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“You Are Not Suited to Serve Your Country, Sir”

*The Lavender Scare Purge in the U.S. Armed Forces in the
1950s*

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Abstract

This thesis aims to investigate the arguments and evidence political and military leaders used to justify the armed services' systematic discrimination of gay men. It does so by focusing on the Lavender Scare purge in the U.S. Armed Forces in the 1950s. The thesis also explores why the armed services were particularly hostile towards gays and waited as long as 1993 before they partially reversed the gay ban.

In the 1950s, the military and U.S. government based the exclusion policy on two arguments: gays were unsuitable for military service and they constituted a security risk. The thesis demonstrates that politicians and military officials lacked proper evidence that supported these claims and that they also had proof that disproved the accusations they made. Therefore, the thesis argues that the military's gay ban was based only on prejudice and overgeneralizations. The thesis also concludes that there was a gap between how the general public perceived gay men and what the ideal combat soldier should be like. Consequently, allowing gay men to serve was particularly problematic because it would challenge the concept of manhood and the military's position as a masculine institution, the thesis argues.

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1 – Introduction

Americans in the 1950s became almost possessed with the idea that “sex perverts” and other “subversives” had infiltrated the federal government. Consequently, political leaders embarked upon a witch hunt to identify and discharge gay employees from jobs within the U.S. government. The phenomenon, which originated in the State Department, is commonly referred to as the Lavender Scare. The State Department alone fired approximately 1,000 people for homosexuality charges between the 1950s to the 1960s.¹ The campaign quickly spread to other branches of the U.S. government and other public and private industries, such as universities and the military. The armed services were particularly hostile towards gay men. Gary L. Lehring states that in no other sector was the discrimination “as absolute or as codified as in the armed forces.”² Even though the Lavender Scare only lasted for about a decade, the military continued to discriminate against gay men up until President Bill Clinton, a Democrat from Arkansas, lifted the ban in 1993. Yet even then gays could not be fully out of the closet in the military.

The purpose of this thesis is to investigate the arguments military officials and political leaders used to justify the exclusion of homosexual personnel from military and federal jobs. It will also explore the kind of evidence officials used to support their arguments. Lastly, the thesis aims to examine why the armed services were particularly hostile towards gay men. The thesis will explore these issues by answering the following two questions: How did the U.S. government and military officials defend the mistreatment of gay people based only on sexual orientation? And why was the U.S. Armed Forces particularly hostile towards gay men?

To answer these questions, the thesis will use an analytical and historical approach. It will closely read and investigate a number of primary sources from the U.S. Armed Forces and government, which will form the basis for discussion. Furthermore, secondary sources and works of historians will be used to complement the discussion.

¹ David K. Johnson, *The Lavender Scare: The Cold War Persecution of Gays and Lesbians in the Federal Government* (Chicago: University of Chicago Press, 1996), 76.

² Gary L. Lehring, *Officially Gay: The Political Construction of Sexuality by the U.S. Military* (Philadelphia: Temple University Press, 2003,) 73.

1. 1: Motivation

At present, consensual same-sex relations are illegal in at least sixty-nine countries, according to Human Rights Watch.³ The penalty varies from a fine in some countries to lifetime in prison or the death penalty in other countries. Although it may seem unlikely that something similar will happen in liberal, Western countries in the 21st century, Lehring warns that “the political success of candidates like Pat Buchanan and David Duke” should raise red flags.⁴ While homosexuality is legal in the United States and Europe, there are examples of political leaders who have introduced laws that restrict LGBTQ rights. In the United States, the Republican Party is known to take a more conservative approach on some issues, such as LGBTQ rights. During his presidency, Donald J. Trump introduced laws that restricted and limited LGBTQ rights in the United States. For example, Trump banned transgender people from serving in the U.S. Armed Forces. The CEO of The Leadership Conference on Civil and Human Rights, Vanita Gupta, writes in a statement that since taking office the Trump administration has demonstrated an “open hostility to the rights and humanity of transgender people.”⁵ Countries like Russia and Lithuania forbid “propaganda” that supports LGBTQ rights.⁶ And in Poland and Hungary, the LGBTQ community is facing increased discrimination from political leaders. This has been a feature of right-wing populism that has been on the rise in the West. The Polish President Andrzej Duda and his right-wing party openly oppose LGBTQ people. In a campaign speech in 2020, Duda said that the promotion of LGBTQ rights was “an ideology more destructive than communism.”⁷ As a consequence of his standpoint on the matter Poland has introduced several policies that discriminate against LGBTQ citizens. For example, certain regions and towns in Poland have declared themselves for so-called “LGBT-free zones.” In Poland and Hungary, laws have been or will be introduced that restrict same-sex partners’ right to adoption, for instance.

While the Lavender Scare happened over fifty years ago, these incidents demonstrate that the time when governments discriminated against their own people based on sexual

³ “#Outlawed: The Love that Dare Not Speak Its Name,” Human Rights Watch, accessed May 21, 2021, http://internap.hrw.org/features/features/lgbt_laws/.

⁴ Lehring, *Officially Gay*, 181,182.

⁵ Vanita Gupta, “Latest Version of Trump Transgender Service Ban Still Unconscionable and Unconstitutional,” The Leadership Conference on Civil and Human Rights, March 24, 2018, <https://civilrights.org/2018/03/24/latest-version-trump-transgender-service-ban-still-unconscionable-unconstitutional/>.

⁶ “#Outlawed.”

⁷ “Polish election: Andrzej Duda Says LGBT Ideology Worse Than Communism,” *BBC News*, June 14, 2020, <https://www.bbc.com/news/world-europe-53039864>.

orientation is not something of the past. It shows that the fight for justice and equality is far from over, even in Western countries. The issue is just as relevant today as it was back in the 1950s. This is the motivation behind the thesis. The thesis is important and relevant because it can shed light on a current issue by looking at similar events in the past.

1. 2: Delimitation

This thesis focuses on the Lavender Scare purge in the U.S. Armed Forces in the 1950s. The period between 1950-1959 is fascinating to investigate because of the massive attention gay men received from all parts of American society. Therefore, the Lavender Scare in the 1950s stands out as a significant incident to investigate when interested in the U.S. government's systematic discrimination of gay people. This thesis will only examine the purge in the armed services. It means that the purges in other parts of American society that took place during the same time are beyond the scope of the thesis. The armed services are fascinating because they showed a more profound hostility towards gay men than other industries during the 1950s and long after the Lavender Scare ended.⁸ The Lavender Scare can be studied from several angles: however, this thesis is solely concerned with the arguments and evidence political leaders and military officials used to justify the exclusion policy. Furthermore, the thesis will consider the characteristics gay men had, or were assumed to have, that made homosexuality especially troublesome for the armed services.

1. 3: Structure

The introductory chapter introduces the topic and the motivation behind such a thesis. Furthermore, the rest of the introduction will briefly describe the background context and events that happened in the 1950s which resulted in the discrimination of gay men in the federal government and the armed services. The following two chapters will analyze primary sources to identify and discuss the arguments and evidence behind the military's gay ban. Both chapters also use extensive secondary scholarship to complement the discussion. The chapters identify two central arguments that politicians and military officials used to justify the exclusion policy. The first rationale being that homosexuals were unsuitable for military service, and the second that they were security risks. Chapter two deals with the arguments and evidence politicians and military leaders used to justify the armed service's exclusion policy. The Senate's Hoey Committee, whose final report inspired President Dwight D.

⁸ Lehring, *Officially Gay*, 73.

Eisenhower's Executive Order 10450, will form the basis for analysis. The primary sources investigated are the final report and witness statements military officials and military psychiatrists made before the committee. The second chapter will, for the most part, explore the so-called security risk argument. The Crittenden Committee, appointed by the U.S. Navy to investigate the naval services' practices and regulations concerning homosexual personnel, will form the basis for discussion in chapter three. The final report consisted of the committee's conclusions, attached military and official documents the committee evaluated, and summaries of witness statements made before the committee. The third chapter investigates the unsuitability argument further and discusses why homosexuality proved to be thorny for the military. The final part of the thesis will contain a summary of the main findings and concluding remarks. It will also briefly touch upon why this thesis is important and why the topic is still relevant today.

1. 4: Background and historical context

1. 4. 1: The Second Red Scare & Joseph McCarthy

The roots of the Lavender Scare were in the global conflict of the postwar era. The United States and the Soviet Union went from being allies to enemies almost immediately after World War II. What came to be called the Cold War lasted from 1947 to 1991. Although no war broke out directly between the two superpowers, the tension was extremely high. It was an epoch of ideological tension and pitted capitalism against communism. Subsequently, the 1950s was a period of fear and uncertainty in the United States. Jonathan Michaels says that Americans did have reason to worry about the rapid communist expansion as in 1949, China became a communist country, and the Soviet Union had successfully tested an atomic bomb.⁹ The period has been called the Second Red Scare or the era of McCarthyism, after Senator Joseph McCarthy from Wisconsin, whose rhetoric fueled the anxiety that already existed in the country.¹⁰ In February 1950, McCarthy issued a list of 205 "known communists" working in the State Department. He later reduced the number of "bad risks" after receiving much criticism from journalists and the State Department.¹¹ Even though it was a fabrication, his accusations had a powerful impact. Consequently, McCarthy's baseless accusations received a great deal of attention from the American public and the media. For

⁹ Jonathan Michaels, *McCarthyism: The Realities, Delusions and Politics Behind the 1950s Red Scare* (New York: Routledge, 2017), 2.

¹⁰ Oxford Research Encyclopedias, "McCarthyism and the Second Red Scare," July 2, 2015, <https://oxfordre.com/view/10.1093/acrefore/9780199329175.001.0001/acrefore-9780199329175-e-6>.

