

Douglas Crimp, "How to Have Promiscuity in an Epidemic," *October* 43 (Winter 1987): 237–71; Paula Treichler, *How to Have Theory in an Epidemic: Cultural Chronicles of AIDS* (Durham, NC: Duke University Press, 1999); and the documentary *How to Survive a Plague* (David France, director/producer, 2012).

4. Cindy Patton and Janise Kelly, *Making It: A Woman's Guide to Sex in the Age of AIDS* (Ithaca, NY: Firebrand, 1987).

5. While many of the sources cited here speak to this point (see, e.g., Brier, *Infectious Ideas*; Cohen, *Boundaries of Blackness*; and Treichler, *How to Have Theory in an Epidemic*), the scholar who has made the most sustained and developed case for this kind of analysis is Paul Farmer. See, for example, his *Infections and Inequalities: The Modern Plagues* (Berkeley: University of California Press, 2001).

6. On ACT UP, see Deborah B. Gould, *Moving Politics: Emotion and ACT UP's Fight against AIDS* (Chicago: University of Chicago Press, 2009); and the ACT UP Oral History Project, <http://www.actuporalhistory.org/>, accessed July 13, 2013.

7. The National Library of Medicine has put much of Koop's AIDS archive online. See U.S. National Library of Medicine, <http://profiles.nlm.nih.gov/ps/retrieve/Narrative/qq/p-nid/87/>, accessed July 15, 2013.

8. See Brier, *Infectious Ideas*, chap. 3, for more details.

9. See Sexuality Information and Education Council of the United States, <http://www.siecus.org/index.cfm?fuseaction=Page,ViewPage&PageID=1160>, accessed July 20, 2013.

10. See the epilogue in Brier, *Infectious Ideas*; and Mandisa Mbali, *South African AIDS Activism and Global Health Politics* (New York: Palgrave Macmillan, 2013).

"Don't Ask, Don't Tell"

The Politics of Military Change

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The issue of gays and lesbians in the military, much in the news in the first decades of the twenty-first century, opens up historical questions about changing attitudes toward same-sex sexuality and the process of policy evolution. On September 20, 2011, President Barack Obama, as well as the leaders of the U.S. military, signed a document certifying that the armed forces were ready to allow gay men and lesbians to serve openly. Certification revoked the law that was known as "don't ask, don't tell" (DADT), allowing gay and lesbian troops to utter the words "I am gay" without facing the risk of losing their jobs. The march toward equality had taken a long time—233 years to be exact—since historical records indicate that the first discharge of a presumably homosexual soldier occurred in 1778, when General George Washington drummed a member of the Continental Army out of Valley Forge for having engaged in sodomy with another man.¹

Changing Policy on Gay and Lesbian Military Personnel

The ways in which policy on gay and lesbian military personnel has changed over time offer one way that students can see how attitudes toward same-sex sexuality have evolved, sometimes in an inconsistent manner. Historians have not been able to determine, with precision, how many gay and lesbian service members the military

fired between 1778 and 2011, but scholars estimate that between the end of the Second World War and the revocation of DADT, the military discharged approximately one hundred thousand service members for being gay.² During that time, the rules governing sexual orientation and military service were complex. Some rules punished service members simply for having a gay or lesbian identity. Other rules punished them for engaging in gay sex. And yet other rules punished them for having a gay or lesbian identity and engaging in sexual conduct.³ This confusing situation provides a useful way to help students see how distinctions between sexual behavior and sexual identity play out in U.S. society.

There were other inconsistencies as well. In some eras, the military enforced its rules rigorously and fired large numbers of gay and lesbian military personnel. In other eras, not only did the military fail to enforce its own rules, but commanders forced gay and lesbian troops to remain in service even if they wanted to be discharged. In some eras, the rules governing sexual orientation and military service were spelled out in Pentagon regulations, meaning that the president (as commander in chief) had the authority to rewrite them without consulting Congress. In other eras, the rules were spelled out in a statute, meaning that only Congress or the federal courts could change them.

