

HOMOSEXUALS IN THE MILITARY

LAST WEEK there were widespread media reports that the federal government was about to end restrictions against homosexuals serving in the military. A Ministry of Defence document outlining the proposed Canadian policy was circulating in the Pentagon in Washington. But the next day, Associate Defence Minister Mary Collins said the government had not yet decided on the issue. The policy announcement released in Washington was premature, she said. "The department is still working on all of the issues that are involved."

This week, a document outlining a change in policy was leaked to *The Whig-Standard*. It clearly states, quoting the chief of the defence staff, that there will no longer be restrictions against declared homosexuals serving in the military.

We asked retired air force general Don McNamara, who lives in Kingston, for his opinion on a policy admitting homosexuals and lesbians into the service. "It's healthy for the Canadian forces to reflect Canadian society, and to the degree that this allows them to do that, then it's a healthy decision," he said.

But he said such a policy will take some getting used to within the military. Officers and the enlisted will accept it, he said, because the military is an authoritarian organization in which orders are obeyed. "But it's also a very conservative organization. This won't necessarily be accepted wholeheartedly with glee by a significant proportion of the force. It will be something people have to get accustomed to over time."

Brig. Gen. McNamara acknowledged that the government may be considering changing the policy now because of pressure on the military. But he said it would have happened eventually anyway because society now accepts the existence of gays and lesbians. "There have been major changes in society's views toward sexual orientation, and these changes of course have not been lost on the forces."

Old arguments about homosexuals putting the military at risk because they are more susceptible to blackmail are no longer valid, he said, because homosexuality no longer carries the same stigma it did in the past.

Printed below is the entire document acquired by *The Whig-Standard* this week:

The chief of defence staff announces policy change

OTTAWA — The chief of the defence staff, General A.J.G.D. de Chastelain, announced today sexual orientation will no longer be considered an impediment to service in the Canadian Forces.

This decision, which is effective immediately, follows a lengthy re-examination of the Canadian Forces policy towards homosexuals and lesbians. It is fully consistent with the government's acceptance of the recommendations of the Parliamentary Sub-Committee on Equality Rights to ensure that sexual orientation is a prohibited ground of discrimination.

In future, the Canadian Forces will only take action concerning sexual conduct, whether heterosexual, homo-

sexual or lesbian, in those cases where it can be demonstrated to have a disruptive effect on operational effectiveness.

"The Canadian Forces of today believe an individual's sexual orientation is irrelevant to whether or not that individual can perform his or her job," said General de Chastelain.

Sexual orientation

Issue

Sexual orientation will no longer be considered an impediment to service in the Canadian Forces.

Reaction

Internal: Reaction in the Canadian Forces is expected to be largely negative to neutral. Any positive reaction will most certainly be muted. One can expect to see interviews with senior NCM's and other CF personnel criticizing the decision. With time, however, those against will either slowly come to accept the change or will take their release.

External: Reaction in the general public will most probably be neutral in keeping with Canadians' general tolerance on this issue (as was the case with a similar RCMP announcement several years ago). It will be seen as just another one of the many evolutionary societal changes of the last decade. In metropolitan areas those with opinions will be more positive while in non-metropolitan and rural areas viewpoints will tend to be more neutral to negative in nature.

Media reaction will be moderate but largely positive. While acknowledging the Canadian Forces as a reflection of Canadian society, the media's viewpoint will underline the change as an example of how this professional force is in step with changing societal attitudes. Some media may go so far as to see it as a "courageous" move, given the potential flood of negative internal reaction.

Alternatively, there may be editorial opinion to the effect that the Canadian Forces were "forced" into this decision by the government. Some media will seek out those former members whose cases are presently before the courts. There may also be calls for some sort of internal mechanism to monitor reaction among forces members and impede any potential backlash directed at homosexual and lesbian members.

Lobby and special interest groups will have the expected reaction according to their political stripe. Gay rights activists will applaud the move, but not without questioning the delay in instituting the change and also calling for the monitoring of a potential backlash in the forces. Former service members groups such as the Legion will probably be negative although this may be muted by the experience of many war veterans who fought along side homosexual and lesbian members.

Communications approach

General: In having the CDS announce the change (via press release), the media perception will be he is taking a leadership role in this controversial move. The CDS will remain available for interview and comment as appropriate. Media queries of a general nature will be handled by the Department Media Liaison Office.

Message: In announcing the change, emphasis will be placed on a new policy that focuses on sexual conduct, whether heterosexual, homosexual or lesbian, that can be demonstrated to have a disruptive effect on operation effectiveness.

Chronology: Monday, 7 October — MND briefs Cabinet Operations Committee.

Tuesday, 8 October — CDS and ADM (Per) inform commanders via telephone.

Wednesday, 9 October — MND briefs Caucus, backgrounder distributed to members. Press release and Canadian Forces message to personnel released. CDS available for interview. Canadian Forces communication via the chain of command and Internal Information articles will further explain to personnel the rationale for the decision as well as address personal concerns.

