
***THE LGBT PURGE, ITS DEMISE, AND THE AFTERMATH:
RETIRED SERVICEWOMEN PAVING THE WAY***

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On a June day at 4 Wing Cold Lake, Alberta, Royal Canadian Air Force (RCAF) CF-18 fighter pilots met to assign one of their colleagues a call sign – an operational nickname displayed on their aircraft and usually used for the rest of their military career. The call sign chosen for this new aviator was FAWG, for “F–d A Woman Gay.” This was in reference to the pilot’s past relationship with a service woman who, after they ended their relationship, went on to date another woman.¹

There are multiple layers to uncover to fully assess the gravity of this situation. First, the attribution of such a call sign, to be used in operations, seems to fly in the face of professionalism (in the colloquial sense of “exhibiting a courteous, conscientious, and generally businesslike manner in the workplace”) to external observers.² But to pilots (as well illustrated in the *Top Gun* franchise), call signs are inherent part of the culture: call sign review boards are bonding moments, and the given nicknames are meant to instill humility in pilots and enhance cohesion and “esprit de corps.” However, the Commander of 1 Canadian Air Division, Major-General Iain Huddleston, recognized the

¹ David Pugliese, “Derogatory fighter call sign was homophobic and targeted a female RCAF officer,” *Ottawa Citizen*, 12 Dec 2022, <https://ottawacitizen.com/news/national/defence-watch/derogatory-fighter-pilot-call-sign-was-homophobic-and-targeted-rcaf-woman-officer>; Lee Berthiaume, “Royal Canadian Air Force stepping in over pilot call signs after ‘egregious’ incident,” *Global News*, 19 Dec 2022, <https://globalnews.ca/news/9358587/royal-canadian-air-force-call-sign-changes/>

² Merriam-Webster, s.v. “Professional,” <https://www.merriam-webster.com/dictionary/professional>

inappropriateness and the harm in this call sign, qualifying it as “egregious.”³ Second, the assigned name attacks the pilot’s masculinity by implying his sexual performance was lacking – so much so that it may have changed his former partner’s sexual orientation. This ties into the third layer: homophobia. A common, harmful assumptions targeting gay and bisexual women have been that their sexual preferences come from under-performance from male partners, a dissatisfaction that can be resolved thanks to a sexually competent man.⁴ The final layer is that the call sign not only targets the recipient and his assumed sexual prowess (or lack thereof), but also his former partner, whose own sexuality has become the subject of scrutiny and mockery. In essence, the call sign in itself finds its roots in toxic masculinity, homophobia, and misogyny.

And yet, the seriousness of the situation does not stop at the creation of the call sign in itself; the dynamics that led to its formalization matter just as much. The incident became a media story that lasted several months (from September to December 2022) because of complacency of the leadership at 4 Wing and their failure to reject this call sign. About 30 members of the RCAF, including the two most senior officers at the Wing, Colonel Colin Marks (the Commander of the Wing) and Lieutenant-Colonel Casey Mask (the Commander of the involved squadron), did not object to the call sign when it was first brought up. Silence from the leadership aggravated the incident, as their lack of objection implicitly condoned the nickname. These two senior leaders have plead guilty during their summary hearings, paid a fine of several days’ pay, have agreed to meet

³ Katie Lange, “Aviator Call Signs: The History & Naming Rituals,” *U.S. Department of Defense*, 19 Jan 2022, <https://www.defense.gov/News/Feature-Stories/Story/Article/2903882/aviator-call-signs-the-history-naming-rituals/>; Scott Taylor, “Picking a call sign lands air force officers in hot water,” *Salt Wire*, 6 Sep 2022, <https://www.saltwire.com/atlantic-canada/opinion/scott-taylor-picking-a-call-sign-lands-air-force-officers-in-hot-water-100769779/>; Major-General Iain Huddleston, quoted in Lee Berthiaume, “Royal Canadian Air Force stepping in over pilot call signs after ‘egregious’ incident.”

⁴ Adrienne Rich, “Compulsory Heterosexuality and Lesbian Existence (1980),” *Journal of Women’s History* 15, no. 3 (Autumn 2003), p. 13, <https://www.posgrado.unam.mx/musica/lecturas/Maus/viernes/AdrienneRichCompulsoryHeterosexuality.pdf>

with Canadian Armed Forces (CAF) 2SLGBTQI+ groups to educate themselves about homophobia, and have returned to their post.⁵

This incident comes at the heels of a year and a half long scandal involving allegations of sexual violence and improprieties against some of the most senior leaders of the CAF (most notably Chiefs of the Defence Staff Jonathan Vance and Art McDonald, and Rear-Admiral Haydn Edmundson) that started in late February 2021. The RCAF's reaction, punishing the two officers who had failed to intervene, signals that the military is taking such incidents seriously. In fact, it might even suggest that this was an isolated incident. But the fact that about 30 service members and two senior officers remained idle during the call sign review board and that only in August 2022 did the RCAF launch an investigation cast doubt on such an assertion.

The 2021 scandals underlined that gender-based violence remained very much alive in the CAF, despite public outcries dating back to 1998 and 2014, to mention the most historically influential. The report of the 2021 Independent External Comprehensive Review underlined that decades of activities did little to eradicate the issue.⁶ In a Statistics Canada survey exploring incidence of sexual misconduct in the CAF's Regular Force (i.e., the group of military personnel working full-time) published in 2018, 18 percent of respondents declared having witnessed or experienced "suggestions that a man does not act like a man is supposed to act or a woman does not act like a woman is supposed to act"; 5 per cent reported having experienced or witnessed someone facing insults, mistreatment, and exclusion based on sexual orientation. In the same survey, 1.6 percent of women reported having faced insults, ostracization, and mistreatment due to their

⁵ Lee Berthiaume, "Royal Canadian Air Force reinstates officers disciplined for inappropriate fighter pilot call sign," *The Globe and Mail*, 20 Dec 2022, <https://www.theglobeandmail.com/canada/article-royal-canadian-air-force-reinstates-officers-disciplined-for/>

⁶ Louise Arbour, *Report of the Independent External Comprehensive Review of the Department of National Defence and the Canadian Armed Forces* (Ottawa: Department of National Defence, 2022), <https://www.canada.ca/en/department-national-defence/corporate/reports-publications/report-of-the-independent-external-comprehensive-review/introduction.html#toc0>

sexual orientation or perceived sexual orientation, while 0.4 per cent of men reported experiencing this type of behaviours. Additionally, 4.6 per cent of 2SLGBTQI+ respondents said they had been sexual assaulted (as opposed to 1.4 percent of cisgender, heterosexual respondents), and 30.6 percent of them declared having “personally experienced sexualized or discriminatory behaviours,” included on the basis of sex, sexual orientation, and gender identity (as opposed to 14.5 percent of cisgender, heterosexual respondents).⁷ While there is no more recent data on the violence 2SLGBTQI+ service members face, these numbers, along with two reports that underline the remaining presence of violence in the CAF and the call sign incident, homophobia is still a reality in the ranks. This stands in contrast to multiple reports coming from the U.S. since the mid-1990s, in which Canadian military officials have stated that there had been no issues following the end of the ban on gay men and women serving in the ranks.⁸

In her study of women’s integration in the Canadian military during the 1990s, Charlotte Duval-Lantoiné has argued that looking at history is often useful to understand why traditionally marginalized groups continue to struggle for acceptance and inclusion.⁹ This article will follow the same spirit, looking at the opening of the CAF to openly gay service members, which happened in October 1992 after a Canadian Federal