¹¹ Johnson, *The Lavender Scare*, 15.

example, the *Evening Star* published an article titled “McCarthy Charges 57 In State Department Hold Red Party Cards” in the days following McCarthy’s accusations.¹²

On February 20, 1950, during a Senate session, McCarthy gave a detailed explanation and evidence for “81 loyalty risks.”¹³ Although most cases involved employees who the senator accused of being communists, two cases involved homosexuals. Case number fourteen concerned a man who started work as a translator in the State Department in 1945. The subject had close connections with others with “the same tendencies,” and some of these people were “active members of communist organizations,” McCarthy claimed.¹⁴ Case number sixty-two did not involve one person but rather a group of people. McCarthy admitted that the case was not significant because of “communist activities,” but rather “it shed light on some rather unusual mental aberrations of certain individuals in the Department.”¹⁵ The senator said the case gave “a rather interesting picture of some rather unusual mental twists of these gentlemen who are tied up with some of the communist organizations.” These gentlemen, like communists, were “mentally twisted,” and they needed to be fired regardless “of whether they are shown to have any communistic connection or not,” McCarthy stressed.¹⁶ Following these events, Senator McCarthy received a significant number of letters from the public, 25,000 in total. Approximately seventy-five percent of those letters detailed worries about “sexual deviants” in the federal government.¹⁷

As a result of this climate of fear and anxiety, the Senate launched a full-scale investigation into the “homosexual issue” in the federal government. The Hoey Committee, which will be investigated in chapter two, concluded that homosexuals should not under any circumstances be allowed to work in federal jobs.¹⁸ The report became highly influential as it formed the foundation for President Dwight D. Eisenhower’s Executive Order 10450: “Security Requirements for Government Employment” which, according to Judith Adkins,

¹² Associated Press, “McCarthy Charges 57 in State Department Hold Red Party Cards,” *Evening Star*, February 11, 1950, <https://chroniclingamerica.loc.gov/lccn/sn83045462/1950-02-11/ed-1/seq-3/#date1=1950&sort=relevance&rows=20&words=Communists+Department+State&searchType=basic&sequence=0&index=7&state=District+of+Columbia&date2=1950&proxtext=communists+state+department&y=15&x=9&dateFilterType=yearRange&page=3>.

¹³ Johnson, *The Lavender Scare*, 15.

¹⁴ 96 Cong. Rec. S1961, (February 20, 1950), (Statement of Sen. McCarthy).

<https://www.govinfo.gov/content/pkg/GPO-CRECB-1950-pt2/pdf/GPO-CRECB-1950-pt2-12-1.pdf>.

¹⁵ 96 Cong. Rec. S1978, (February 20, 1950), (Statement of Sen. McCarthy).

¹⁶ 96 Cong. Rec. S1979, (February 20, 1950), (Statement of Sen. McCarthy).

¹⁷ Naoko Shibusawa, “The Lavender Scare and Empire: Rethinking Cold War Antigay Politics,” *Diplomatic History* 36, no. 4 (2012): 731, <https://doi.org/10.1111/j.1467-7709.2012.01052.x>.

¹⁸ Subcommittee on Investigations on Employment of Homosexuals and Other Sex Perverts in Government, S. Rep. No. 81-241, at 19 (1950)

“helped institutionalize discrimination.”¹⁹ Executive Order 10450 upheld that persons of immoral character, such as “sexual deviants,” should not be employed in any of the departments or agencies of the U.S. government.²⁰

1. 4. 2: The Lavender Scare purge in the U.S. Armed Forces

Until WWII, the military paid little attention to homosexuality, although gay men could still get punished if they were caught in the act. “Sodomy” first appeared in the *Articles of War* in 1916. It did not say that same-sex relations in itself were a crime, only incidents related to assault. That changed three years later when the armed services listed consensual “sodomy” as a punishable crime.²¹ The focus shifted from the sexual act to the individual in the early 1940s, around the same time the American Psychiatric Association listed homosexuality as a mental disease.²² The homosexual person was, according to Bérubé, seen as a “personality type that was unfit for military service.”²³ Hence, the military established procedures and standards for screening recruits and determined rationales and routines for discharging suspected gays from the service.²⁴ Although these changes happened in the early 1940s, the practices were somewhat loosened as demand for military personnel dramatically increased because of the war and the draft. Once the war was over, the armed services tightened its policies and procedures.²⁵

In line with the massive attention gay men received in the late 1940s and the 1950s, the military issued several regulations meant to tighten procedures and establish routines for dealing with gays within its ranks. In 1949 the Department of Defense issued a memorandum to the armed services. It held that: “homosexual personnel, irrespective of sex, should not be permitted to serve in any branch of the Armed Forces in any capacity, and prompt separation

¹⁹ Judith Adkins, “‘These People Are Frightened to Death’ Congressional Investigations and the Lavender Scare,” *Prologue Magazine* 48, no. 2 (2016)

<https://www.archives.gov/publications/prologue/2016/summer/lavender.html>.

²⁰ Exec. Order No. 10450, C. F. R. 18 Fed. Reg. 2489 (1953),

<https://www.archives.gov/federal-register/codification/executive-order/10450.html>.

²¹ Randy Shilts, *Conduct Unbecoming: Gays and Lesbians in the U.S. Military* (New York: St. Martin’s Press, 1993), 15.

²² Randolph W. Baxter “‘Homo-hunting’ in the Early Cold War: Senator Kenneth Wherry and the Homophobic Side of McCarthyism,” *Nebraska History*, 84, (2003): 121,

https://history.nebraska.gov/sites/history.nebraska.gov/files/doc/publications/2003-Homo_Hunting.pdf.

²³ Bérubé in Dean Sinclair, “Homosexuality and the Military: A Review of the Literature,” *Journal of Homosexuality* 56, no. 6 (2009): 103, <https://doi.org/10.1080/00918360903054137>.

²⁴ William N. Eskridge, *Dishonorable Passions: Sodomy Laws in America 1861-2003* (London: Viking Penguin, 2008), 82.

²⁵ Herek and Belkin in Sinclair “Homosexuality and the Military,” 702.

of known homosexuals from the Armed Forces be made mandatory.”²⁶ Moreover, the Department of Defense established the *Uniform Code of Military Justice* in 1950. Article 125 said: “any person subject to this code who engages in unnatural carnal copulation with another person of the same or opposite sex or with an animal is guilty of sodomy.”²⁷ The article criminalized both consensual and forcible forms of “sodomy,” and it did not distinguish between homosexuals and heterosexuals. However, Kellie Wilson-Buford says that in practice, primarily homosexuals were targeted under the law.²⁸

The Department of Defense also required each branch of the military to educate employees about homosexuality.²⁹ Through lectures, young men and women learned about the dangers of “sexual deviants,” consequently a climate of suspicion gripped the armed services. Military officials encouraged soldiers to be on the lookout for suspicious people and report back if they saw or heard anything of interest. These lectures also warned the young soldiers that: “homosexuals usually try to involve previously innocent persons in their acts. Many men have been ruined and disgraced from either deliberately or carelessly becoming involved with them. Homosexuality is often associated with alcoholism, narcotics, and acts of violence such as suicide, manslaughter, and murder.”³⁰ The Department of Defense seemed to have wanted to teach recruits to fear gay men as well as to demonstrate how dangerous gay people were to the armed services and American society. The military also used the talks to notify its soldiers about the consequences they would face if they were discovered as gays:

He has been literally kicked out of the service and the consequences of such a separation are manifold. He has brought disgrace on himself, his family and his friends. He has lost virtually all his rights as a veteran under both Federal and State legislation. No government employment of any kind is open to him and he will indeed find it difficult to obtain decent employment with any civilian concern.³¹

The steps taken by the Department of Defense to increase focus on homosexuality worked. Appendix II in the Hoey Report shows that the U.S. Armed Forces discharged a total

²⁶Hubert E. Howard, “Memorandum for the Secretary of the Army, the Secretary of the Navy, the Secretary of the Air Force,” October 11, 1949, 1, <https://catalog.archives.gov/id/54538181>.

²⁷ Uniform Code of Military Justice of 1950, 50 U.S.C. Chapter 169 §1. <https://uscode.house.gov/view.xhtml?path=/prelim@title50/chapter22&edition=prelim>.

²⁸ Kellie Wilson-Buford, “From Exclusion to Acceptance: A Case History of Homosexuality in the U.S. Court of Military Appeals,” *Journal of Homosexuality* 60, no. 2-3 (2013): 253, <https://doi.org/10.1080/00918369.2013.744671>.

²⁹ Howard, “Memorandum for,” 1.

³⁰ Report of the Board Appointed to Prepare and Submit Recommendations to the Secretary of the Navy for the Revision of Policies, Procedures, and Directives Dealing with Homosexuals, 21 December 1956 – 15 March 1957, 647. (hereafter cited as Crittenden Report,) <https://play.google.com/books/reader?id=LUAQ5bMAH28C&hl=no&pg=GBS.PP1>

³¹ Crittenden Report, 645.

of 3,245 for “sex perversion” between January 1947 and March 1950. Between April 1950 and October 1950, authorities fired an additional 1,135, according to the report.³² Colin J. Williams and Martin S. Weinberg estimated that the armed forces discharged between 2,000 and 3,000 each year for homosexuality during the 1950s and 1960s, thus showing an increase in the number of discharges from the 1950s and onwards.³³

1. 4. 3: The homosexual “issue” in the 1950s

What was it about gay men that caused the homosexual panic? First of all, in the early 1950s, most Americans had become aware of the extent of the homosexual “issue.” The University of Indiana biologist and sexologist Alfred Kinsey published *Sexual Behavior in the Human Male* in 1948. It found that thirty-seven percent of those surveyed had engaged in at least one homosexual act.³⁴ The book sold well and simultaneously created quite an uproar. Johnson notes that some critics saw the book as proof of “declining American morals.”³⁵ In 1948, Francis Sill Wickware wrote that critics called the book an “assault on the family,” “negation of moral law,” and a “bad influence.”³⁶ In the years following World War II, Americans sought to bolster and protect what they considered traditional family values and marriage.³⁷ Many Americans thought conventional gender roles and domesticity were the remedies for the looming communist threat and growing uncertainty. Thus, the historian Elaine Tyler May observes that sexual behavior out of wedlock became “a national obsession after the war.”³⁸ The American public became suspicious of gay men who did not fit in with this traditional mindset. Gays could not get married nor reproduce, which meant that they challenged the traditional values that had become so crucial to beat communism.³⁹ *Sexual Behavior in the Human Male* and its findings confirmed the fears of those who believed that

³² Subcommittee on Investigations on Employment of Homosexuals and Other Sex Perverts in Government, S. Rep. No. 81-241, at 24 (1950).

