

2004

How Do You Say Gay in Arabic? Being Essential Under "Don't Ask, Don't Tell"

Alastair Gamble

Follow this and additional works at: <http://scholarlycommons.law.hofstra.edu/hlelj>



Part of the [Law Commons](#)

Recommended Citation

Gamble, Alastair (2004) "How Do You Say Gay in Arabic? Being Essential Under "Don't Ask, Don't Tell", *Hofstra Labor and Employment Law Journal*: Vol. 21: Iss. 2, Article 4.

Available at: <http://scholarlycommons.law.hofstra.edu/hlelj/vol21/iss2/4>

This document is brought to you for free and open access by Scholarly Commons at Hofstra Law. It has been accepted for inclusion in Hofstra Labor and Employment Law Journal by an authorized administrator of Scholarly Commons at Hofstra Law. For more information, please contact lawcls@hofstra.edu.

HOW DO YOU SAY GAY IN ARABIC? BEING ESSENTIAL UNDER "DON'T ASK, DON'T TELL"

*Alastair Gamble**

I. INTRODUCTION

Having now spoken publicly for over a year about my experiences as a gay Arabic linguist serving under—and later discharged by—the “Don’t Ask, Don’t Tell” policy, I find it difficult to talk about “my story” anymore without resorting to bullet points. In most venues, this method of presentation has worked well, if only for clarity and poignancy. People, who minutes before hearing about “the discharged gay linguists” would have argued the necessity of keeping DADT, often are equally passionate about explaining why expunging linguists of any sexual orientation is contrary to the national interest. In this article, I hope to address my experiences living under DADT and my subsequent challenge to the policy that ended my career.

II. SERVING UNDER “DON’T ASK, DON’T TELL”

My desire to enter the military lasted longer than any other fleeting interest I had in college. As an undergraduate, I had struggled with my sexuality and had kept my romantic relationships private from even my closest friends in large part due to my interest in military service. I was not unaware of the possible difficulties in serving; the memory of the 1993 DADT hearings in Congress definitely tainted my enthusiasm.

* Senior Research Assistant, Center for the Study of Sexual Minorities in the Military. B.A., History, 2000, Emory University. The author is beginning law school at Arizona State University in August 2004. I would like to acknowledge my enormously smart and supportive partner Rob, also a discharged linguist, who has given me everything I could ever want or need but who, as soldiers do, never realizes the significance of his contributions.

The *Hofstra Labor & Employment Law Journal* is pleased to publish this essay in this Symposium issue. This Symposium issue was inspired by Hofstra University’s *Don’t Ask, Don’t Tell: 10 Years Later* Conference held on September 18-20, 2003 at Hofstra University.

However, two internships at Navy commands had convinced me that, while discretion was necessary, gay service members were common.

I spent very little of my time in the military considering the effect DADT was having on my life. In fact, not until my discharge did I even examine the specifics of the policy. I had been studying Arabic for nine months at DLI when the investigation into my sexual orientation was initiated. Up until then (and during my previous training) I had been very discreet about my sexuality, though the efforts that I took to conceal myself lessened in intensity the more time I spent in uniform. I went through basic training at Ft. Sill, OK, home of the U.S. Army's artillery training command. Being surrounded by combat arms careerists, who are by reputation less friendly towards homosexuality (coupled with my status as a new recruit) compelled me to make every effort to appear as "normal" as possible.

But upon reporting to Ft. Huachuca, AZ, for advanced training as a human intelligence collector, I noticed that my colleagues and supervisors were generally less hostile to the possibility of having a gay colleague. This was not apparent in any explicit statement, per se, but rather by the absence of any adverse statements. Rumors about one individual or another carried with them no distaste or malice. Still, I remained discreet, despite the increasing difficulty to do so. With the freedom that comes in an advanced training unit, relationships that had been in basic training largely professional broadened to friendships. At this point, I felt the first indirect conflict with DADT as natural inquiries about my civilian past occurred in routine conversations.¹ When the topic came up, I spoke only generally about my previous relationships; in more pointed conversations, I carefully substituted pronouns. At my next duty station, however, this became more challenging.