⁷ Adam Cotter, “Sexual misconduct in the Canadian Armed Forces Regular Force,” Statistics Canada, 22 May 2019, <https://www150.statcan.gc.ca/n1/pub/85-603-x/85-603-x2019002-eng.htm>

⁸ RAND Corporation, *Sexual Orientation and U.S. Military Personnel Policy Options and Assessment*, U.S. Department of Defense, Office of the Secretary of Defence (1993), https://www.rand.org/content/dam/rand/pubs/monograph_reports/2009/RAND_MR323.pdf; Franklin C. Pinch, “Perspectives on Organizational Change in the Canadian Forces,” Alexandria, VA: U.S. Army Research Institute for the Behavioral and Social Sciences (1994), <https://apps.dtic.mil/sti/pdfs/ADA277746.pdf>; Aaron Belkin and Jason McNichol, “Effects of the 1992 Lifting of Restrictions on Gay and Lesbian Service in the Canadian Forces: Appraising the Evidence,” Report Prepared for the Center for the Study of Sexual Minorities in the Military (Santa Barbara: University of California, 2000), <https://palmcenterlegacy.org/wp-content/uploads/2017/12/Canada5.pdf>; Yvette Hopkins, *Out of the Closet: Addressing Policy Options* (Fort Leavenworth: School of Advanced Military Studies), 2001, <https://apps.dtic.mil/sti/pdfs/ADA393883.pdf>; Suzanne B. Goldberg, “Open Service and Our Allies: A Report on the Inclusion of Openly Gay and Lesbian Servicemembers in U.S. Allies’ Armed Forces,” *William & Mary Journal of Women and the Law* 17 (2011), 547- 590.

⁹ Charlotte Duval-Lantoiné, *The Ones We Let Down: Toxic Leadership Culture and Gender Integration in the Canadian Forces* (Montreal and Kingston: McGill-Queen’s University Press, 2022), pp. 4-6, 157.

Court declared that the Canadian Forces Administrative Order (CFAO) 19-20, which restrained the military career of service members who were found to be gay, to be in violation of the *Charter of Rights and Freedom*.¹⁰ It will argue that the revocation of CFAO 19-20 bore ambiguous results: while quantitative data supports a narrative of success, qualitative assessment paint a different story. This mixed outcome with seemingly contradicting evidence stems from the CAF emphasizing the acceptance of CFAO 19-20 being revoked, rather than the acceptance of LGBT service members *themselves*. This article will explore this history in three sections. First, it will look at the history of the LGBT Purge and the case that ended it, *Douglas v. the Queen*. Second, it will look at the CAF's attitude towards the aftermath of the lifting of the ban on gay service members and why they understood it to be a success. The final section will look more closely the LGBT experience in the aftermath of *Douglas v. The Queen*. This particular section will mostly focus on gay service women, as it is the group on which there is the most data, thanks to the work of Dr. Carmen Poulin and Dr. Lynne Gouliquer have been conducting since the 1990s on the experience of gay servicewomen who have lived through the Purge and after. Their work includes interviews and critical analyses that give a glimpse into post-Purge life in the military across the services (army, navy, air force), roles, and occupations.

¹⁰ *Douglas v. The Queen*, (1992), 58 F.T.R. 147 (TD), <https://ca.vlex.com/vid/douglas-v-can-680723165>

A WORD ON TERMS

Before delving into the substance of the article, a conversation about terms is necessary. Today, the official government of Canada term to refer to the queer community is 2SLGBTQI+. The goal is to reflect the broad diversity of the community and include indigenous conceptions of queerness (“2S” stands for Two-spirit, a concept used in certain indigenous communities to “indicate a person whose gender identity, spiritual identity and/or sexual orientation comprises both male and female spirits), as well as queer (a reappropriated slur to include individuals whose identity is not included in the 2SLGBTQI+ acronym) and intersex (individuals whose sex characteristics fall outside of what is normally male or female characteristics) people.¹¹ As such, the term LGBT lacks the inclusivity and fails to represent the diversity of the queer community. However, as Paul Jackson did in *One of the Boys: Homosexuality in the Military During World War Two*, this article will use the term LGBT, as it was the one used at the time.¹² This choice is not to reproduce the exclusion this term creates, but to be in line with the historical conception and understanding of this group. Particularly in the Canadian military during the second half of the twentieth century, LGBT focused on gay and lesbian individuals – bisexuality and being transgender were not part of the conversation.

In that same vein, this article will use the term “gay” to describe women attracted to women more often than the term “lesbian.” Even though “lesbian” was an accepted term within the community and did not have negative connotations attached to it, Lynne

¹¹ 2SLGBTQI+ Secretariat, “2SLGBTQI+ terminology – Glossary and common acronyms,” Women and Gender Equality Canada, last modified 28 Aug 2022, <https://women-gender-equality.canada.ca/en/free-to-be-me/2slgbtqi-plus-glossary.html>

¹² Paul Jackson, *One of the Boys: Homosexuality in the Military during World War II*, 2nd ed. (Montreal and Kingston: McGill-Queen’s University Press, 2010), Kindle version, p. 3

Gouliquer uncovered that servicewomen preferred the term “gay” over “lesbian.”¹³ This article will respect these women self-perception and describe them more often as “gay” than as lesbian servicewomen.

THE LGBT PURGE IN THE CAF: THE PATH TO *DOUGLAS V. THE QUEEN*

As a British colony, the territory that would become Canada in 1867 had laws making same-sex relationships illegal (known as “sodomy laws”). In 1892, another legislation passed to strengthen this prohibition, categorizing displays of affection between men “gross indecency.” An extension of this law to women came in effect in 1953.¹⁴ This law extended to the military’s disciplinary and justice system, and, during the Second World War, the institution became more proactive in its search to remove gay members from its ranks.¹⁵ The practice continued during the Cold War, although motivations changed. While the World War Two persecution of gay servicemen was meant to weed out “failed men,” the justification that emerged in the 1950s was one of national security. With same-sex relations still criminalized, the Government of Canada and the Canadian military were concerned with Communist countries blackmailing gay public servants and service members for state secrets, as being outed as gay would expose them to potential criminal charges.¹⁶ Despite changes in the *Criminal Code* in 1969 legalizing same-sex relations between no more than three consenting adults of 21 and older that remained within the confines of the private, the passing of the *Canadian Human*

¹³ Lynne Gouliquer, “Negotiating Sexuality: Lesbians in the Canadian military,” in *Women’s Bodies/ Women’s Lives: Health, Well-being, and Body Image*, eds. Janet Mary Stoppard, Baukje Miedema, and Vivienne Anderson (Toronto: Sumach Press, 2000), 273-74.

¹⁴ Ron Levy, “The 1969 Amendment and the (De)criminalization of Homosexuality,” *The Canadian Encyclopedia*, 26 Nov 2019, <https://www.thecanadianencyclopedia.ca/en/article/the-1969-amendment-and-the-de-criminalization-of-homosexuality>

¹⁵ Jackson, *One of the Boys*, 5.

¹⁶ Ron Levy and Andrew McIntosh, “Canada’s Cold War Purge of LGBTQ from Public Service,” *The Canadian Encyclopedia*, 27 May 2019, <https://www.thecanadianencyclopedia.ca/en/article/lgbtq-purge-in-canada>.