³³ Colin J. Williams and Martin S. Weinberg, *Homosexuals and the Military: A Study of Less Than Honorable Discharge* (New York: Harper & Row, Publishers, 1971), 53.

³⁴ Johnson, *The Lavender Scare*, 53.

³⁵ Johnson, *The Lavender Scare*, 54.

³⁶ Francis Sill Wickware, “Report on Kinsey,” *Life Magazine*, August 2, 1948, https://books.google.co.uk/books?id=10cEAAAAMBAJ&pg=PA86&hl=no&source=gbs_toc_r&cad=2#v=onepage&q&f=false.

³⁷ Eskridge, *Dishonorable Passions*, 79.

³⁸ Elaine Tyler May, *Homeward Bound: American Families in the Cold War Era*, (New York: Basic Books, Inc., Publishers, 1988), 90-91, 94, [https://www-fulcrum.org.ezproxy.uio.no/epubs/cj82k7484?locale=en#/6/2\[xhtml00000001\]!/4/4/1:0](https://www-fulcrum.org.ezproxy.uio.no/epubs/cj82k7484?locale=en#/6/2[xhtml00000001]!/4/4/1:0).

³⁹ Eskridge, *Dishonorable Passions*, 80.

homosexuality was growing.⁴⁰ Therefore, gay men and other “sexual deviants” along with communists became enemies of the stable family and the state.

Secondly, during a time when the fear of communism was high, many government officials, medical- and psychological experts truly believed that there was a “direct connection” between communism and sexual perversion.⁴¹ This conviction was also, partly, evident in McCarthy’s speech to the Senate on February 20, 1950. While he said that the two cases involving homosexuals were not directly linked to communism, he stressed that some of the “sex perverts” were connected to communist organizations.⁴² His rhetoric closely tied communists and gay men together. Gays and communists shared several traits that in the eyes of many Americans linked the two groups together. For example, in the eyes of the public and government officials both worked to keep their identities hidden. Both were part of a “secretive underworld,” recruited members, and the establishment deemed them “mentally abnormal.”⁴³ Politicians, the public, and even Hollywood, presented a picture in which homosexuality sooner or later led to communism because of the weak moral character of these men.⁴⁴ Douglas M. Charles argues that some politicians took advantage of these assumed similarities and traits between communists and “sex perverts.”⁴⁵ This is what McCarthy and the Nebraska Republican U.S. Representative Arthur L. Miller did. For example, Miller claimed that “the Russians are strong believers in homosexuality.”⁴⁶ Although in reality, homosexuality was criminalized in the Soviet Union just like it was in the United States.⁴⁷ That did not seem to matter in this case. The politicians and other experts successfully linked the two groups together, further adding to the already existing panic regarding homosexuals in the federal government and in society.

Lastly, homosexuality attained as much attention as it did because the United States was in the middle of a “masculinity crisis” in the 1950s. K.A. Cuordileone notes that there was “a growing concern about the masculinity of American men” in the late 1940s and 1950s.⁴⁸ There was a general concern that, on the whole, American men had become soft.

⁴⁰ Johnson, *The Lavender Scare*, 53.

⁴¹ May, *Homeward Bound*, 94.

⁴² 96 Cong. Rec. S1979 (February 20, 1950), (Statement of Sen. McCarthy).

⁴³ Douglas M. Charles, “Communist and Homosexual: The FBI, Harry Hay, and the Secret Side of the Lavender Scare, 1943-1961,” *American Communist History* 11, no. 1 (2012): 103-104, <https://doi.org/10.1080/14743892.2012.666097>.

⁴⁴ May, *Homeward Bound*, 99.

⁴⁵ Charles, “Communist and Homosexual,” 124.

⁴⁶ Miller in Shibusawa, “The Lavender Scare,” 724.

⁴⁷ Shibusawa, “The Lavender Scare,” 724.

⁴⁸ K. A. Cuordileone, “‘Politics and an Age of Anxiety’: Cold War Political Culture and the Crisis in American Masculinity, 1949-1960,” *Journal of American History* 87, no. 2 (2000): 522, <https://doi.org/10.2307/2568762>.

This was problematic because Americans thought that the country was reliant on “strong, manly men” to face the communist threat. Consequently, this was partly why Americans became obsessed with gay men. Gays were seen as weak and without “masculine backbone.” This weakness supposedly made them easy to seduce and blackmail. By such logic, they could quite easily be tempted to join “subversive organizations.”⁴⁹ This was particularly problematic when Americans thought the country depended on masculine men to protect it from the Soviet Union.

1. 4. 4: Conclusion

This section has briefly described the events and actions taken by both the U.S. government and the U.S. Armed Forces regarding gay personnel in the 1950s. The section has also identified three main reasons why gay people became a national obsession in the 1950s. First, Americans had become more aware of homosexuality in the country. Second, politicians and other professionals regularly linked communists and homosexuals together. Lastly, America found itself in the middle of a “masculinity crisis.” These three factors made gay men along with communists into the enemies of the traditional family and the state. The following chapter will investigate and discuss the specific arguments and evidence political leaders and military officials used as rationale for the military’s exclusion policy in the 1950s.

⁴⁹ May, *Homeward Bound*, 95.

2 - Hoey Committee

The introduction demonstrated that the 1950s was a period of panic and uncertainty in the United States. Many observers felt that American citizens lived with the constant fear that the Cold War could, at any moment, turn hot.⁵⁰ Americans were afraid that internal and external enemies, such as communists and “sex perverts,” would infiltrate the country. Consequently, politicians became alarmed about homosexuality, particularly gay men in federal positions. That was partly because the American public believed that communism and “sexual perverts” were closely linked together. As a result, the Senate appointed a committee to investigate the extent of the issue. Senator Clyde Hoey, a Democrat representing North Carolina, led the investigation on homosexual “subversives.” The main objective of the committee was, as the report put it: “to determine the extent of the employment of homosexuals and other ‘sex perverts’ in government; to consider reasons why their employment by the government is undesirable, and to examine into the efficacy of the methods used in dealing with the problem.”⁵¹ In its final report, the Hoey Committee concluded that: “in the opinion of this subcommittee, homosexuals and other ‘sex perverts’ are not proper persons to be employed in government for two reasons; first, they are generally unsuitable, and second, they constitute security risks.”⁵² The Hoey Committee and its final report form the basis for this chapter’s discussion. The chapter will also closely scrutinize and discuss the witness statements made by military officials and military psychiatrists before the committee. Additionally, it examines how the Hoey Committee members used the evidence presented to them. The aim is to better understand the military’s justifications and actions regarding homosexuality. The chapter concludes that the rationale for excluding gay men from military service rested on flawed evidence, assumptions based on generalizations, and long-held prejudice.⁵³

⁵⁰ May, *Homeward Bound*, 22.

⁵¹ Subcommittee on Investigations on Employment of Homosexuals and Other Sex Perverts in Government, S. Rep. No. 81-241, at 1 (1950).

⁵² Subcommittee on Investigations on Employment of Homosexuals and Other Sex Perverts in Government, S. Rep. No. 81-241, at 3 (1950).

2. 1: Rationale for the exclusion policy

2. 1. 1: Arguments

By the postwar years, military officials from the Army, Navy, and Air Force all agreed that gay men were security risks and generally unsuitable for military service. For example, Captain E. P. Hylant from the Office of Naval Intelligence told the committee that the Navy believed gays to be a threat to national security and a danger to their personnel “cooped up on board ship.”⁵⁴ The Air Force saw gay men as “likely to be emotionally unstable” in addition to lacking moral fiber. This made them unfit for military service, Lieutenant Colonel F. I. McGarraghy explained.⁵⁵ Roscoe H. Hillenkoetter, from the Central Intelligence Agency, said gay men were a severe threat to national security. Keeping homosexuals employed provided the USA’s enemies with “a weapon” that was “aimed right at the heart of our national security,” he warned the committee.⁵⁶

However, military officials disagreed over the nature of the threat to national security. Navy officials believed that gays posed a constant menace, irrespective of their rank or position.⁵⁷ Army and Air Force officials, on the other hand, considered gays to be a threat only if they could access sensitive information. For instance, McGarraghy said: “from an analysis of the situation, it is apparent that any homosexual who is in a sensitive position or has access to classified material does constitute a security risk.”⁵⁸ Regardless of these differences, the final report concluded that “sexual deviants” were security risks and should therefore be discharged from all federal jobs.

These views of gay men seemed to match the general understanding at the time. Gays had come to be known as security risks during the Second World War and the following years, according to Charles.⁵⁹ The previous chapter suggested that Senator Joseph McCarthy’s attack on homosexuals in federal jobs was particularly effective because of the situation the

⁵⁴ *Executive Session Hearing of the Subcommittee on Investigations Before the Investigations Subcommittee, Committee on Expenditures in the Executive Departments*, 81st Cong. 2145 (1950) (Statement from E. P. Hylant), <https://catalog.archives.gov/id/28748700>.

⁵⁵ *Executive Session Hearing of the Subcommittee on Investigations Before the Investigations Subcommittee, Committee on Expenditures in the Executive Departments*, 81st Cong. 2155 (1950) (Statement from McGarraghy).

⁵⁶ *Executive Session Hearing of the Subcommittee on Investigations Before the Investigations Subcommittee, Committee on Expenditures in the Executive Departments*, 81st Cong. 2103 (1950) (Statement from Hillenkoetter).

⁵⁷ *Executive Session Hearing of the Subcommittee on Investigations Before the Investigations Subcommittee, Committee on Expenditures in the Executive Departments*, 81st Cong. 2146 (1950) (Statement from E. P. Hylant).

⁵⁸ *Executive Session Hearing of the Subcommittee on Investigations Before the Investigations Subcommittee, Committee on Expenditures in the Executive Departments*, 81st Cong. 2155 (1950) (Statement from McGarraghy).

⁵⁹ Charles, “Communist and Homosexual,” 103.

United States found itself in at the time. May says that many government officials, doctors, and psychiatrists truly believed there was a direct link between communists and sexual deviants.⁶⁰ Some of them, like McCarthy and Miller, communicated this message to the public. Consequently, the military officials' argument that gay men were a threat to national security seemed to have made sense to the general public.