When Bill Clinton became president in 1993, the Pentagon's ban was formalized in regulations, not in law, so he had the authority to change the rules. As a candidate for president, Clinton had promised to lift the military's ban if elected, and after he took office he tried to persuade the Pentagon to allow gays and lesbians to serve openly. He was opposed, however, by a powerful coalition of military leaders and a large, veto-proof majority of Democratic and Republican senators, who said that if Clinton changed the rules Congress would pass a law restoring the old order. Clinton, the military, and Congress decided to compromise, and DADT was the result. According to the DADT law that Congress passed and Clinton signed in 1993, gay and lesbian troops would be allowed to remain in the military but only if they never acknowledged their sexual orientation to anyone and never engaged in same-sex sexual conduct. This compromise policy provides an opportunity to teach students about the complex forces that shape legislation in the U.S. political system.

Clinton was ahead of his time in trying to compel the military to allow gay and lesbian troops to serve openly. No president had ever spent political capital trying to improve the lives of gay men and lesbians,

and no president had even gone so far as to discuss gay and lesbian people in respectful, matter-of-fact ways. There were no openly gay characters on television and very few in the movies. Only a minority of the public supported gay rights, and even moderate politicians felt free to say viciously homophobic things in public. It was in this context that Clinton tried and failed to lift the military's ban. Even though he had the authority to rewrite the Pentagon's rules, neither the military nor the public seemed ready for the change.

Between 1993 and 2010, advocates waged an intense campaign to repeal DADT, and Congress finally passed a law in December 2010 authorizing the president and Pentagon leaders to lift the ban once they determined that the military was ready to allow gay and lesbian troops to serve openly. That determination, as noted above, occurred on September 20, 2011, and as a result, the Pentagon no longer has the authority to fire service members for being gay. The repeal of DADT is an excellent example of the ways in which the gay and lesbian movement succeeded in bringing about an important change in U.S. policy.

What Don't Ask, Don't Tell Means for U.S. History

At least four aspects of DADT, as well as the struggle to repeal it, might warrant consideration in high school and undergraduate college courses on U.S. history and politics. First, military discrimination against gays and lesbians has echoed but also differed from discrimination against other minorities. For many years, the military banned racial minorities, as well as women, from serving in the armed forces on an equal basis with white heterosexual men. And the political debates surrounding different types of discrimination have sounded somewhat similar. For example, in the 1940s, opponents of racial integration said that white enlisted personnel would refuse to follow orders issued by African American commanders. In the 1980s, opponents of gender integration insisted that male service members would fail to respect female officers. And during the 1993 debates over President Clinton's attempt to lift the Pentagon's gay ban, opponents said that heterosexual troops would not follow the orders of gay and lesbian officers. Another common feature of conversations about military discrimination is that racial minorities, women, and gays and lesbians (groups that, of course, overlap) all militarized themselves and portrayed the U.S. armed forces as a noble institution as part of their case for why

they should be allowed to serve.⁴ All that said, racism, sexism, and homophobia are distinct phenomena, and the military experiences of people of color, women, and gays and lesbians have not been the same. Students might consider the similarities and differences among these different struggles, using the story of inclusion in the military as a case study.

Second, the case of gays and lesbians in the military makes clear that law and practice are not always consistent. In one form or another, various rules required the military to discharge gay and lesbian troops for most of the last century. Nevertheless, the military started firing gay service members more than a century before any rules on the subject were written or enacted. Margot Canaday, in her book *The Straight State*, has shown how military policy shifted from targeting only public or violent same-sex sexual behavior before the Second World War to trying to ferret out those with “homosexual tendencies” during and after the war.⁵ And, even after rules requiring the discharge of gay troops took effect, the military sometimes allowed or even forced gays and lesbians to serve—hence violating its own rules—during wartime, when troops were in short supply. As Marilyn E. Hegarty’s essay in this volume points out, gay and lesbian military personnel during the Second World War often were tolerated, yet they faced discharge after the war.⁶ Students might consider what forces came into play in different periods that either tolerated or targeted those participating in same-sex sexual acts or claiming a gay or lesbian identity.

Third, the march toward equality occurred in small steps, not all at once, and not all policy changes were for the better. The compromise of DADT made things worse for gay and lesbian military personnel in some ways. Not only did gay and lesbian troops have to hide their identities, but in fact the annual discharge rate of those troops increased after DADT was enacted. Even the 2011 repeal of DADT was a partial rather than total victory because the military still bans transgender troops from serving and because heterosexual troops received more military benefits, such as housing and health care for their husbands and wives, than their gay and lesbian colleagues. Following the Supreme Court’s 2013 ruling invalidating a section of the Defense of Marriage Act, gay and lesbian military spouses began to receive the same benefits as heterosexual spouses.