Rights Act in 1978, the passing of the *Charter of Rights and Freedoms* in 1985, and the decriminalization of homosexuality in 1987, the practice continued in the public service and in the military.¹⁷

The surveillance, investigation, and systemic removal of gay servicemen and servicewomen became known as the LGBT Purge. Through most of the 1960s, each service had their own approach to handling the presence of gay service members in their ranks, but common characteristics included the duty to report, the Commanding Officer as the responsible authority, an investigation by the military police, a medical examination, the possibility of a court martial or charge under the *Criminal Code*, and release. Following the unification of the three services in 1967, the military published Canadian Forces Administrative Order (CFAO, a military policy) 19-20 Sexual Deviation – Investigation, Medical Examination and Disposal, which centralized the military’s approach to persecuting gay servicemembers.¹⁸ The directives remained the same (duty to report, investigation by a Commanding Officer, referral to the Special Investigation Unit (SIU) to investigate further if there is enough evidence, medical examination, potential for charges and conviction, and release). Amendments to the *Criminal Code* in 1969 changed the legal threshold under which “homosexual activities” were a crime, from then until the full de-criminalisation of same-sex relationships in 1987.¹⁹ However, even after 1969, gay service members continued to be persona non grata and the military kept on trying to identify and remove them from its ranks. CFAO 19-20 did adapt to the changing legislative framework, but one central element would not change: gay Canadians could not openly service in the military until the *Douglas v. The Queen* settled.²⁰

¹⁷ Levy, “The 1969 Amendment.”

¹⁸ Rosemary Park, “Opening the Canadian Forces to Gay and Lesbians: An Inevitable Decision but Improbable Reconfiguration,” in *Gays and Lesbians in the Military: Issues, Concerns, and Contrasts*, ed. Wilbur Scott and Sandra Carson Stanley (New York: Aldine de Gruyter, 1994), 165

¹⁹ Levy, “The 1969 Amendment;” Park, “Opening the Canadian Forces,” 167

²⁰ Pinch, “Perspectives,” 6, 11-12, 18, 40-42

In 1982, Parliament passed the *Charter of Rights and Freedoms*, outlining Canadians' essential rights and imposing limits on governments' (federal, provincial, and territorial) reach. The element of the *Charter* of interest to this study is section 15 (1), which sets out equality of all individuals "before and under the law" and prohibits discrimination "based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability."²¹ Notably, and just like the *Canadian Human Rights Act*, the *Charter* does not mention sexual orientation, allowing CFAO 19-20 to remain in place. However, the *Charter* gave room to courts to expand on this list of prohibited ground, thereby paving the way for gay rights in Canada and the military.²²

Three years after the *Charter* became law and as its sections were coming into effect, the House of Commons Committee on Equality Rights recommended the *Canadian Human Rights Act* includes sexual orientation as a prohibited ground for discrimination and the CAF to conform to the *Act*. A month later, the Government released the *Equality for All* report, in which it accepted the recommendation to make sexual orientation a prohibited ground of discrimination.²³ In response, Chief of the Defence Staff Paul David Manson stood up the *Charter* Task Force, which examined the impact of the *Charter* on the military's policies. The Task Force's report stated that preventing gay Canadians from serving the military continued to be a justifiable policy under section 1 of the *Charter*, which states that rights are protected "only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society."²⁴ Despite this position, the march towards a policy change was already under way.

²¹ *Canadian Charter of Rights and Freedoms*, s 7, Part 1 of the *Constitution Act*, 1982, being Schedule B to the *Canada Act 1982* (UK), 1982, c 11, <https://laws-lois.justice.gc.ca/eng/Const/page-12.html>

²² Pinch, "Perspectives," 13-16; Park, "Opening the Canadian Forces," 167

²³ Department of National Defence, "CF Policy on Sexual Orientation: Chronology of Policy Development," AGC-2078, <https://lgbtpurgefund.com/wp-content/uploads/2022/05/AGC-2078.pdf>

²⁴ Department of National Defence, "Developments related to CF policy on Sexual Orientation: Chronology of Events," AGC-0769, <https://lgbtpurgefund.com/wp-content/uploads/2022/05/AGC-0769.pdf>; *Charter of Rights and Freedoms*

As the work for the Charter Task Force was under way, due concerns over the spread of HIV/AIDS in the CAF, a message from Assistant Deputy Minister (Personnel) effectively amended CFAO 19-20 by removing the duty to report “homosexual activities” and directed Commanding Officers to initiate an investigation only “if there was *reason to believe* that a member had committed a sexual act” (emphasis in the original). This marked a shift in the CAF’s approach to identifying gay service members: from the perception that an individual might have a sexual preference for individuals of the same sex to the evidence of “homosexual behaviour.”²⁵ The Associate Minister of Defence, the Chief of the Defence Staff, and the Minister of National Defence would later confirm this policy to the House of Commons Standing Committee on National Defence and Veterans Affairs and the Standing Committee on Human Rights.²⁶

The wheels of change continued turning. In 1987, the government of Canada fully decriminalized being gay.²⁷ In February 1988, the military further amended CFAO 19-20 to include that the accused service member had to acknowledge that they were gay to be recommended for release, and that if they were, they could refuse it. However, officially coming out still had formal consequences: members would give up all opportunity for career progression and professional development. Occupations that required certain security clearances remained closed. In 1990, the CAF removed investigation into (suspected) gay service members from the SIU mandate, and the Assistant Deputy Minister (Personnel) removed all mentions of the SIU from CFAO 19-20. In 1991, Chief of the Defence Staff John de Chastelain accepted a Department of Justice recommendation to fully revoke CFAO 19-20.²⁸ But the bureaucratic process was very slow, and it took *Douglas v. The Queen* in 1992 to officially lift the ban.

²⁵ Department of National Defence, “CF Policy;” Department of National Defence, “Developments.”

²⁶ Department of National Defence, “Developments;” Park, “Opening the Canadian Forces,” 168

²⁷ Levy, “The 1969 Amendment.”

²⁸ Department of National Defence, “Developments.”

Douglas v. The Queen started in January 1990, about six months after Michelle Douglas released from the CAF. She had enrolled in 1986, after the amendments to CFAO 19-20 regarding release of gay service members. However, she joined a section of the military that remained barred to gay members: the SIU. As soon as the CAF appointed her as operations officer to the SIU's central detachment in 1988, officers started interrogating her. After a month of interrogations and interviews, she admitted being gay, and was re-appointed as co-ordinator of official languages. As per CFAO 19-20, she lost any opportunity for career progression. In February 1989, the National Defence Headquarters (NDHQ) convened a special career review board, which recommended she released. NDHQ accepted this recommendation in April 1989, and Douglas received the notice of this decision a month later. By that time, Douglas had already started the release process.²⁹

Douglas sued the Government of Canada in federal court; she argued that CFAO 19-20 violated section 2(b) and (d) of the *Charter*, which guaranteed Canadians “freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication” and “freedom of association, and section 15 (1), which guaranteed Canadians equal protection under the law and from discrimination, of the *Charter*. In 1992, the Government and Douglas settled. The final agreement involved the CAF recognizing that CFAO 19-20 violated the *Charter*. The same day that the Federal Court released its decision on the settlement (in which it did not declare that discrimination of gay Canadians violated the Charter – that decision would come with *Egan v. Canada* in 1995), de Chastelain announced the cancellation of CFAO 19-20, hereby allowing gay members to serve without fear of institutional persecution.³⁰ In a CAF-wide message, the Chief of the Defence Staff expressed his full support to the change and recognized that acceptance of gay service members might not be automatic. In order to