Canadian Forces policy on sexual orientation

Backgrounder

The Chief of the Defence Staff has announced that the Canadian Forces will no longer deny enrolment to or terminate the service of individuals on the basis of their sexual orientation. This decision follows a lengthy re-examination of the Canadian Forces policy towards homosexuals and lesbians.

The policy re-examination was prompted, in part, by a number of court actions that were brought against the Canadian Forces. Those actions were initiated by individuals who have been or were being adversely affected by the Canadian Forces policy to release or otherwise restrict the employment of service members who engaged in homosexual or lesbian conduct. The minister of justice recently advised the minister of national defence that the policy was contrary to the Canadian Charter of Rights and Freedoms and that it should be revoked. The chief of the defence staff also recommended that the policy be revoked and the minister of national defence has agreed.

During the policy review it was apparent that a substantial number of service members do not favor a policy change. Some of the strongest concerns centre on the perceived loss of privacy and the inability to control personal relationships under conditions where physical and social privacy is impossible to provide. Undoubtedly, there are other concerns which may reflect individual and traditional values. While some members appear to welcome a policy change, others have declared that they would take their release if the policy were revoked.

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Chief of defence staff, General John de Chastelain: 'Sexual orientation is irrelevant'

Obviously, the policy change will require strong leadership within the Canadian Forces to ensure that cohesion and morale, which are essential to operational effectiveness, are not impaired. Fortunately, members of the Canadian Forces are deeply committed to both a sense of duty and of fairness. It is expected that they will accept this policy change in line with other government policies.

This policy change is fully consistent with the government's acceptance of the recommendations of the Parliamentary Sub-Committee on Equality Rights to ensure that sexual orientation is a prohibited ground of discrimination.

Canadian Forces policy on sexual orientation

Questions and answers (for internal use only)

Question: Why did it take the CF so long to amend its policy against hiring or promoting homosexuals and lesbians?

Answer: This has been an evolving process. Over the past five years there has been a concerted effort to ensure that the policy accurately reflects the needs of the Canadian Forces. This has involved

consultation with Canadian Forces members at all rank levels, interviews with experts on sexual and social behavior, consideration of legal requirements, review of the policies of foreign military forces, examination of the relevant literature and a variety of other steps to develop a sound basis for a policy decision. A careful, thorough review was necessary to understand all possible implications of this policy change.

■ **Is this decision being taken now because the Canadian Forces has come under increasing public and judicial scrutiny for its policy toward homosexuals and lesbians?**

The decision was made only after a comprehensive review of all factors, including legal considerations.

■ **What were the Canadian Forces reasons for barring homosexuals and lesbians from military service in the first place?**

Policies were originally developed when there was no evident support for homosexuality within the Canadian society. Canadian Forces policy has evolved consistent with changes in Canadian society and in government policy.

■ **What was the Canadian Forces' stated**

policy on hiring and retaining of known homosexuals and lesbians?

Canadian Forces policy did not permit the enrolment or retention of homosexuals and lesbians. This policy was modified over a number of years to permit serving members who declared their homosexuality to remain in the Canadian Forces, but under career restrictions.

■ **How do our allies feel about Canada's decision to allow homosexuals to join the Canadian Forces?**

Each country adopts military personnel policies that best serve their requirements. Canada is adopting a policy that is appropriate for Canada at this time.

■ **What other countries allow homosexuals and lesbians to serve in their military?**

Some countries deny enrolment while others have no restrictions. It would be inappropriate for me to comment on the policies of individual countries.

■ **Will the U.S. be changing its policy as well?**

It would be inappropriate to comment on U.S. policy. American military personnel policies are the responsibility of the U.S. government.

■ **What sort of compensation will the military offer those who were forced to quit because they were discovered to be homosexual or lesbian? Will they get their jobs back? their security clearances? Will they receive back pay? What about the emotional trauma they had to go through?**

This is a matter currently being reviewed.

■ **Is this policy change retroactive?**

Every policy change has an effective date. In the interests of

fairness, there are three groups of people who will receive individual review. The three groups are those individuals with cases before the courts, individuals with an active application for redress of grievance and those who are retained under the terms of the interim policy.

■ **What is the Canadian Forces position vis-a-vis the cases which are currently before the courts?**

As stated, this is a matter that is before the courts. It would be inappropriate to comment at this time.

■ **How many homosexuals and lesbian are there currently in the Canadian Forces? What is the percentage?**

We do not keep a record of the sexual orientation of our members. Consequently, we do not have these figures.

■ **In total, how many homosexuals and lesbians have had to leave the Canadian Forces?**

Since 1986, 58 members have left the Canadian Forces or have been released because of their homosexuality.

■ **Does that figure include those homosexuals and lesbians who were not pe**

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mitted to re-engage on completion of a term of service?
Yes.

■ When did the military stop investigating suspected homosexuals and lesbians?

In November 1990 the Chief of the Defence Staff directed that the Special Investigation Unit of the Canadian Forces cease investigating suspected homosexuals and lesbians.