Finally, DADT repeal is an important case study of the relationship among public opinion, scientific data, and policy. Social scientists had



Sailor reunited with her fiancée, December 21, 2011, following a three-month deployment in the Caribbean (photograph by Joshua Mann, U.S. Navy News Service)

long understood that allowing gays and lesbians to serve openly would not harm the military. And solid majorities of the public supported allowing gay and lesbian troops to serve openly. Nevertheless, there was no real chance of repealing DADT while George W. Bush was president. Even after Barack Obama became president, efforts to repeal DADT almost failed because it was difficult for the White House to convince at least sixty senators to support repeal. The story of the repeal of DADT helps students to see that even when data suggest that a certain policy change would be beneficial, and the public supports that change, rational and popular change might not prevail immediately. Politics, in the broadest sense of the term, can matter as much or more than data and popular support.

Instructors who wish to include discussions of gays and lesbians in the military in their courses are encouraged to consult two helpful sources. The DADT online database maintained by the Stanford University Law School includes numerous primary documents relevant to the topic: <http://dont.law.stanford.edu/>. And the publications section

of the Palm Center think tank's website includes a large number of social science studies about gay and lesbian troops: <http://www.palmcenter.org/publications/recent>. For a history of DADT, see Nathaniel Frank's definitive book *Unfriendly Fire*, and for a discussion about the campaign to repeal DADT, see my e-book *How We Won*.⁷

NOTES

1. Randy Shilts, *Conduct Unbecoming: Gays and Lesbians in the U.S. Military* (New York: Ballantine Books, 1994).
2. Allan Bérubé, *Coming Out under Fire: The History of Gay Men and Women in World War II* (Chapel Hill: University of North Carolina Press, 2010).
3. Janet Halley, *Don't: A Guide to the Military's Anti-gay Policy* (Durham, NC: Duke University Press, 1999).
4. Aaron Belkin, *Bring Me Men: Military Masculinity and the Benign Façade of American Empire, 1998–2001* (New York: Columbia University Press, 2012).
5. Margot Canaday, *The Straight State: Sexuality and Citizenship in Twentieth-Century America* (Princeton, NJ: Princeton University Press, 2009).
6. Also see Bérubé, *Coming Out under Fire*; and Leisa D. Meyer, *Creating GI Jane: Sexuality and Power in the Women's Army Corps during World War II* (New York: Columbia University Press, 1998), for a broader discussion of gay and lesbian troops during the Second World War.
7. Nathaniel Frank, *Unfriendly Fire: How the Gay Ban Undermines the Military and Weakens America* (New York: St. Martin's, 2010); Aaron Belkin, *How We Won: Progressive Lessons from the Repeal of "Don't Ask, Don't Tell"* (New York: Huffington Post Media Group, 2011).

Teaching Same-Sex Marriage as U.S. History

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Contemporary battles in the United States over the “hot-button” issue of same-sex marriage might lead us to believe that the fight for marriage equality is a fairly recent phenomenon. However, marriage has been a topic of discussion and personal yearning for many gay and lesbian people for at least the past sixty years, and forms of what could be described as same-sex marriage have been occurring for centuries. For example, on June 13, 1821, the English noblewoman and diarist Anne Lister wrote of her lover, Mariana Belcombe, “She is my wife in honor and in love and why not acknowledge her [as] such openly and at once?”¹ The two women even exchanged rings, although Mariana’s dutiful marriage to a man brought much heartache and complication to her relationship with Anne.

Incorporating historical documents into the classroom can be a particularly engaging way to show students the day-to-day concerns of ordinary people from history, and so including snippets from Anne Lister’s diary would be an instructive way to personalize same-sex marriage history for students. Through the example of Anne’s life, we can see that the issue of same-sex marriage is not an ahistorical concern that surfaced in the early twenty-first century. It is an issue that has deeper roots in Anglo-American history, even in historical contexts in which the idea of pursuing same-sex marriage as a matter of equality under the law was scarcely thinkable. The inclusion of the history of same-sex marriage in general discussions about marriage enables