²⁹ *Douglas v. the Queen*

³⁰ *Douglas v. The Queen; Charter of Rights and Freedom*; Mary Hurley, “Sexual Orientation and Legal Rights,” revised 2 Sep 2003, <https://publications.gc.ca/collections/Collection-R/LoPBdP/CIR/921-e.htm>; Department of National Defence, “Effects of Cancellation of Canadian Forces policy restricting service of homosexuals,” AGC-2373 <https://lgbtpurgefund.com/wp-content/uploads/2022/05/AGC-2373.pdf>

instill compliance, he called CAF members to rely on their sense of duty and fairness. A year later, in 1993, CAF and National Defence officials declared the change a success.³¹

³¹ Anne Swardson, "Canada's policy on gay troops seems to work," *The Washington Post*, 8 July 1993, <https://lgbtpurgefund.com/wp-content/uploads/2022/05/AGC-2294.pdf>; RAND Corporation, *Sexual Orientation and U.S. Military Personnel Policy Options and Assessment*, National Defense Research Institute (U.S.), United States, Department of Defense, Office of the Secretary of Defence (1993), https://www.rand.org/content/dam/rand/pubs/monograph_reports/2009/RAND_MR323.pdf

SUCCESSFUL INTEGRATION?

In October 1992, Canada's military was the only one among Western nations who has lifted the ban on LGBT individuals, and in the United States, allowing gay Americans to join the military became an active conversation that then-presidential candidate Bill Clinton had started.³² Soon after the cancellation of CFAO 19-20, audiences and researchers from the United States became interested in the impact of the change on the Canadian military. Media and research reports from 1993 onwards describe a successful transition, one that did not affect the CAF's operational effectiveness. According to CAF officials and American scholars who studied the matter, the main reason for which the change was successful is due to the institution's proactive approach on two central fronts: communications and policy.³³

On the same day the Federal Court of Canada approved the settlement in *Douglas v. Canada*, the Chief of the Defence Staff issued a CANFORGEN (a CAF-wide message) announcing that CFAO 19-20 was no longer in effect, and that this change has his "full support." In addition to communicating his buy-in, General de Chastelain also acknowledged that the change "might be difficult for some members of the CF to accept." Yet, he wrote that he and all leaders in the CAF expected all to "accept this change that [brought] CF [Canadian Forces] policy in line with the Charter." Finally, he underlined that "inappropriate sexual conduct, whether heterosexual or homosexual, is unacceptable and will be dealt with effectively."³⁴ Two months later, in December of 1992,

³² Goldberg, "Open Service," 561; Nathaniel Frank, *Gays in Foreign Militaries 2010: A Global Primer*, (Santa Barbara: Palm Center, February 2010), 7, <https://web.archive.org/web/20160415214730/http://www.palmcenter.org/files/FOREIGNMILITARIESPRIMER2010FINAL.pdf>; RAND Corporation, *Sexual Orientation and U.S. Military Personnel Policy: An Update of RAND's 1993 Study*, (Santa Monica, Arlington, Pittsburg: RAND Corporation, 2010), 41, <https://www.jstor.org/stable/10.7249/mg1056osd.1?seq=3>

³³ Swardson, "Canada's policy;" RAND, *Sexual Orientation*; Pinch, "Perspectives;" Belkin and McNichol, "Effects;" Hopkins, *Out of the Closet*.

³⁴ Department of National Defence CANFORGEN 54/92, "Homosexual Conduct" October 1992, <https://lgbtpurgedfund.com/wp-content/uploads/2022/05/AGC-2229.pdf>

the Assistant Deputy Minister (Personnel) distributed a “post-announcement action” document giving commanders the responsibility to explain why CFAO 19-20 was no longer in effect, “encourage its acceptance, and respond to the personal concerns of CF members.”³⁵ The text outlined that that members should judge one another based on their ability, and stated that members’ sense of duty allowed them to see past differences. Arguing that individual leaders were the best placed to instill acceptance of gay members being allowed to join the CAF, the directive asked commanders to inform their subordinates of the change and share their own thoughts about the change. The main argument the CAF advanced to foster acceptance was that:

the policy change simply brings CF policy into line with the Canadian Charter of Rights and Freedoms, a document which more than any other expresses the fundamental character of what it means to live in a free and democratic society. Members of the armed forces should recognize their duty not only to guarantee the rights and freedoms of Canadians at large, but also to honour those same rights and freedom in the military.

The document also emphasized that CAF members should set their biases and feeling about the policy change aside in order to continue upholding a professional environment. The focus was on operational effectiveness, and the document ended by emphasizing its non-tolerance policy on “sexual misconduct of any kind, heterosexual or homosexual.” The document also contained a questions-and-answers sheet commanders could use to address some of the concerns their subordinates may have had.³⁶ That annex included questions on the rationale behind the cancellation of CFAO 19-20, on the risks of declining operational effectiveness, increasing disciplinary issues, and disease

³⁵ Department of National Defence Assistant Deputy Minister (Personnel), “Revocation of CF Sexual Harassment Policy: Post-announcement action,” AGC-2257, December 1992, <https://lgbtpurgedfund.com/wp-content/uploads/2022/05/AGC-2257.pdf>; Goldberg, “Open Service,” 554.

³⁶ Department of National Defence, “Revocation.”

transmission.³⁷ In addition to those documents, the CAF also distributed guiding directives to commanders on the enforcement of CFAOs related to sexual misconduct.³⁸

On the policy front, the CAF worked on reviewing their policies on sexual misconduct and personal relationships soon after *Douglas v. The Queen* settled.³⁹ Three central policies of interest were CFAO 19-36 (on sexual misconduct), CFAO 19-39 (on “personal harassment”), and CFAO 19-38 (on mixed gender relationships). Because consensual same-sex relations were no longer prohibited, redefining what constituted sexual misconduct, personal harassment, and acceptable relationships was necessary not only to enforce discipline under new circumstances, but to also provide gay service members the same protection than their heterosexual counterparts. The CAF redefined sexual misconduct as “an act which has a sexual purpose or is of a sexual indecent nature and which...constitutes an offence under the Criminal Code or the Code of Service Discipline” that included “sexual activity between consenting adults under prohibited circumstances [which were not defined], sexual abuse of a child, incest, sexual assault, aggravated sexual assault, indecent exposure and bestiality.” The definition of personal harassment was based on examples and remained vague: “may involve unwarranted comments, gestures, physical contact, or the display of offensive material... abuse of authority and may affect relations among peers.”⁴⁰

Another important dimension to the revocation of CFAO 19-20 was that the CAF started to consider sexual orientation private, personal information of service members to which the institution did not have to be privy. As a result, the CAF expected its members to view sexual orientation as any other individual characteristic. In the

³⁷ Department of National Defence, “Canadian Forces Policy on Homosexuality: Questions and Answers for Commanders,” AGC-0770, <https://lgbtpurgefund.com/wp-content/uploads/2022/05/AGC-0770.pdf>

³⁸ RAND Corporation, *Sexual Orientation*, 78.

³⁹ Pinch, “Perspectives,” 43.