Many students of the Defense Language Institute have noted its relaxed, if not casual, environment. Same-sex couples were not only rumored but many people in my new company discussed gay friends and family as nothing out of the ordinary. When I arrived there in June 2001, I immediately sensed that my sexual orientation would be difficult to keep hidden. The bonds among those in my unit were tight; many of them I had been with for the entirety of my military career. Trust is cultivated rapidly between fellow service members, and reliance on a "battle buddy" may go beyond even the closest of civilian friendships. Natu-

1. Tobias Barrington Wolff's article, "Compelled Affirmations, Free Speech, and the military's 'Don't Ask, Don't Tell' Policy," effectively captures the practical and legal difficulties in strictly complying with DADT in a military work environment.

rally, after 23 years in the closet and being surrounded by a close knit group of friends in an environment of overt acceptance, I began to lose the motivation to keep up my straight façade.

As is common at DLI, I began dating a soldier from another unit, a Korean linguist nearly five months further along in his course than I was in mine. That soldier, Robert Hicks, introduced me to the very expansive gay subculture at DLI: an existence so unconcealed that a gay bar only three blocks from the entrance to the post was regularly packed with students. After I felt comfortable as an actively gay soldier, I told a few of my non-gay military friends about my relationship with Rob, and I met nothing but acceptance.

After eight months, Rob was preparing for his final testing after which he would leave DLI, and we began to discuss the future of our relationship. We never questioned that our first obligation was to the military, and from there we would try our best to continue seeing each other until the end of our initial enlistment. Despite an almost obsessive adherence to barracks policy to that point, we decided to risk a single night in the same bed, not for sexual fulfillment but for unregulated intimacy.

During the night, a rare company-wide, surprise "Health and Welfare" inspection discovered us asleep in the same room. Obviously, this alone raised questions with the sergeants who found us, and a subsequent inspection of my wall locker turned up two pictures showing us in affectionate (though not sexual) poses. We later heard that other couples, gay and straight, had been uncovered during the inspection.² Unfortunately, in our case, pictorial evidence of our relationship proved to be too much to ignore. My commander ordered a full inspection of my room and initiated discharge paperwork after more pictures and some affectionate holiday cards were confiscated. Rob's commander initiated identical proceedings.

I was pulled from class and began performing administrative work while I waited for the discharge packet to wind its way through the government bureaucracy. My record as a soldier earned me a permanent place in the company's central office assisting the commander and platoon sergeants with day-to-day tasks. At one point, I was sent to substitute teach for absent language instructors at the school house from which I had just been expelled. Any irony was lost on me, however, when my

2. For breaking barracks policy, all couples discovered that night were given 10 days restriction and extra duty.

paperwork came through at the end of that summer, and I was discharged.³

III. FIGHTING THE POLICY

After my discharge, many gay-rights groups contacted me to share my experiences, in the hopes that the loss of an Arabic linguist in a post-9/11 military would garner public support for repealing DADT. In the previous years, the predominant argument for lifting the ban had been about fairness and equality, and it had, not surprisingly, made little impact. First, the military defers to the statute, and therefore claims its hands are tied. Second, for most of the public, the military exists outside civilian standards, so “equality” by itself failed to convert a strong enough majority.

The 9/11 terrorist attacks, however, changed the stakes. Suddenly, everyone’s focus became increasing military readiness to protect against another attack. Losing Arabic linguists was indisputable evidence, in the country’s mind, that the military was that much less prepared to deal with Arabic-speaking terrorists. And it was under these circumstances I first began to speak out against the policy.

Obviously I felt that the policy was unfair to gay service members, but I did not want to squander my opportunity by repeating a failed argument. I was careful in all of my interviews and public statements to focus the issue on military readiness rather than gay-rights.⁴ This approach had the added benefit of disarming hostile journalists who wanted to know why I was attacking the military after I had broken the rules. By focusing my criticism on the policy and not the military, my comments were often well-received.

I encountered several arguments for keeping the ban despite its blatant hindrance to military efficiency. Some suggested that the number of discharges were small (only seven Arabic linguists were reported), and it would have a negligible impact on readiness. To respond, the military at the time of 9/11 was not gearing up for an armed conflict with an Ara-

3. It would have been futile to have challenged the discharge formally. The administrative procedures are such that only factual evidence is considered. That is, I could have challenged only the evidence against me, not argued the benefit of keeping me or the fairness of the policy. Such a challenge would have required me to make official false statements, and that seemed like a dangerous path to follow.