Furthermore, the military's exclusion policy was not unique. In 1993 the United States Accounting office examined the practices of other countries in dealing with homosexuality in the military during the 20th century. The report disclosed that out of the twenty-five countries included, twelve countries still prohibited gay people from serving in 1993.⁶¹ Of those who did not discriminate based on sexual orientation, many had only recently opened up for gay men, the report showed. For example, countries such as Canada, Australia, and Portugal stopped excluding homosexual people in the late 1980s and early 1990s.⁶² The United States partially lifted the ban in 1993, whilst three countries opened up earlier.⁶³ Germany allowed gays to serve as early as 1969. Although gay men were not granted security clearance at that time, they could enlist. Sweden permitted gay men to serve in 1976.⁶⁴ According to the report, Israel was the only country that allowed gays to serve as early as 1948, the year the nation was founded. Just like Germany, Israel did have certain restrictions; queer men could not attain intelligence positions.⁶⁵ Clearly, prohibiting gays to serve in the military was not solely an American phenomenon. It was common practice in most countries during the post-World War II years. Those countries that allowed gay men to serve earlier denied them access to intelligence positions. Other nation's military's, like the U.S. Army and the Air Force, believed homosexuals constituted a security risk when they held certain high-level positions. Evidently, the universal understanding at the time was that homosexual people should not serve in the military.

There were, however, some who dissented from this position. A collection of U.S. Military psychiatrists offered a different and more liberal perspective. George Raines, Captain in the U.S. Navy, and Colonel John Caldwell, Chief, Neuropsychiatry Consultants Division, Office of the Surgeon General, U. S. Army, both advised against generalization. They argued that classifying all gays as security risks was incorrect. For example, Caldwell warned against

⁶⁰ May, *Homeward Bound*, 94.

⁶¹ United States General Accounting Office, *Homosexuals in the Military: Policies and Practices of Foreign Countries*, June, 1993, 5, <https://www.gao.gov/assets/220/218039.pdf>.

⁶² United States General Accounting Office, "Homosexuals in the Military," 19, 22, 27.

⁶³ Sinclair, "Homosexuality and the Military," 705.

⁶⁴ United States General Accounting Office, "Homosexuals in the Military," 33, 44.

⁶⁵ United States General Accounting Office, "Homosexuals in the Military," 38.

viewing homosexuality as a universal term and thinking that all homosexual people shared the same characteristics and personality traits.⁶⁶ He told the committee: “I do not think you could any more pick out the homosexual as a person who is a bad security risk, as such, and guarantee that he was than you could say all people with size nine shoes were.”⁶⁷ Such views revealed the difference in opinion within the military. On the one hand, many military officials truly believed that homosexual soldiers constituted a security risk, and on the other hand, military psychiatrists contended that it was impossible to categorize all gay men as security risks. Regardless, the final report stated that all the agencies which came to testify were “in complete agreement that sex perverts in government constitute security risks.”⁶⁸

2. 1. 2: Evidence

Military officials who took a strong stance did not offer reliable and hard evidence for their accusations. And those who attempted to offer proof for their arguments provided minimal, or inadequate evidence at best. Some of them, such as Hylant, offered no evidence at all, only accusations. Colonel Hamilton H. Howze explained that gays were security risks because of their moral failings which made them predisposed to “blackmail, coercion, or bribery.”⁶⁹ This reasoning seems to have been common during the Cold War. The fear of the enemy was high. The last thing one would want was a person vulnerable to blackmail in a military position that required security clearance. However, Howze did not refer to any data or give any evidence to demonstrate that homosexuals were more vulnerable to blackmail or bribery than heterosexuals. Hillenkoetter had made a list of reasons why he thought gay men were security risks. For example, homosexual people liked to talk about themselves and were an easy target for “skilled questioners,” Hillenkoetter stated. He explained that “sexual deviants” possessed several “exploitable weaknesses,” which made them, among other things, vulnerable to pressure.⁷⁰ Most gays wanted their sexual orientation to remain a secret, which, according to Hillenkoetter, a foreign country could use to blackmail homosexuals into giving

⁶⁶ *Executive Session Hearing of the Subcommittee on Investigations Before the Investigations Subcommittee, Committee on Expenditures in the Executive Departments*, 81st Cong. 2303 (1950) (Statement from Caldwell), <https://catalog.archives.gov/id/28748702>.

⁶⁷ *Executive Session Hearing of the Subcommittee on Investigations Before the Investigations Subcommittee, Committee on Expenditures in the Executive Departments*, 81st Cong. 2301 (1950) (Statement from Raines).

⁶⁸ Subcommittee on Investigations on Employment of Homosexuals and Other Sex Perverts in Government, S. Rep. No. 81-241, at 5 (1950).

⁶⁹ *Executive Session Hearing of the Subcommittee on Investigations Before the Investigations Subcommittee, Committee on Expenditures in the Executive Departments*, 81st Cong. 2125 (1950) (Statement from Howze).

⁷⁰ *Executive Session Hearing of the Subcommittee on Investigations Before the Investigations Subcommittee, Committee on Expenditures in the Executive Departments*, 81st Cong. 2095 (1950) (Statement from Hillenkoetter).

up classified information. Because gay men often frequented “various hangouts of his brethren,” they were easy to spot. Consequently, according to this logic many people knew about their sexuality, making it easy for enemies to locate and approach them.⁷¹ These hangouts were particularly dangerous because the enemy could send someone in who would pretend to be gay, and form a relationship with such a target. Hillenkoetter then warned, “the relationship can later be directed to espionage purposes, either with or without the knowledge of the subject.”⁷² The late historian Allan Bérubé argued that the evidence that Hillenkoetter provided before the committee was “flimsy at best.”⁷³

Hillenkoetter was the only witness that provided an example of a homosexual who gave up sensitive information to the enemy. And this was an example from decades before. He told the story of Colonel Alfred Redl, head of Austrian intelligence before World War I. Hillenkoetter described him as an “honest” and “excellent” person. However, the Russians found out about his sexual preferences, sent in an “attractive newsboy” who seduced the colonel. The Russians then caught them in the act and used it as leverage to blackmail Redl into working for them.⁷⁴ Hillenkoetter finished his story with a warning that this was proof of “what can be done to a country’s security by a homosexual strategically placed.”⁷⁵ The story was a flawed piece of evidence, according to David K. Johnson, because it happened in another country many years prior, and Hillenkoetter exaggerated and altered the story as well. There was no way of knowing if Redl’s homosexuality was why he became a double agent.⁷⁶ Similarly, Bérubé calls the story of Redl a baseless “anecdote.”⁷⁷ Although the evidence Hillenkoetter provided was questionable at best, he was the only witness who gave the committee any concrete evidence to support the security risk argument. The main arguments for the military’s exclusion policy rested on insufficient evidence and assumptions based on prejudice.

⁷¹ *Executive Session Hearing of the Subcommittee on Investigations Before the Investigations Subcommittee, Committee on Expenditures in the Executive Departments*, 81st Cong. 2095 (1950) (Statement from Hillenkoetter).

⁷² *Executive Session Hearing of the Subcommittee on Investigations Before the Investigations Subcommittee, Committee on Expenditures in the Executive Departments*, 81st Cong. 2096 (1950) (Statement from Hillenkoetter).

⁷³ Allan Bérubé, *Coming Out Under Fire: The History of Gay Men and Lesbians in World War Two* (New York: Plume, 1991), 268.

⁷⁴ *Executive Session Hearing of the Subcommittee on Investigations Before the Investigations Subcommittee, Committee on Expenditures in the Executive Departments*, 81st Cong. 2090-2092 (1950) (Statement from Hillenkoetter).

⁷⁵ *Executive Session Hearing of the Subcommittee on Investigations Before the Investigations Subcommittee, Committee on Expenditures in the Executive Departments*, 81st Cong. 2093-2094 (1950) (Statement from Hillenkoetter).

⁷⁶ Johnson, *The Lavender Scare*, 109.

⁷⁷ Bérubé, *Coming Out Under Fire*, 268.

2. 2: Security risks

2. 2. 1: Gays wanted to conceal their sexual orientation

Those who believed that “sexual deviants” constituted a security risk, such as Hillenkoetter, argued, among other things, that most gay men preferred to keep their sexual orientation hidden. For that reason, officials thought they were particularly vulnerable to blackmail.⁷⁸ Hillenkoetter never referred to any evidence that confirmed that assumption. Still, the logic made sense to a certain extent. Most homosexual military personnel likely desired to keep their sexual orientation concealed at the time and in such a hostile environment. Homosexuality was prohibited in the 1950s, in the military organization, at universities, and in society. When professionals were discovered to be homosexuals they could suffer severe consequences. Adkins explains that homosexuality was not anymore accepted just because most people were aware of it.⁷⁹ A Harris survey conducted in the mid-1960s revealed that seventy percent of those asked thought homosexuals were harmful to American society. Only communists and people who did not believe in God were more unpopular, while the Americans polled ranked prostitutes alongside homosexuals at seventy percent. Only one percent of the respondents said that they believed gays to be helpful to society.⁸⁰ Although this survey was conducted in the 1960s, it clearly shows the general attitude towards gay men in Cold War America. Discovery would likely have resulted in a number of negative consequences for the individual, such as discharge from the military or a job termination. If the politicians and U.S. military officials had not criminalized homosexuality, that would have made homosexuals less of a target as they would not have had to hide their sexual orientation.

Regardless, the late journalist Randy Shilts argued that just because homosexuals preferred to conceal their sexual orientation that did not mean that they would have betrayed their country if a foreign enemy threatened to reveal their secret.⁸¹ The military officials who testified before the committee offered no examples of American citizens who had been blackmailed into giving up secrets to a foreign country in order to keep their homosexuality masked. Bérubé explained that the most solid argument the military officials had concerning

⁷⁸ *Executive Session Hearing of the Subcommittee on Investigations Before the Investigations Subcommittee, Committee on Expenditures in the Executive Departments*, 81st Cong. 2095 (1950) (Statement from Hillenkoetter).

⁷⁹ Adkins, “These People Are Frightened to Death.”

⁸⁰ Louis Harris, “The American’s Tolerance,” *The San Francisco Examiner*, September 28, 1965, 18, <https://sfexaminer.newspapers.com/image/458816802/>.