⁴⁰ Canadian Forces Administrative Order 19-36, “Personal Harassment,” quoted in RAND Corporation, *Sexual Orientation*, 423-429; Canadian Forces Administrative Order 19-39, “Sexual Misconduct,” quoted in RAND Corporation, *Sexual Orientation*, 431-432.

questions-and-answers document it distributed after it lifted the ban on the service of gay Canadians, the CAF answered the question “How will the CF deal with those who refuse to accept and work with homosexuals?” as follows:

It is a fact of life that members of the CF have to work together to be effective. Moreover, it is also a fact of life that members normally do not get to choose their working companions. Members who are unable to adapt to the policy change will be treated in the same way as members who are unable to adapt to the military for other reasons. It is anticipated that the number, if any, of such cases will be small.⁴¹

In the aftermath of the repealing of CFAO 19-20, the approach of the military was firm: it would consider service members refusing to work with their gay colleagues or making homophobic comments to have committed a “personal failure to adapt to a military requirement.” However, this approach, according to retired Lieutenant-Commander Rosemary Park, a central figure in the work to integrate francophones and women in the CAF, was also minimalist. The military focused on having as little ripple effects on the institution as possible. Their emphasis on accepting the policy, on behavioural compliance, and on making sexual orientation a characteristic that does not impact a member’s behaviour, contributed to the invisibility of homosexual service members and did little to drive their broader acceptance and integration in the military.⁴² The goal was for operational effectiveness to remain the same or to face minimal disruptions. As such, when the CAF did not find any incidents, did not experience any releases as forms of protest against the change, and no real change in members’ behaviours, they declared the removal of all barriers to the service of LGBT Canadians a success. In fact, in a 2000 study on the effect of the change, Belkin and McNichol interviewed LGBT service members who described “good working relationships with peers in supportive institutional environments where morale and cohesion [were] maintained,” and noted that some media stories reported on some officers and non-

⁴¹ Pinch, “Perspectives,” 15; Department of National Defence, “Questions and Answers.”

⁴² Park, “Opening the Canadian Forces,” 173-176.

commissioned members in the Regular Forces and the Reserves who were opposed to allowing LGBT people from serving but did not let their personal beliefs affect their work.⁴³ However, lack of monitoring, testimony from the media, and Carmen Poulin and Lynne Gouliquer's work on gay servicewomen conducted in the mid- and late-1990s uncovered a different side to this integration.

INSTITUTIONAL V. INDIVIDUAL NARRATIVES

At first glance, the CAF's approach to put the emphasis on instilling compliance in order to develop longer-term acceptance worked. After the repeal of CFAO 19-20, the military reported no loss of morale, resignation over the change, no sexual assault or physical assault involving gay service members. Only three out of the 213 complaints files against the CAF to the Canadian Human Rights Commission between 1992 and 1995 were based on sexual orientation, two of which came from issues the policy change made void. Media stories talked to servicemembers who were opposed to the policy change but decided to stay quiet and behave professionally.⁴⁴ In some of the interviews of gay servicewomen she conducted in 1997, Lynne Gouliquer also uncovered some positive examples of leadership: a Chief Warrant Officer using the term "significant others" when giving instructions, and a supervisor extending an invitation to dinner to servicewoman's partner after he learned that her partner happened to be of the same sex.⁴⁵ Importantly, too, the end of the ban meant that gay service members could not only serve in the military, but also see their career progress. For example, Luc Cassivi had faced career restrictions under CFAO 19-20 but, soon after it was repealed, he became the Commander of Her Majesty's Canadian Ship (HMCS) Carleton. In fact, Luc Cassivi was the first openly gay serviceman to become a general/ flag officer, retiring at the rank of Rear-Admiral in 2022. When sharing his experience, he told American researcher Susan

⁴³ RAND, *Sexual Orientation*, 79; Pinch, "Perspectives," viii, 44; Belkin and McNichol, "Effects," 17, 2, 20.

⁴⁴ Goldberg, *Open Service*, 555, 561, 577; Belkin and McNichol, "Effects," 17, 22, 20.

⁴⁵ Gouliquer, "Negotiating Sexuality," 270.

Goldberg in 2011: “If you’re competent at what you do, then the team will take you in and fully integrate you.”⁴⁶

Survey data also showed that there was a movement toward acceptance. In a 1993 survey, 43.3 per cent of 3,202 respondents said they were satisfied or very satisfied with the CAF policy on orientation (24.4 per cent said to be neutral, 28.5 per cent said they were dissatisfied or very dissatisfied). In contrast, in the same survey 44.1 per cent of the same respondents said to be satisfied or very satisfied with the CAF policy on women, and 32.8 per cent said they were dissatisfied or very dissatisfied. These responses came four years after the integration of women had started (1989).⁴⁷ These results also stand in contrast with a 1991 survey in which most respondents said repealing CFAO 19-20 would hinder operational effectiveness: 40 per cent believed that CAF policy on harassment and sexual misconduct would protect heterosexuals from gay service members, and 64 per cent doubted the military could protect LGBT members from harassment from their straight peers. While there were some representation issues with this last survey – an over-reliance on members from Atlantic Canada at the senior officer and non-commissioned levels and an overall low response rate, it provides an interesting snapshot into what some service members thought of allowing gay Canadians to join the CAF. Sexual assault statistics also seemed to back this fact: out of 905 reported assaults between November 1992 and August 1995, none were related to homophobia.⁴⁸

A caveat remains: the 1993 survey asked about service members’ acceptance of the revoking of CFAO 19-20, not the acceptance of gay service members. The CAF’s approach to the change was not inherently conducive to the inclusion of LGBT members – it was not meant to be. Additionally, the data available to really assess the impacts of lifting the ban on the service of gay Canadians is sparse, as the military did not view monitoring as

⁴⁶ Goldberg, “Open Service,” 562-563; Mishall Rehman, “Vice CDS announces new Promotions, Senior Appointments, and Retirements,” *Canadian Military Family Magazine*, 1 Jun 2022, <https://www.cmfmag.ca/vice-cds-announces-new-promotions-senior-appointments-and-retirements/>

⁴⁷ Belkin and McNichol, “Effects,” 23

⁴⁸ Pinch, “Perspectives,” 31; Belkin and McNichol, “Effects,” 2

necessary. There was a plethora of reasons. First, the CAF expected the change would have no effect on operational effectiveness and believed that the reporting system at the time was sufficient to identify and address issues. Second, the CAF leadership was aware that tracking their members' sexual orientation would not help gay service members trust the organization. The understanding of this past of surveillance and constant fear of having one's service terminated for their sexual orientation motivated the policy of making sexual orientation a private characteristic, not privy to the scrutiny of the institution. Third, there were concerns of monitoring constituting differential treatment, thereby eroding the fine balance of equality the CF was trying to achieve. Fourth, the military held some assumptions on what type of behaviour gay people may embrace, and how these would fare in a military environment. In the words of Franklin Pinch:

As to disruption of groups, those homosexuals who are more likely to be disliked or assaulted are those who do not conform to social norms – unlikely to be a widespread phenomenon in the military. Research evidence suggests that male bonding is reduced in the presence of an anti-homosexual attitude, since men who are anti-homosexual seem less capable of developing emotional closeness with other men.”