■ How do you explain this policy to allow homosexuals to serve in all units, including submarines, when you do not allow women to serve in submarines?

In managing the expansion of employment opportunities for service women, the Canadian Forces has developed a package of policies and programs tailored to meet the specific issues involved in their integration and to be consistent with the Human Rights Tribunal decision. It would be wrong to link sexual orientation with employment of women as they are separate issues.

■ Will homosexuals and lesbians eventually be able to serve as padres?

This is a matter for the appropriate church to decide.

■ Does the Canadian Forces currently do preliminary inquiries to determine the sexual orientation of potential recruits?

No.

■ Will the Canadian Forces now encourage homosexuals and lesbians to join the Canadian Forces?

Our recruiting policies will not change. We will continue to recruit the most highly qualified candidates for service in the Canadian Forces.

■ How will the Canadian Forces deal with those who refuse to accept and work with homosexuals or lesbians?

It is recognized that some serving members may have difficulty with this policy change. Information on the reasons for the change in policy, and the responsibilities of all members in implementing or adhering to the policy will be widely circulated. Canadian Forces personnel are renowned for their adaptability and flexibility and are trained professionals who can be relied on to respond as such.

■ Is the Canadian Forces concerned that allowing homosexuals and lesbians into the military will discourage heterosexuals from joining and will cause some resignations?

No.

■ Will homosexuals and lesbians who apply to join the Canadian Forces be discriminated against because of their homosexuality?

No. Every applicant at a Canadian Forces recruiting centre can expect to be treated in a fair and respectful manner.

■ Will all regulations that make mention of homosexuality as an undesirable or unacceptable behavior be expunged of such material, or removed from circulation as appropriate?

A thorough review is being done of all regulations, orders and instructions dealing with the issue of homosexuality in the Canadian Forces.

■ Will there be any restriction placed on homosexual and lesbian members preventing them from being supervisors, trainers of recruits, squadron commanders at military colleges, at isolated stations, etc? .

A member's sexual orientation will not be considered a factor when assigning that person to a particular job or posting within Canada.

■ Will homosexuals and lesbians be permitted to proceed on attached duty or postings to countries' armed forces that do not permit the enrolment or retention of known homosexuals?

As in the case of foreign postings or duty to another country all members are expected to conform to the host country's laws.

■ Will homosexuals and lesbians be tested for the HIV virus? What will the Canadian Forces do about homosexuals and lesbians serving in occupations relating to the delivery of health care, food services, etc?

Declared homosexuals and lesbians will be treated in the same manner as any other member with respect to medical testing and treatment. (There is no compulsory HIV testing in the Canadian Forces. Testing, when it is done, requires informed consent by the member.)

■ Will a person's stated homosexuality affect his or her security clearance?

No.

■ Does the Canadian Forces intend to keep a record of the sexual orientation of its members, and if so, for what purpose(s)?

The Canadian Forces does not intend to keep a record of the sexual orientation of members. In the context of dealing with other issues a person's sexual orientation may be discussed and will be dealt with in that context.

■ What behaviors of a sexual or affectionate nature will be authorized for homosexual and lesbian members when wearing the Canadian Forces uniform, or wearing civilian clothes?

The same standards of conduct that now apply to heterosexual members will equally apply to homosexual and lesbian members.

■ Will separate quarters and wash places be provided as they are now for men and women?

No.

■ Will two homosexuals or two lesbians who form a relationship be entitled to spousal benefits such as married quarters, service pensions, travel and removal benefits, etc?

All spousal benefits are determined by government policy. Any decision in this area will only be taken by the Canadian Forces in step with government policy.

■ Will serving members who do not wish to share sleeping quarters with declared homosexuals be permitted to refuse to share such sleeping accommodation?

Service members will continue to be assigned to accommodation based on operational and organizational requirements.

■ What efforts will be made to recognize the views and values of service members who do not accept the idea of homosexuality and/or homosexuals and lesbians in the Canadian Forces?

Information on the reasons for the change in policy, and the responsibilities of all members in implementing or adhering to the policy will be widely circu-

lated. It is expected that members will react professionally and perform their military duties, and execute their roles in an effective manner.

■ What will the Canadian Forces do if a homosexual member is rejected by his or her peers within a unit?

The question is highly speculative. Members of the Canadian Forces have a long established and well-deserved reputation for devotion to duty as well as a sense of fairness in all their activities. It is expected that they will accept this change in line with other evolving government policies.

■ What are the consequences of this policy change for homosexual and lesbian members who are currently in the Canadian Forces, yet are under the "interim policy"?

Each case will be reviewed.

■ Will such activities as dancing, hand holding, embracing between same-sex members be accepted at mess social functions?

Standards of conduct for homosexual and lesbian members will be the same as those for heterosexual members. Common sense and good judgment will be applied and required of all members,

■ What were the results of the recent survey conducted by a civilian contractor measuring the attitudes of service members towards homosexuality and the possible employment of homosexuals and lesbians in the Forces?

The results of the survey are unavailable for public dissemination due to solicitor-client privilege.

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