dehumanization are inevitable in times war, perpetuating these ideas within the ranks and against fellow service people is illogical. In fact the argument could be made that if anything weakens the military, it is this ideology – not women. All members of the armed forces deserve a culture that does not define masculinity as the foundation of a powerful military. All members of the armed forces deserve a *new* culture, one that does not derive power from gender and violence, but obtains the power that is needed to protect the country on new grounds.

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