This quote underlines that (1) some gay people displayed some behaviours that revealed their sexual orientation, and those behaviours showed a lack of alignment to social norms and therefore made these individuals were less likely to join the military, an institution that requires compliance to specific norms; (2) because of the male dominated environment that the military is, it is unlikely to have homophobic members, as bonding occurring in the ranks is homosocial in nature and homophobia is a barrier to effective homosocial bonding. Fifth, the military also believed that if there were major issues, they would find their way up the chain of command and reach the proper authorities and trigger the right response from a supervisor, a commanding officer, or the institution. The last justification for the lack of monitoring is one of resources. The 1990s was marked by significant budget cuts and downsizing for the Canadian military: the CAF's strength

went from 90,000 personnel from 1990 to 60,000 in 1999, and its budget was cut by three billion dollars. Due to this significant reduction in resources, the Department of National Defence and the CAF disbanded the directorate responsible for longitudinal studies, limiting the CAF's capacity to adequately assess the effect of the change over time. Due to this lack of monitoring, questions around the accuracy of the sexual assault statistics outlined above also arise. Assaults can have multiple contributing factor; those numbers do not consider the possibility of non-reported assaults, and some of the assaulted members may have still been in the closet (therefore making the underlying homophobia less visible).⁴⁹

Additionally, equality was not a reality for LGBT members as a matter of policy. Due to Canadian law not recognizing same-sex marriage and common law partnerships, gay CAF members could not obtain spousal privileges. This meant that they were not eligible to access family housing, get support for the relocation of their partner, could not go on leave if they had to care for their significant other, and the military did not compensate same-sex partners for loss of life. It was not until December 1996 – six months after Canadian Human Rights Tribunal ordered the Federal government to give homosexual couples and heterosexual couples the same benefits – that the CF Human Resources Office distributed a new policy on compassionate leave, leave without pay for spousal accompaniment, posting regulations, health benefits for dependents. Over two years later, a court settlement granted all same-sex couples working in the federal public service, including service members, to receive survival benefits. Allowing gay service members and their partners to have the same benefits than heterosexual couples meant that same-sex couples were no longer invisible, and some of the financial burdens they had to face were alleviated.⁵⁰

⁴⁹ Department of National Defence, "Questions and Answers;" Pinch, "Perspectives," 37, 44; Duval-Lantoiné, *The Ones We Let Down*, 18; Belkin and McNichol, "Effects," 21.

⁵⁰ Belkin and McNichol, "Effects," 19, 15.

Even when formal policies and regulations are in place and compliance is expected, social historian on the service of gay Canadians during the Second World War Paul Jackson has observed that “less visible social practices are much more effective than legislation at controlling behaviour.”⁵¹ This went both ways – some heterosexual members had a hard time adapting to this new reality, which led to various forms of violence, and, marked by a traumatic experience of persecution and surveillance, many gay service members were reluctant to come out. Studies coming out of the 1990s from former CAF officer turned consultant Franklin Pinch and the RAND Corporation acknowledged that there was little knowledge as to how many members had decided to come out after the ban was lifted. Seven months after CFAO 19-20 was revoked, *Maclean’s* journalist Luke Fisher spoke to gay service men who said they were reluctant to come out and to heterosexual service members who were uncomfortable with the change. And, in interviews with gay servicewomen, researchers Lynne Gouliquer and Carmen Poulin found that most of them had not come out, even if it meant they could not receive benefits. The main reason was that gay service members had to make an official declaration that they were in a same-sex relationship, which made them fear institutional surveillance like the one many experienced during the Purge. Both sides had to adapt.⁵²

⁵¹ Paul Jackson, *One of the Boys*, 8.

⁵² Pinch, “Perspectives,” 44; RAND Corporation, *Sexual Orientation*, 79; Carmen Poulin and Lynne Gouliquer, “Clandestine Existences and Secret Research: Eliminating Official Discrimination in the Canadian Military and Going Public in Academia,” *Journal of Lesbian Studies* 16 (2012), 44, <https://www.tandfonline.com/doi/abs/10.1080/10894160.2011.557643?journalCode=wjls20>; Belkin and McNichol, “Effects,” 17; Luke Fisher, “Armed and Gay,” *Maclean’s*, 24 May 1993, 14-15, <https://lgbtpurgefund.com/wp-content/uploads/2022/05/AGC-2283.pdf>; Carmen Poulin, “‘The Military Is the Wife and I Am the Mistress’: Partners of Lesbians in the Canadian Military,” *Atlantis* 26, no. 1 (Fall/Winter 2001), 71; <https://journals.msvu.ca/index.php/atlantis/article/view/1501>; Gouliquer, “Negotiating Sexuality,” 254-276; Lynne Gouliquer, “Soldiering in the Canadian Forces: How and Why Gender Counts!” PhD Diss. (McGill University, 2011); <https://www.collectionscanada.gc.ca/obj/thesescanada/vol2/QMM/TC-QMM-96779.pdf>; Paul Jackson, *The Experience of Military Service for Lesbians and Gay Men* (CFLI Contract Research Report #CR02-0614c), Kingston: Ontario: Canadian Forces Leadership Institute, 2003; Paul Jackson, *The Military Closet: Sexual Orientation and the Canadian Forces* (CFLI Contract Research Report #CR02-0614b), Kingston: Ontario: Canadian Forces Leadership Institute, 2003.

The CAF expected the revocation of CFAO 19-20 to be a rather smooth transition for the institution and its members because of the underlying assumption that the military's tendency to focus on operational effectiveness and "getting the job done" was sufficient enough to drive acceptance of service members. According to Jackson, "that argument neglect[ed] the continuity of an anti-homosexual tradition in the CF and fail[ed] to analyse significant evidence of homophobic violence." It also lacked evidence to support it. In his studies of the experience of LGBT members after October 1992, Jackson identified many flaws in the way the CF assessed the legal inclusion of gay service members. He speculated that "the fact that there have only three complaints of homosexual harassment in the CF since 1998 is evidence of either the success of the institution in creating a pluralist military culture or the efficacy of the suppression of sexual differences." The interviews he conducted between 1997 and 2002 seemed to confirm the latter conclusion: "Those few who have made their homosexuality public have found that the issue seems to colour their working relationships in various ways."⁵³ Interviews Gouliquer and Poulin conducted with gay servicewomen and their partners revealed a similar dynamic. In interviews she conducted in 1997, Gouliquer observed that many gay servicewomen felt that they still had something to lose, career-wise. In fact, none of the interviewees had officially come out by 1997.⁵⁴

Coming out did have some consequences for service members, validating their fears of doing so. While there is limited data on grievances and complaints pertaining to discrimination on the basis of sexual orientation in the CF, testimonies shine a light on a complex reality with a possibility of violence. The same gay service members who spoke to Belkin and McNichol and described positive relationships with their peers also mentioned being subject to deliberate or accidental remarks about their sexual orientation. One particular anecdote came from a gay serviceman whom Poulin, Gouliquer, and McCutcheon interviewed between 2000 and 2010: "[My legs were crossed] one over the other... The Captain who was on duty... came to me, he goes, 'you're one of THOSE?' I knew exactly what he was talking about [that I was gay]." These

⁵³ Jackson, *The Military Closet*, 1, 10; Jackson, *The Experience*, 15-16.