4. “It’s not a gay-rights issue. I’m arguing military proficiency issues—they’re throwing out good, quality people,” was the most repeated of all my comments. It was taken from the Associate Press article written by Margie Mason.

bic-speaking country; consequently, the field was not supersaturated with capable linguists ready to fill in any hole. Also, the work of linguists is largely interconnected to many other missions and personnel, and even a minor deficiency could ultimately impact preparedness. Others claimed that allowing gays to serve openly would do more damage to unit cohesion than losing the odd soldier. From my experience, few of my colleagues were more uncomfortable with my sexual orientation than they were with the thought of having an increased workload by serving in an understaffed unit.

The debate over DADT can become terribly esoteric, with academics and politics fighting about privacy, psychology, intra-unit sexual tensions, etc. I do not mean to dismiss these points, but ultimately shouldn't pragmatism win the day? Firmly rooted in pragmatism are the benefits for lifting the DADT policy because at best it serves to oppress thousands of gay service members. At worst, it compromises military readiness.

The negative impact of DADT is not limited to the military. I stated earlier that military regulations do not necessarily need to defer to civilian standards if they are counterproductive to operational effectiveness. Yet, the realities of recruiting necessitate some accommodation. At many law schools, a contentious battle has arisen over the seeming clash between the guidelines for on-campus recruiting laid out by the American Association of Law Schools and the Department of Defense recruiting authority.

The AALS directive originally stated that no accredited school could sponsor on-campus recruiting from any firm or organization that discriminated on the basis of sex, religion, or race. In 1990, the body wisely added sexual orientation to the list. This became a problem for military recruiters who came to schools in search of lawyers for the Judge Advocate General Corps, the military's law firm. To force law schools to allow military recruiters on campus, legislation—now commonly referred to as the Solomon Amendment—was attached to two Congressional appropriation bills⁵ that threatened the federal funding of not only the law schools but also the parent universities. In response, the AALS adjusted its regulations to allow for military recruiting but added that the school must ensure that the presence of the military's discrimi-

5. The first, in 1995, was attached to the National Defense Authorization Act for Fiscal Year 1995, (Public Law 103-337, Section 558, and the second was attached to the 1997 omnibus appropriations bill (Public Law 104-208, Section 514) and the Energy and Water Appropriations bill of 1997 (Public Law 104-206, Section 509), according to the American Association of Collegiate Registrars and Admissions Officers.

natory policy on campus does not negatively affect the learning environment.⁶

I encountered this battle personally during a visit to the Boston College School of Law. I was immediately swept up by the arguments of both sides. As I saw it, the Solomon amendment indirectly forces civilian compliance with a discriminatory military regulation while insisting that the military cannot be limited by civilian policy. Its impact bleeds outside the military environment, and yet Congress has made provisions to protect DADT from even those not under the command of the armed services. While there are many reasons to repeal the gay ban from a military standpoint, its existence outside of the military compounds the issues I have already discussed by extending the problems beyond the military borders.

IV. CONCLUSION

I have enjoyed the benefit of arguing the cons of DADT from a military readiness angle: it is hard to justify losing obviously relevant personnel in a time of crisis. Yet, I am confident that gay soldiers in every military specialty could argue a similar relevance. When I examine this policy for its merits and shortcomings, I am overwhelmed with demonstrable evidence of harm with the ban verses suspected, intangible danger without it. For the benefit of the thousands of honorably service gay and lesbian service members, Congress should follow the example of so many of our allies and lift the barriers to open service.

6. In an August 13, 1997 memo, AALS Executive Director Carl Monk stated "so long as [the Solomon] amendment remains in effect in its current form, each member school will be free to choose whether to continue to comply with the bylaw requirements as [they] apply to the military. Schools that choose not to comply will have their noncompliance excused so long as they engage in appropriate activities to ameliorate the negative effects that granting access to the military has on the quality of the learning environment for its students, particularly its gay and lesbian students."