⁸¹ Shilts, *Conduct Unbecoming*, 105.

gay men and lesbians being security risks came from the military's own "success in emotionally breaking down gay men and lesbians during and after the war."⁸² Just because homosexuals hid their true identities from their government did not mean that they would give up state secrets to the enemy. Also, if the logic was that gay men were prone to blackmail because they had a secret to hide, did that not mean that everyone who had a secret was a potential blackmail target?

2. 2. 2: Heterosexual security risks

Everyone, regardless of sexual orientation, was a possible threat to national security. Two of the main reasons Hillenkoetter listed for why homosexual people were security risks were that they wanted to conceal their homosexuality and that they were vulnerable to seduction.⁸³ For example, Hillenkoetter warned about gay bars because a foreign spy could approach a homosexual and seduce the person with the intent to extract information.⁸⁴ He failed to recognize that seduction of a heterosexual person had long been a favored method used by spies to get information, as Franklin D. Jones and Ronald J. Koshes have noted.⁸⁵ A foreign enemy could just as easily send someone into a regular bar and seduce heterosexual military personnel. Furthermore, gays were not the only individuals with secrets and information about themselves they would have preferred not to be made public. For example, numerous heterosexual men cheated on their wives or had gambling and personal debts. If a foreign spy got such intel, it seems that these people would have had just as strong a motive to give up classified information as a homosexual who sought to hide his sexual orientation. Raines came to a somewhat similar conclusion during his testimony before the committee. He explained that it might have been true that homosexuals were more vulnerable to blackmail compared to people who had "what we consider normal sexual practices and impulses." Yet they were not any more susceptible than people who cheated or "acted which made him almost equally reprehensible from the standpoint of public attitude if he was caught," Raines

⁸² Bérubé, *Coming Out Under Fire*, 268.

⁸³ *Executive Session Hearing of the Subcommittee on Investigations Before the Investigations Subcommittee, Committee on Expenditures in the Executive Departments*, 81st Cong. 2095-2096 (1950) (Statement from Hillenkoetter).

⁸⁴ *Executive Session Hearing of the Subcommittee on Investigations Before the Investigations Subcommittee, Committee on Expenditures in the Executive Departments*, 81st Cong. 2095 (1950) (Statement from Hillenkoetter).

⁸⁵ Franklin D. Jones, and Ronald J. Koshes, "Homosexuality and the Military," *American Journal of Psychiatry* 152, no. 1 (1995): 19, <https://doi.org/10.1176/ajp.152.1.1.16>.

argued.⁸⁶ The Crittendon Committee, a board appointed by the Navy, concluded that gay men did pose a security risk in their final report. However, so did those who engaged in “promiscuous heterosexual activity” and violated “moral and criminal codes.”⁸⁷ They did not discriminate between homosexuals and heterosexuals. Both groups could, under the right circumstances, be equally vulnerable to blackmail.

Hillenkoetter addressed this matter during his testimony on July 14, 1950. He recognized those who argued that people who committed adultery were just as significant security risks as those who engaged in same-sex relations. He explained to the committee why he believed that to be wrong:

It is my feeling and the feeling of the experts in the Central Intelligence Agency, who are well qualified in this, that these observations are not correct. It is our feeling that there are few if any, cases where a pervert represents a better security risk than a normal human being. The consistent symptoms of weakness and instability which accompany homosexuality almost always represent danger points of susceptibility from the standpoint of security.⁸⁸

According to him, in addition to having a secret, “sex perverts” possessed characteristics of weakness and emotional instability, making them more likely to cave under pressure than heterosexuals. Interestingly, he used the word “feeling.” He did not refer to any data or evidence other than his and his agency’s “feelings” that homosexual people were more vulnerable to blackmail. Nor did he present any evidence to support his claim that gay men possessed “symptoms of weakness and instability.” However, as the previous sections showed, the general view of gays at the time seemed to match Hillenkoetter’s understanding. He, like the American public, may have honestly believed his statements about “sexual deviants.” Like Lawrence Massett, a journalist for *The Austin Statesman*, pointed out, it is difficult to change stereotypes that have existed for a long time when there is little evidence to support alternative views.⁸⁹

⁸⁶ *Executive Session Hearing of the Subcommittee on Investigations Before the Investigations Subcommittee, Committee on Expenditures in the Executive Departments*, 81st Cong. 2251 (1950) (Statement from Raines).

⁸⁷ Crittenden Report, 46.

⁸⁸ *Executive Session Hearing of the Subcommittee on Investigations Before the Investigations Subcommittee, Committee on Expenditures in the Executive Departments*, 81st Cong. 2100 (1950) (Statement from Hillenkoetter).

⁸⁹ Lawrence Massett, “Homosexuality Study Provides Many Questions, Few Answers,” *The Austin Statesman*, December 22, 1969, 27.

2. 2. 3: Gay men could serve in the military during wartime

If military officials thought gays were such a major security risk and were mentally unstable, would they have let gay soldiers serve during wartime? The memorandum issued to all military branches from the Department of Defense in 1949 specified that homosexuals should not serve and made swift removal mandatory.⁹⁰ In 1953, J. L. Holloway Jr., the chief of Naval personnel, claimed that gay soldiers were particularly dangerous during times of war: “it should be evident that persons subject to such external pressure particularly during times of war or national emergency are exceptionally poor military risks and are, in fact, positive liabilities.”⁹¹ The numbers, however, tell a completely different story. Whenever the United States was at war, and therefore in need of personnel, the number of discharges based on sexual orientation drastically decreased.⁹² During wartime, the military also loosened the gay ban. Interestingly, this was also the case during the Korean War which took place between 1950 and 1953, according to C. Dixon Osburn.⁹³ The military was not too concerned about “looking for” gay soldiers among its ranks when the country was at war, thereby putting the whole security risk argument into question. It appeared that in times of need, the demand for men overruled the military’s exclusion policy.⁹⁴ For example, approximately sixteen million Americans served in the military during World War II.⁹⁵ Subsequently, had the military been more exclusionary it would not have been able to recruit sufficiently. This is perhaps the most significant argument that proves the military leaders did not believe the security risk argument. A potential security risk would be even more devastating during a time of crisis. The fact that they let gay soldiers serve during wartime indicates that they knew the argument was faulty. According to Shilts, this did not only happen during wartime but also if the person was someone the military needed in a time of peace. For example, medics, who were crucial for the military both in times of war and peace, could evade the rules. In those cases the discharge was often lost or postponed.⁹⁶ As such, the military seemed to have been more concerned that the American public thought there were no homosexuals in the armed services than they were of actually having gays in the service, Shilts states.⁹⁷ This

⁹⁰ Howard, “Memorandum for,” 1.

⁹¹ J. L. Holloway Jr. in Crittenden Report, 247.

⁹² Lehring, *Officially Gay*, 110.

⁹³ C. Dixon Osburn, “Policy in Desperate in Desperate Search of Rationale: The Military’s Policy on Lesbians, Gay, and Bisexuals,” *UMKC Law Review* 64, no. 1 (1995): 208, HeinOnline Law Journal Library.

⁹⁴ Shilts, *Conduct Unbecoming*, 70.

⁹⁵ Sinclair, “Homosexuality and the Military,” 704.

⁹⁶ Shilts, *Conduct Unbecoming*, 6.

⁹⁷ Shilts, *Conduct Unbecoming*, 6.

strengthens the argument that the military based its exclusion policy on prejudice, not because they genuinely believed gay soldiers were a real threat.

2. 3: Use of evidence and facts

2. 3. 1: The committee sought to confirm their views

The Hoey Committee did not listen to the military psychiatrists and the medical experts when they warned against overgeneralization or explained that homosexuality was a complicated matter. For instance, Dr. Leonard A. Scheele, surgeon general of the Public Health Service at the Federal Security Agency, told the committee that gays are not “weaker” than heterosexuals and that homosexuality “runs through the whole range of IQ levels.”⁹⁸ Instead, the committee members concluded that all the agencies which came to testify were “in complete agreement that sex perverts in government constitute security risks.”⁹⁹ This was a lie of course. The committee seemed to have refused to hear or to ignore those who did not share their views of homosexuality. In this case, that was all of the five medical experts and military psychiatrists who testified. At the same time, the committee also ignored much of the evidence that military officials provided that did not support the claims they made. For example, Lieutenant Colonel F. McGarraghy from the Air Force said that the arguments supporting the exclusion policy were “unquestionably sound.” He did, however, admit that “during the two-year period that the Office of Special Investigations has been in existence, no specific cases had come to light which would demonstrate these points.”¹⁰⁰ None of the committee members had any follow-up questions for him. This was odd, to say the least. One would expect them to ask critical questions about why McGarraghy claimed gay men were security risks after admitting that he did not have any evidence to prove it. Then again, these stereotypes were so common that the committee might not have seen it as necessary to inquire further.

However, Shilts noted that the Hoey Committee seemed to have only been interested in connecting gays to the security risk argument from the beginning.¹⁰¹ The committee appeared to only be interested in confirming their own views on the issue. Bérubé argued that

⁹⁸ *Executive Session Hearing of the Subcommittee on Investigations Before the Investigations Subcommittee, Committee on Expenditures in the Executive Departments*, 81st Cong. 2249 (1950) (Statement from Scheele).

⁹⁹ Subcommittee on Investigations on Employment of Homosexuals and Other Sex Perverts in Government, S. Rep. No. 81-241, at 5 (1950).

¹⁰⁰ *Executive Session Hearing of the Subcommittee on Investigations Before the Investigations Subcommittee, Committee on Expenditures in the Executive Departments*, 81st Cong. 2156-2157 (1950) (Statement from McGarraghy).

¹⁰¹ Shilts, *Conduct Unbecoming*, 105.

the Hoey Committee's primary purpose was to "construct and promote" the notion that "sexual deviants" were security risks.¹⁰² They showed little interest in listening to anyone who claimed otherwise. On the day that the medical community testified, only three committee members even bothered to show up. Two of the senators and Hoey were in attendance, according to Johnson.¹⁰³ The committee members seemed to have known what they wanted to conclude before the hearings began. It looked like the main objective was not to listen to all who came to testify and then make up an informed opinion. It was to look for arguments that best proved that gay men were security risks. It is likely that the committee members did not care too much about the medical perspectives on homosexuality. The committee's chief counsel Francis Flanagan categorized the more liberal witnesses as having "unrealistic views of the problem" and that they harbored a "head-in-the-sand attitude."¹⁰⁴ Consequently, the military psychiatrists and medical experts, who most likely knew more about homosexuality and who worked with them as patients, were, for the most part, ignored. Simultaneously, the military officials, who admitted that they had no evidence to prove what they were saying and based their arguments on a "feeling," were heard. The committee members based their conclusions on prejudice, not on informed information.