⁵⁴ Gouliquer, "Negotiating Gender," 271.

types of remarks occurred across units and occupations, happened to both officers and non-commissioned members. Interviews Gouliquer conducted with gay servicewomen also show an escalatory path from misplaced remarks to assault. Bailie, a lesbian non-commissioned member who joined the military in 1999, told Gouliquer how a heterosexual servicewoman in her unit would make jokes at the expense of Bailie's sexual orientation. Sometimes, comments would turn into insult. A non-commissioned servicewoman working into the military police shared with Gouliquer the story of a young police trainee who would call the women in his unit "dykes." Other servicewomen, both heterosexual and gay, shared this experience similar insults from their colleagues. Insults would then become physical or sexual assaults: a gay non-commissioned member recalled an incident when one of her colleagues grabbed her as she was leaving the bar, pushed her against a wall, and "told [her] he was going to change [her] mind so that [she] wouldn't be a lesbian anymore." An officer had a similar story, when a member of her unit told her "Oh, you just need a good man." In other instances, the homophobia revealed itself in more pernicious ways. Melanie, a heterosexual senior officer who has joined the CAF in 1976, recalled that there "was this whole attitude of, if you go out with [men] and you put out put out, you are okay ... But if you don't put out, you're probably either a lesbian or there's something else wrong with you."⁵⁵ Jackson noted the surveillance of servicewomen's characteristics, leadership styles, and sexuality – if they demonstrated attributes that were masculine, they faced the possibility of being labelled as lesbian.⁵⁶ A similar dynamic occurred in the Canadian Airborne Regiment, the unit Prime Minister Jean Chrétien disbanded in 1995 after some of its members tortured a Somali teenager to death in 1992. During her investigation into the Airborne, a former member told sociologist Donna Winslow: "We're so homophobic that when we get free time, we go out and get a woman, just to prove we're not homosexual."⁵⁷

⁵⁵ Belkin and McNichol, "Effects," 20; Carmen Poulin, Lynne Gouliquer, Jessica McCutcheon, "Violating Gender Norms in the Military: the Experiences of Gay and Lesbian Soldiers," *Sex Res Soci Policy* 15 (2018), 66,

https://wayf.springernature.com/?redirect_uri=https%3A%2F%2Flink.springer.com%2Farticle%2F10.1007%2Fs13178-017-0304-y; Gouliquer, "Soldiering," 197, 230, 232, 227.

⁵⁶ Jackson, *Military Closet*, 17.

⁵⁷ Donna Winslow, "Rites of Passage and Group Bonding in the Canadian Airborne," *Armed Forces and Society* 25, no.3 (Spring 1999): 455, <https://www.jstor.org/stable/45346316>

The CAF might not have recorded any homophobia-related assaults between 1992 and 1995, but testimonies revealed another reality. Jane O'Hara, the *Maclean's* reporter who uncovered serious allegations of sexual assaults in the military in 1998, also shone a light on the experience of gay service members. She talked to Tanya Botting, a reservist in Victoria whose colleagues whipped him with bars of soaps because they thought he was gay. He told the journalist: "It's just part of the code, the army's way of handling people who are homosexuals... There's so much discrimination against them, they don't dare let on what they're about." An anonymous serviceman, who had left the CF in 1996 and admitted having participated in similar assaults, shared his observations: "Gays are still perceived as an abomination... There's an unbelievable hatred for them." In the Canadian Airborne Regiment, soldiers would police homosexuality through physical and psychological abuse: if the group discovered one of their team members was gay, they "would bring him to the shower room, take a mop, take everything we had and we would wash him – without beating him. He was so scared he had to get out." Such violence – which looked to evade the official non-tolerance policy towards any form of assault, even homophobia-motivated ones, was not confined to the Airborne, the combat arms, or the Regular Force. It also occurred in support units of the Reserves. As his Commanding Officer announced the CAF had revoked CFAO 19-20, Trevor Hanagan, a medic in the Elgin Regiment, came out as gay in front of his unit. Not only did his team immediately ostracised him, but senior non-commissioned member planned and executed an assault on him outside of the confines of their units, so as to avoid being caught and charged. They chased him down the street after a night out, screaming "*We're gonna fuckin' get you! You're fucking dead!*" (emphasis in the original)"⁵⁸

The stories of scrutiny and violence may be anecdotal and may raise the question over whether anti-homosexual attitudes or stereotyping behaviours were truly a reality in the CF. As in the case with the Canadian Airborne Regiment in the mid-1990s, some may

⁵⁸ Jane O'Hara, "Of Rape and Justice," *Maclean's*, 14 Dec 1998, 21; Winslow, "Rites of Passage," 445, Jackson, *The Military Closet*, 7-8.

argue that the incidents outline above are the result of some subcultures that failed to abide by the acceptance of the policy allowing LGBT Canadians to serve. However, such an argument misses important dynamics. First, it is a lack of monitoring that contributed to this absence of evidence, which means that there is also a lack of evidence that the military has fully embraced its LGBT servicemembers. In fact, and second, there had been significant number of stories in the media about homophobia in the ranks over the past three decades that would suggest the approach the CF took after the revocation of CFAO 19-20 was not conducive to integration. Third, and perhaps more importantly, service members get posted across units every couple of years. With them, they bring their assumptions, attitudes, and behaviours, shaped by their experience in their previous units. Although new dynamics form as group change, researchers, women mostly, have documented the pressures of proving oneself as a man and therefore as heterosexual, or balancing male criteria for competency while displaying an appropriate form of femininity across the CAF.⁵⁹

While the duty to report requires service members to report to their superior any incident that they have witnessed that went against the Code of Service Discipline, the Queen's Regulations and Order (since 2022, the King's Regulations and Orders), the *National Defence Act*, or the *Criminal Code*, the CAF expected its service members to resolve interpersonal issues at the lowest level possible. For many incidents, this meant confronting the member with whom tensions had built. This put the responsibility of addressing inappropriate comments onto gay service members. If they did not spoke out – because they did not want to take the risk of ostracizing themselves – they thought they had a responsibility in their colleagues' attitudes towards them. Daphne, a lesbian non-commissioned member interviewed by Gouliquer, explained: "it's not all their fault for calling us dykes, and calling us canoe licker and all this. It's because we never told them 'Look, this upsets me, I don't like that word.'" While Daphne saw her silence as a

⁵⁹ Karen Davis, "Negotiating Gender in the Canadian Forces, 1970-1999," PhD. Diss. (Royal Military College of Canada, February 2013); Gouliquer, "Soldiering;" Gouliquer, "Negotiating Sexuality;" Poulin, "'The Military is the Wife';" Poulin, Gouliquer, McCutcheon, "Violating Gender Norms;" Jackson, *The Military Closet*; Jackson, *The Experience*.

contributing factor to those homophobic comments, Ursula, another lesbian non-commissioned member, told Gouliquer she believed reporting would not any utility in it. Ina, a heterosexual non-commissioned member, when talking about the misogyny she was facing in the ranks, shared this view: "it's not even worth my time to worry about [a colleague harassing her] because I am not going to change his mind." Orly, a lesbian officer, supplemented this dynamic by stating that one of her colleagues' homophobic comments were more due to a lack of tact than a willingness to hurt her. These relate to the complexity of interpersonal dynamics within a unit, especially when one member has characteristics that differentiate them from the rest of the group: who bears the responsibility for addressing comments? Should lingering homophobia be gay service members to address? While some thought their silence contributed to their peers' homophobia, others were aware of the risks of confronting them: tagging themselves as difficult or as the "gender police," or simply that the confrontation might not have any effect at all.⁶⁰ The same dynamic would apply to bystanders, especially if they were women, as described by Paul Jackson:

When such women are in positions of authority, they may be reluctant to support subordinates in issues that deal with homosexual harassment for fear of marking them in the process. Thus, the fear of being labelled as homosexual can impact upon the ability of women and men to demonstrate leadership in the area of homosexual harassment.⁶¹

As such, the CAF's approach to letting LGBT service members joined the military overlooked the informal, interpersonal dynamics at play that harassment policies could not address. The lack of monitoring, therefore, can only lead to an ambiguous conclusion on the integration of gay Canadians in the military. Little evidence of acceptance and inclusion, and many examples of homophobic attitudes that, in certain instances, escalated to violence, encourage the argument that the CF needs to do more to ensure its

⁶⁰ Gouliquer, "Soldiering," 245, 239, 240.