The committee's use of evidence received very little criticism from politicians or the public. The criticism they did get came from the Crittendon Committee. Members of that committee believed that the limited examples that were provided before the Hoey Committee were insufficient to conclude that gay men were security risks. To do that, security breaches caused by homosexuals would have to be investigated and compared with security breaches caused by heterosexuals.¹⁰⁵ They did not say that gays were not security risks, but they said that more data was required before one could reach such a conclusion.

However, the conclusions that the Hoey Committee reached did match the general understanding of homosexuals in the 1950s. That may be why most Americans did not criticize the committee for its use of evidence. According to Adkins, the hearings were closed to the public.¹⁰⁶ Therefore, people likely did not know how the committee came to its conclusion or in what way the members used the evidence available to them. As the committee's conclusion matched overall assumptions about gays, it would probably not have been any different had the public known how the committee members reached the conclusion.

¹⁰² Bérubé, *Coming Out Under Fire*, 267.

¹⁰³ Johnson, *The Lavender Scare*, 113.

¹⁰⁴ Adkins, "These People Are Frightened to Death."

¹⁰⁵ Crittenden Report, 6.

¹⁰⁶ Adkins, "These People Are Frightened to Death."

As demonstrated in the introduction, the final report led to Executive Order 10450, which effectively banned subversives like communists and “sex perverts” from the federal government. Shilts argued that President Eisenhower knew very well that the accusations were nonsense and did not care for McCarthyism. However, that did not stop him from signing the Executive Order.¹⁰⁷ Consequently, he was probably not interested in inquiring into the committee’s methods and findings either way. The report gave him a rationale for banning “sexual perverts” from federal jobs. This was, after all, what he had promised to do during the presidential campaign of 1952. According to Shilts, President Eisenhower and the Republican Party used the Cold War hysteria and fear of communist and subversive infiltration in the U.S. government to attack the Democrats and win votes.¹⁰⁸

2. 3. 2: Lack of evidence and facts

So far, this chapter has demonstrated that the witness statements made by military officials revealed that the military struggled to find relevant and hard evidence for their claims. For instance, McGarraghy who held firm that the arguments supporting the gay ban were solid, while at the same time admitting that he had not come across any cases that verified them.¹⁰⁹ Similarly, Howze said that the Army had received reports that indicated that Nazi Germany had a list of “known homosexuals” they could use to access information from the enemy. They had not managed to locate the list, nor did they even know for sure that it had ever existed, Howze admitted.¹¹⁰ The military partly based the exclusion policy on rumors and speculation. The Army had nothing concrete that suggested gay men were security risks, but they still discharged homosexuals from the military for being a threat to national security. Based on these examples, the military seemed to have been aware of how little evidence they had to support their claims that gay people were security risks and unsuitable for service. Decision-makers, in this case, the military, could base their policy and justify discrimination on inadequate evidence and proof. Where no evidence was available, rumors, innuendo, and falsehoods would do.

¹⁰⁷ Shilts, *Conduct Unbecoming*, 106-107.

¹⁰⁸ Shilts, *Conduct Unbecoming*, 108.

¹⁰⁹ *Executive Session Hearing of the Subcommittee on Investigations Before the Investigations Subcommittee, Committee on Expenditures in the Executive Departments*, 81st Cong. 2156-2157 (1950) (Statement from McGarraghy).

¹¹⁰ *Executive Session Hearing of the Subcommittee on Investigations Before the Investigations Subcommittee, Committee on Expenditures in the Executive Departments*, 81st Cong. 2125-2126 (1950) (Statement from Howze).

Some researchers and psychiatrists, who studied gay soldiers, offered a more liberal view of homosexuality. According to Bérubé, researchers who studied gay military personnel during World War II first questioned the exclusion policy practiced by the armed services.¹¹¹ For example, Edna Rostow and Dr. Clements Fry found that most of the gay soldiers they studied had excellent service records. They concluded that these soldiers should be judged individually, not as a class.¹¹² This mirrors what the military psychiatrist who testified before the Hoey Committee had said about the dangers of generalization. Similarly, Lieutenant Herbert Greenspan and Commander John Campbell concluded that gays had successfully held “responsible positions” and had proven to be “reliable and well-integrated.”¹¹³ These more liberal voices were a very tiny minority, both within the military and in their professional fields, according to Bérubé.¹¹⁴ That may be why the military ignored such professionals. Either way, it demonstrates that not only did the military know that they had very little evidence to support their claims, but that they also had some evidence from professionals who suggested otherwise. However, like the Hoey Committee, military leaders appeared to be uninterested in taking this into consideration. The opinions of these liberal military psychiatrists and researchers did not make the U.S. Armed Forces change its discriminatory policy against gays.

2. 4: Equal protection and military deference

The United States had long had laws in place to safeguard individuals from discrimination from their own government. For example, the Fifth Amendment has a section called the “Due Process Clause,” which ensures that the United States government practices equal protection.¹¹⁵ Equal protection stops the government from making distinctions between groups of people which are based on prejudice and “are irrelevant to a legitimate governmental objective,” according to the Legal Information Institute.¹¹⁶ In other words, this can protect individuals when they are treated differently based on characteristics such as gender, race, and sexual orientation, for no good reason. Therefore, by more recent standards, the military’s treatment of homosexual personnel was unconstitutional.

¹¹¹ Bérubé, *Coming Out*, 173.

¹¹² Fry and Rostow in Bérubé, *Coming Out*, 173.

¹¹³ Greenspan and Campbell in Bérubé, *Coming Out*, 171.

¹¹⁴ Bérubé, *Coming Out*, 173.

¹¹⁵ Legal Information Institute, “Equal Protection,” Cornell Law School, accessed April 11, 2021, https://www.law.cornell.edu/wex/equal_protection.

¹¹⁶ Legal Information Institute, “Equal Protection.”

However, historically, equal protection cases, which involved the military, did not follow the same guidelines as civilian court cases did. James Burk says that the courts recognized the military as a “unique institution” which in some cases required special consideration and, in some instances, “exemption from the state’s usual practice.”¹¹⁷ The courts recognized the armed services as distinct and isolated from civilian life. As such, the military had a specific mission to accomplish, which required “obedience, unity, commitment, and esprit de corps,” Alafair S. Burke argues.¹¹⁸ Therefore, some kind of discrimination may be acceptable for the military to carry out its mission. Additionally, Seth Harris notes that the courts also acknowledged their “own lack of expertise in military affairs,” which was part of the reason why they rarely interfered in these matters.¹¹⁹ Consequently, the military could discharge and exclude gays from service without having to worry about constitutional issues or being asked to provide evidence or a rationale.¹²⁰

Burke explains that the military’s exclusion policy was at that time only subjected to a “rational basis review.” This meant that as long as it was “rationally related to a legitimate state interest,” the policy would be upheld.¹²¹ The reasoning did not have to be a “tight one,” simply a rational one. The military’s argument that “sexual deviants” posed a security risk was enough to justify the exclusion policy. After all, claimed officials in the 1950s, it was reasonable to believe that gays who wanted to keep their sexual orientation a secret were particularly vulnerable to blackmail. Because of military deference and the courts’ tendency to stay out of these matters, the military could uphold this rationale for excluding gays from its ranks without being asked to provide reliable evidence.¹²² Harris, however, argues that for the military to successfully uphold the justification that homosexuality disrupted military discipline and posed a security risk, one of two concepts had to be present. First, the person’s homosexuality had to be negatively correlated to performance or that person’s inclination to succumb to military discipline. And second, homosexuality had to affect others, which “undercuts military discipline,” Harris argues.¹²³ For the first notion, Harris says that the

¹¹⁷ James Burk, “Power, Morals, and Military Uniqueness,” *Society* 31, no. 1 (1993): 29, <https://doi.org/10.1007/BF02693382>.

¹¹⁸ Alafair S. Burke, “A Few Straight Men: Homosexuals in the Military and Equal Protection,” *Stanford Law & Policy Review* 6 no. 1 (1994): 110, HeinOnline Law Journal Library.

¹¹⁹ Seth Harris, “Permitting Prejudice to Govern: Equal Protection, Military Deference, and the Exclusion of Lesbians and Gay Men from the Military,” *New York University Review of Law & Social Change* 17, no. 1 (1989): 207, HeinOnline Law Journal Library.

¹²⁰ Burk, “Power,” 32.

¹²¹ Burke, “A Few Straight Men,” 113.

¹²² Burke, “A Few Straight Men,” 114.

¹²³ Harris, “Permitting Prejudice to Govern,” 217.

military was required to prove that homosexuality, and no other personal choices, was correlated to poor performance or that it challenged military discipline. Harris observes that the military had not been successful in providing such an argument.¹²⁴

This concept can also be applied to the idea that gays were security risks. The military tried to argue and provide evidence that “sexual deviants” posed a threat to national security, while heterosexuals did not. They did not manage to do so. For example, Hillenkoetter said homosexuals posed more of a security risk than heterosexuals who engaged in infidelity because they were mentally weak.¹²⁵ But he failed to provide satisfying evidence to prove that they were, in fact, mentally weak. His accusations seemed to be based on prejudice, not informed knowledge. Therefore, he did not give sufficient evidence for why gay men were more of a security risk than other people with secrets. Thus, Harris’ first concept did not apply. The second idea was, according to Harris, that homosexuality must be “open and notorious,” and it must be so to such a degree that it can influence others to reject military discipline. “Sexual orientation is not,” writes Harris, “in most cases, open and notorious.”¹²⁶ He concludes that the military could not apply “the doctrine of special judicial deference” because they could not claim a proper relationship between homosexuality and military discipline.¹²⁷ Because they failed to justify the exclusion policy in regard to one of the two theories, the military could not argue that homosexual orientation disrupted military discipline. And thus, military leaders could not claim that the exclusion policy was based on anything other than prejudice.

It is not unthinkable that the Hoey Committee and the military officials truly believed that gays were security risks and unsuitable for military service. Like Adkins says, homosexuality was not acceptable at the time.¹²⁸ This was true not only in society at large but within the military as well. Many government officials and medical- and psychological experts truly believed that communists and “sex perverts” were directly connected.¹²⁹ With the Soviet threat looming, it is plausible that they genuinely thought that homosexuals were a real threat to national security. It is essential to consider the environment in which they had to make these decisions. Gays in the military could pose a security risk if one truly believed they

¹²⁴ Harris, “Permitting Prejudice to Govern,” 218.

¹²⁵ *Executive Session Hearing of the Subcommittee on Investigations Before the Investigations Subcommittee, Committee on Expenditures in the Executive Departments*, 81st Cong. 2100 (1950) (Statement from Hillenkoetter).

¹²⁶ Harris, “Permitting Prejudice to Govern,” 219-220.

¹²⁷ Harris, “Permitting Prejudice to Govern,” 221.

¹²⁸ Adkins, “These People are Frightened to Death.”

¹²⁹ May, *Homeward Bound*, 94.

were closely connected to communism. Furthermore, Dr. Irving Bieber and colleagues conducted a psychiatric survey of homosexuals in the 1950s, which found that homosexuality was a mental disease.¹³⁰ The American Psychiatric Association officially listed it as a psychological disorder in 1952.¹³¹ For officials in the 1950s a person who has a mental disorder is, to some extent, unsuitable for military service. The medical community also shared this standard view of gay men. It might, to some extent, indicate that they did make informed decisions and, as such, based their arguments on the evidence available to them.

However, simply because professionals and the general public shared these views did not make the assumptions any less stereotypical. Also, in this case, the committee members and military officials knew that there were people who did not share their perceptions of gays. In a newspaper article, Massett argued that: “it is difficult for the public to replace its long-held stereotypes with more appropriate ideas,” especially when the public did not have any evidence which suggested otherwise or contended the prejudice.¹³² That may be true for the general public, but not when it came to the committee members and the military officials who testified, they knew that the exclusion policy lacked rationale.

2. 5: Conclusion

This chapter has demonstrated that the Hoey Committee and the military officials who testified justified the discriminatory policy based on two arguments, that gays were unsuitable for federal jobs and that they were a threat to national security. In truth, neither the Hoey Committee nor the military officials gave any relevant evidence other than speculations and rumors that could not be confirmed. The lack of facts and relevant examples did not seem to matter to the Hoey Committee. They, according to Bérubé, were only interested in “constructing and promoting” the stereotypes that gay men were security risks and immoral people.¹³³ Military officials and politicians were not motivated to properly investigate whether gay men were security risks and unsuitable for military service. They only looked for confirmation that they were. Consequently, more liberal voices that testified, such as military psychiatrists, were, for the most part, ignored. Furthermore, this chapter has also argued that military leaders could not have believed the accusations because they allowed homosexual soldiers to serve during wartime. It is hard to believe that the armed services would allow gay

¹³⁰ Massett, “Homosexuality Study,” 27.

¹³¹ Baxter “Homo-hunting,” 121.

¹³² Massett, “Homosexuality Study,” 27.

¹³³ Bérubé, *Coming Out Under Fire*, 267.

men to enlist if they genuinely thought gay people were a severe threat to national security. Lastly, the last section investigated the term “military deference” and whether that could be applied to the armed services’ treatment of gay personnel. For the military to claim military deference, it would have to prove that homosexuality was negatively correlated to performance or that gay men undercut military discipline, which the military officials failed to do, according to Harris.¹³⁴ The rationale for excluding gay men from the armed services rested solely on prejudice and overgeneralizations.

¹³⁴ Harris, “Permitting Prejudice to Govern,” 217.

3 - Crittenden Committee

The last chapter showed that the Hoey Committee and military officials had little evidence to back up their claims about gay men. It also indicated that there were some military psychiatrists and researchers who challenged the military's exclusion policy. For example, some researchers, such as Greenspan and Campbell, argued that gay men had proved to be capable soldiers.¹³⁵ This chapter demonstrates that there were more than a few psychiatrists and researchers who questioned the rationale behind the military's gay ban. The Crittenden Committee, whose final report will be investigated in this chapter, is such an example. The purpose of the committee was to examine the Navy's practices concerning homosexuals.¹³⁶ The committee was named after Captain S. H. Crittenden, who headed it. The first aim of this chapter will be to examine the security risk and unsuitability argument further, by focusing primarily on the unsuitability argument. It will investigate how the Crittenden Committee used the evidence available to make comparisons with the Hoey Committee where appropriate. This chapter finds that military officials actually had substantial evidence which suggested that gay men were just as capable as soldiers as heterosexuals. They chose to hide it from the public and denied its existence for decades. The chapter concludes that, because of long-held stereotypes, military officials cast doubt on gays as soldiers. Furthermore, the presence of gays in the armed services challenged the masculine military culture and the idea of manhood. This was why the military went to such great lengths to keep gay men out of the service for so long.

3. 1: Gay soldiers

3. 1. 1: Suitable

In its final report, the Crittenden Committee seemed to admit that the notion that homosexuals were unsuitable for the military lacked sufficient data.¹³⁷ As such, the committee criticized those who without evidence held that gay people were unfit for military service. That conclusion directly challenged the Hoey Committee. For instance, the Hoey Report and the military officials who testified before the Hoey Committee held that "sexual deviants," without a doubt, were unfit for military service. The Crittenden Committee, on the other hand,

¹³⁵ Greenspan and Campbell in Bérubé, *Coming Out*, 171.

¹³⁶ Letter from Secretary to the Navy in Crittenden Report, 202.

¹³⁷ Crittenden Report, 5.

said in their final report that evidence suggested that many gay soldiers had served respectably without any issues or even detection of their sexuality.¹³⁸ Not only did the members of the Crittenden Committee challenge the notion that there was little evidence to prove that gay men were unsuitable for military service, but they also suggested that there was concrete evidence that showed the opposite. Thus, the committee members contested the general understanding of homosexuals at the time, that they were unsuitable for military service and generally harmful to American society.¹³⁹ This challenged the message from the military officials who testified before the Hoey Committee only years before: that the undisputed notion in the armed services was that gay men were unsuitable for service.

Both the Hoey and Crittenden Committee received specific evidence that some within the military organization supported the idea that gays were capable and were assets to the U.S. Military. For example, Captain George Raines told the Hoey Committee that he had had homosexual corpsmen and doctors on his staff. Raines told his homosexual employees that they could do whatever they wanted in their personal lives as long as it did not interfere with their work. Some of these men were “the best men” he had had, Captain Raines explained to the Hoey Committee during his testimony in July 1950.¹⁴⁰ He also added that most of them departed the military with “honorable discharges,” which proves they did a respectable job. Colonel Albert L. Glass, from the Army, and Major Robert L. Williams, from the Air Force, referred to a study called the “Fry project” in their testimony before the Crittenden Committee on January 18, 1957. The project examined 183 gay men at induction and found that of the 132 admitted into the service, 118 of them served honorably, the study found. Interestingly, fifty-eight percent of those attained officer rank.¹⁴¹ This suggested that gays were capable soldiers and suitable for service.

These liberal views were not only shared by psychiatrists and medics but also by some military officials. Some of them disputed the logic of the exclusion policy as early as 1952, according to Wilson-Buford. For example, some officials gave positive character recommendations on behalf of accused gay soldiers.¹⁴² Lieutenant Colonel Stanislaus J. Codner spoke up for Henry Lawrence Davisson, a gay soldier who faced trial. Codner explained that Davisson was excellent at his job and showed “outstanding efficiency,

¹³⁸ Crittenden Report, 11.

¹³⁹ Harris, “The American’s Tolerance,” 18.

¹⁴⁰ *Executive Session Hearing of the Subcommittee on Investigations Before the Investigations Subcommittee, Committee on Expenditures in the Executive Departments*, 81st Cong. 2291 (1950) (Statement from Raines).

¹⁴¹ Crittenden Report, 94-95.

¹⁴² Wilson-Buford, “From Exclusion,” 261-262.

devotion to duty, and exemplary job performance.” Wilson-Buford says that Codner did not alter his statement after he learned that Davisson was gay.¹⁴³ Harris argues that the military’s exclusion policy only excluded talented people from the military.¹⁴⁴ There were people within the armed services, both psychiatrists and some military officials, who opposed the exclusion policy. These voices of opposition, like the previous chapter demonstrated, were ignored. Nonetheless, it indicates that the military had evidence that gay men were excellent military personnel.

Just like heterosexuals, many gay men served with credible records, while others did not. Fry and Rostow, who studied service records of gay men, concluded that most gay soldiers served well and proved to be no better or worse soldiers than heterosexuals.¹⁴⁵ Similarly, Major Jeffery S. Davis referred to studies conducted on homosexuals. He said that there was no proof that gays had a higher degree of emotional and psychological problems than heterosexuals.¹⁴⁶ This demonstrates that it was not a person’s sexual orientation that determined whether they were suitable for the military. While some of this evidence, such as the Fry and Rostow study, existed in the 1950s, most professional fields shared the established assumptions about gay men.¹⁴⁷ This meant that other studies, like those Davis referred to, were not available back then. Davis’ article was published in 1990, and he referred to studies conducted in the past fifteen years, meaning in the 1970s-1980s. When the relevant evidence and data were not available, it would have made sense that the decision-makers would not have known any better. Perhaps they only made decisions based on what they thought was right. In a situation where one does not have much evidence to suggest otherwise, Massett argued it could be challenging to change one’s view.¹⁴⁸ That was particularly challenging when those assumptions were in line with the rest of American society at the time.

3. 1. 2: Unsuitable

However, just like the military officials who testified before the Hoey Committee – the witnesses and documents examined by the Crittenden Committee provided no relevant

¹⁴³ Wilson-Buford, “From Exclusion,” 261-262.

¹⁴⁴ Harris, “Permitting Prejudice to Govern,” 173.

¹⁴⁵ Fry and Rostow in Bérubé, *Coming Out*, 171.

¹⁴⁶ Jeffery S. Davis, “Military Policy Toward Homosexuals: Scientific, Historical, and Legal Perspectives,” *Military Law Review* 131 (1991), 69, <https://play.google.com/books/reader?id=jXFNAQAAMAAJ&hl=no&pg=GBS.RA1-PA69>.