⁶¹ Jackson, *The Military Closet*, 17-18.

LGBT members feel as valued as their cis-gendered, heterosexual ones. This, however, was by design: the CAF did not seek to integrate gay service members, but rather ensure acceptance of allowing service members to serve in order to preserve operational effectiveness.

CONCLUSION: RECKONING WITH THE PAST?

Allowing LGBT Canadians to openly serve in the military had been a long history in the making. Since the *Canadian Human Rights Act* became law, the Canadian Armed Forces tried to find ways to justify the exclusion of LGBT people that would stand to the standard of bona fide occupational requirements. The *Charter* consolidated this pressure and the CAF found itself unable to continue purging gay service members. However, half a decade of policy changes still put clear limitations on LGBTQ troops. Michelle Douglas' case against the military ended this institutionalized and formalized discrimination through the revocation of CFAO 19-20. Touted as a success by CAF officials, the results of this change were actually ambiguous. This ambiguity comes from the fact that the goal was to allow LGBT Canadian to serve in the military, not *integrate* them (as opposed to the Canadian Human Right Tribunal-ordered gender integration from 1989 to 1999, which also had limited effect).⁶² The CAF put the emphasis on compliance with the revocation of CFAO 19-20 and the subsequent revised assault and harassment policies, not on the acceptance of gay service members themselves. While some of them were able to thrive (notably Rear-Admiral (retired) Luc Cassivi), others' reality was more mixed. With most service members being interviewed by Lynne Gouliquer, Carmen Poulin, and Paul Jackson not coming out officially and a lack of monitoring (for multiple reasons beyond a simple lack of concern), knowledge of the LGBTQ experience in the CAF right after October 26th, 1992 is limited. There are known instances of anti-homosexual violence, but the statistics the CAF presented to researchers prevent a sound quantitative

⁶² Duval-Lantoiné, *The Ones We Let Down*.

and qualitative analysis of those types of incidents. Furthermore, if service members were feeling marginalized, their likelihood of reporting any form of incident would have been low. Evidence suggest that this experience of marginalization was present for LGBT service members. And history is showing that the LGBT experience in the Canadian military continues to be complex.

The survivors of the LGBT Purge (which extended to the Canadian federal public service) came together in 2016 to launch a class-action lawsuit against the government. It reached a settlement in June 2018 which included \$100 million for the victims and between \$15 and \$25 million for “reconciliation and memorialization measures.”⁶³ While the class action lawsuit was under way, in November 2017, Prime Minister Justin Trudeau officially apologized for the LGBT Purge in front of the House of Commons. Specifically addressing gay service members that were purged, Trudeau said “You were not bad soldiers, sailors, airmen and women. You were not predators. And you were not criminals/ You served your country with integrity, and veterans you are.”⁶⁴ At the same time, the Department of National Defence and the Canadian Armed Forces started to progressively embrace its LGBT members. Some bases started flying Pride flags as early as 2013, and in 2018 service members created the Defence Pride Network (now the Defence Team Pride Advisory Organization) in order to “provide advice, education, and essential support to the leaders and members of the Defence Team to promote an environment” accepting LGBT service members and National Defence civilians. The military now recognizes Pride month (which takes place in October in Canada) and participates in Pride events and the International Day Against Homophobia, Transphobia, and Biphobia.⁶⁵

⁶³ LGBT Purge Fund, “About: The Settlement,” accessed 19 February 2023, <https://lgbtpurgefund.com/about/>.

⁶⁴ Prime Minister of Canada Justin Trudeau, “Remarks by Prime Minister Justin Trudeau to apologize to LGBTQ2 Canadians,” 28 Nov 2017, <https://pm.gc.ca/en/news/speeches/2017/11/28/remarks-prime-minister-justin-trudeau-apologize-lgbtq2-canadians>.

⁶⁵ *The Maple Leaf*, “Pride in the Defence Public Service,” 15 Sep 2020, <https://www.canada.ca/en/department-national-defence/maple-leaf/defence/2020/09/pride-defence-public-service.html>; Canadian Forces Morale and Welfare Services, “Defence Team Pride Advisory

However, reality for LGBTQ service members continues to be mixed. In 2015, former Justice Marie Deschamps, whom the Minister of National Defence had contracted to investigate issues of sexual assault and harassment in the Canadian military, found that “there is an underlying sexualized culture in the CAF that is hostile to women and LGBTQ members.” In her 2022 report, Louise Arbour observed a “continued unwillingness to let women in particular, as well as the members of the LGBTQ2+ community, visible minorities and equity seeking groups occupy their proper place in the military.” The Minister’s Advisory Panel on Systemic Racism and Discrimination that came out earlier that same year shared such conclusions, outlining recommendations that would help with the acceptance of service members that are LGBTQ2+, First Nation, Inuit, Metis, people of colour, and disabled.⁶⁶ With the sexual misconduct crisis of 2021 and the push to reconstitute a Canadian military that is understaffed, culture change is one of the CAF’s priorities today. The establishment of the Chief Professional Conduct and Culture, headed by Lieutenant-General Jennie Carignan, as well as the involvement of an External Monitor and the Minister of National Defence herself offer hope that the CAF is shifting its approach to 2SLGBTQI+ service members, from one of accepting the fact that they can join to one of integration.⁶⁷

Organization (DTPAO),” accessed 19 Feb 2023, [https://cfmws.ca/kingston/kingston-garrison-defence-advisory-group/defence-team-pride-advisory-organization-\(dtpao\)](https://cfmws.ca/kingston/kingston-garrison-defence-advisory-group/defence-team-pride-advisory-organization-(dtpao)); *The Maple Leaf*, “Be Part of LGBTQ2+ History Month,” 8 Nov 2021, <https://www.canada.ca/en/department-national-defence/maple-leaf/defence/2021/11/be-part-of-lgbtq2-history-month.html>.

⁶⁶ Marie Deschamps, *External Review into Sexual Misconduct and Sexual Harassment in the Canadian Armed Forces*, (Ottawa, ON: Department of National Defence, 2015), executive summary, <https://www.canada.ca/en/department-national-defence/corporate/reports-publications/sexual-misbehaviour/external-review-2015.html>; Arbour, *Report*, 14; Minister of National Defence Advisory Panel on Systemic Racism and Discrimination, *Final Report*, (Ottawa, ON: Department of National Defence, 2022), <https://www.canada.ca/en/department-national-defence/news/2022/04/ministers-advisory-panel-on-systemic-racism-and-discrimination-final-report.html>.

⁶⁷ Department of National Defence, “Chief Professional Conduct and Culture,” last modified 23 Sep 2022, <https://www.canada.ca/en/department-national-defence/corporate/organizational-structure/chief-professional-conduct-culture.html>; Department of National Defence, “Minister Anita Anand appoints External Monitor to oversee National Defence efforts to address sexual misconduct and harassment,” 24 Oct 2022, <https://www.canada.ca/en/department-national-defence/news/2022/10/minister-anita-anand-appoints-external-monitor-to-oversee-national-defence-efforts-to-address-sexual-misconduct-and-harassment.html>.

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