¹⁴⁷ Bérubé, *Coming Out*, 173.

¹⁴⁸ Massett, “Homosexuality Study,” 27.

evidence that verified the allegations that gay men were unsuitable for military service or were significant security risks. For example, the Crittenden Committee reviewed a Navy document issued by the Bureau of Naval Personnel on October 6, 1953, which stated that:

It is a prime characteristic of homosexuals to zealously attempt to enlarge the group of social outcasts to which they belong. Therefore, the retention in the naval service of any single individual who may through force or other means invade the rights of others cannot be considered.¹⁴⁹

This accusation was similar to those provided to and by the Hoey Committee. That is, it was a baseless accusation. Colonel Glass and Major Williams cited one study that supported the notion that gay men were unsuitable for military service. It was an army study that was conducted on seventy-five “overt, confirmed homosexuals.” Thirty-three of them were retained in the service. The study found that forty-eight percent of them adjusted well to military life, while forty-five percent were “definite liabilities” and seven percent of “doubtful value,” Glass and Williams noted.¹⁵⁰ The report did not specify what was meant by “definite liabilities” or “doubtful value” nor what actions or characteristics would put someone in those two categories. Interestingly, in the final report, the Crittenden Committee justly pointed out that no one tried to investigate if those who were deemed “definite liabilities” possessed other shortcomings or characteristics which made them unsuitable.¹⁵¹ Arguably, this made the evidence doubtful at best. It also proves that the Crittenden Committee used the information and proof they received more critically than the Hoey Committee did. They recognized that there might have been other factors that made these gay men unsuitable besides sexual orientation.

It proved challenging to find relevant arguments and evidence to support claims that gay people as a group were poor soldiers and unsuitable for military service. The politicians and military officials who made these claims did so without referring to any reliable evidence, if any evidence at all. The fact that it was difficult to find such evidence, other than baseless claims, strongly implies that they did not have verifications because it simply did not exist.

So far this chapter has demonstrated that the military had evidence that suggested that gays, on the contrary, were capable soldiers and had good records. They did, however, chose to ignore it. As such, only prejudice and “adverse attitudes” stand as a rationale for the military’s exclusion policy, according to Jones and Koshes.¹⁵²

¹⁴⁹ Bureau of Naval Personnel in Crittenden Report, 247.

¹⁵⁰ Crittenden Report, 95.

¹⁵¹ Crittenden Report, 95.

¹⁵² Jones and Koshes, “Homosexuality and the Military,” 21.

3. 2: The Crittenden Committee versus the Hoey Committee

3. 2. 1: Use of evidence

Just like the Hoey Committee, the Crittenden Committee also had military officials who made baseless claims regarding gays during the investigation. Naval Intelligence officer John B. Barron told the Crittenden Committee that homosexuals were security risks “because of the rapid turnover in association and the fact that he is prolific.” If you went into a gay bar or other hangouts, you would hear classified information being discussed, Barron warned.¹⁵³ Similarly, Lieutenant Colonel F. I. McGarraghy told the Hoey Committee that gay people could not serve because they lacked moral fiber and were “likely to be emotionally unstable.”¹⁵⁴ Barron and McGarraghy’s claims amounted to groundless accusations. However, the Hoey Committee and the Crittenden Committee responded to these two claims differently. The Hoey Committee accepted McGarraghy’s claims as they mirrored their views of homosexuality. They did not question him further, nor did they request him to provide relevant evidence. The Crittenden Committee, in the final report, added their own comments following Barron’s statement:

Mr. Barron agreed on questioning that the record does not show that every homosexual reveals classified information (examples of individuals were discussed who were caught subsequent to separation but had records of long, honorable and valuable service). Statistical data does not exist which would provide evidence that a greater percentage of homosexuals break security than heterosexual individuals.¹⁵⁵

As such, the two committees used the evidence available to them in entirely different ways. The Crittenden Committee appeared to approach the subject with an open mind. They listened to witness statements, examined the data, and went through the relevant military documents before making an informed decision. The example above also demonstrates that they asked Barron follow-up questions after his claim that gay men were unsuitable for military service. This is precisely what scholars like Shilts and Bérubé criticized the Hoey Committee for not doing. The Hoey Committee was from the beginning interested in connecting homosexuals to long-held stereotypes and used the investigation to “construct and promote” these baseless assumptions.¹⁵⁶

¹⁵³ Crittenden Report, 102.

¹⁵⁴ *Executive Session Hearing of the Subcommittee on Investigations Before the Investigations Subcommittee, Committee on Expenditures in the Executive Departments*, 81st Cong. 2155 (1950) (Statement from McGarraghy).

¹⁵⁵ Crittenden Report, 102.

¹⁵⁶ Bérubé, *Coming Out*, 267., and Shilts, *Conduct Unbecoming*, 105.

3. 2. 2: Conclusion

Not surprisingly, the conclusions the two committees reached were also quite distinct. All the agencies and the witnesses who testified agreed that “sex perverts” were security risks and unsuitable for federal jobs, the Hoey Report concluded.¹⁵⁷ The Crittenden Report, on the other hand, was more reluctant to conclude this because members believed that sufficient data was not present for them to determine one way or the other. For example, the Crittenden Board concluded that homosexuality had security implications, but so did those who engaged in “promiscuous heterosexual activity.” However, they did not find any relevant data that suggested that gay men posed a more significant threat to national security than those who violated other criminal and moral codes.¹⁵⁸ There was, however, some information that indicated that gays could pose as good security risks.¹⁵⁹ As such, the board found that sexual orientation did not determine whether a person was an acceptable security risk or not. This mirrors Jones and Koshes’ argument. They reasoned that sexual orientation could not justify the exclusion policy. Prejudice and “social strictures” were the strongest arguments for discharging homosexual personnel from the armed services.¹⁶⁰ This also reflected the testimony the Hoey Committee received from the military psychiatrists during their investigation, who said it was wrong to overgeneralize.

The Crittenden Committee acknowledged that Americans thought that gays posed security risks and were unsuitable for military service in the postwar years. However, they also concluded that these two assumptions existed without sufficient evidence to prove them.¹⁶¹ According to Wilson-Buford, the Crittenden Report shocked the military and “created an atmosphere of apprehension and denial.”¹⁶² The report challenged the rationale that the exclusion policy rested on, and it contested the number of military documents which clearly stated that gays were a threat to national security and unfit for service. Instead of listening to the Crittenden Committee or considering its nuances, the Navy hid the report for thirty-two years.¹⁶³

¹⁵⁷ Subcommittee on Investigations on Employment of Homosexuals and Other Sex Perverts in Government, S. Rep. No. 81-241, at 5 (1950).

¹⁵⁸ Crittenden Report, 46.

¹⁵⁹ Crittenden Report, 6.

¹⁶⁰ Jones and Koshes, “Homosexuality and the Military,” 21.

¹⁶¹ Crittenden Report, 5-6.

¹⁶² Wilson-Buford, “From Exclusion,” 261.

¹⁶³ Wilson-Buford, “From Exclusion,” 261.

3. 3: Prejudice

3. 3. 1: A hidden report

Perhaps the strongest argument that the armed services based its exclusion policy on prejudice, along with the fact that gay persons could serve during wartime, was what happened to these two reports. The Hoey Report became highly influential. It resulted in Executive Order 10450, which, according to Adkins, “helped institutionalize discrimination” of gay men in the federal government.¹⁶⁴ The Crittenden Report, on the other hand, was hidden away for over three decades. The military has had a long history of hiding reports and works of those who dissented from the official policy. Other than the Crittenden Report, the military also concealed the works of Fry and Rostow and “every other team of military researchers,” Bérubé remarked.¹⁶⁵ Furthermore, the Defense Department denied the Crittenden Report’s existence. At the same time, the Army and Navy stated that they did not have any reports or research regarding gay personnel or could not locate them.¹⁶⁶ Military leaders did this to avoid criticism and questions about the justifications behind the exclusion policy, Wilson-Buford states.¹⁶⁷

The Navy’s reaction to the final report suggests that it had not expected the result it got. It is hard to believe that the Navy would have appointed the Crittenden Committee if it knew all along that it would hide its findings. Wilson-Buford states that the conclusion startled the military officials.¹⁶⁸ As such, they seemed to have expected something along the lines of the Hoey Report, which would have confirmed the military’s stand on homosexuality and gay soldiers. However, people within the armed services, such as military psychiatrists and some military officials, had already questioned and criticized the exclusion policy. Perhaps that is why the Navy reacted the way it did because it knew the findings to be partly true. The military also seemed to have known that it did not have evidence that supported its discrimination against gay men. The Department of Defense did not make any attempts to provide support for its arguments regarding the policy, according to Elizabeth Kier. Instead, the department responded to reports and documents that challenged the rationale behind the exclusion policy by ignoring or dismissing them.¹⁶⁹ Either way, it confirms that military leaders had hard evidence which disproved the claims. Arguably, the Crittenden Report and

¹⁶⁴ Adkins, “These People are Frightened to Death.”

¹⁶⁵ Bérubé, *Coming Out*, 278.

¹⁶⁶ Shilts, *Conduct Unbecoming*, 281, and Bérubé, *Coming Out*, 278.

¹⁶⁷ Wilson-Buford, “From Exclusion,” 261.

¹⁶⁸ Wilson-Buford, “From Exclusion,” 261.

¹⁶⁹ Elizabeth Kier, “Homosexuals in the U.S. Military: Open Integration and Combat Effectiveness,” *International Security* 23, no. 2 (1998): 33, <https://doi.org/10.2307/2539378>.

how it was concealed stands as a symbol of the military's ignorance and discrimination of homosexual personnel. It also shows what could happen to information that criticized and challenged the rationale behind the policy. The military continued to discount professionals who did not share their views on homosexuality.

Shilts argued that the Crittenden Board did not advise the military to allow gays to serve because they did not think American society was ready for that kind of change.¹⁷⁰ Other countries that allowed gay men to serve before the United States did this around the same time that homosexuality became more acceptable in society.¹⁷¹ In the 1950s, the United States General Accounting Office's report showed that only Israel allowed gay men to serve. That could have, to some extent, justified the military's decision to hide the report, whilst also serving as the basis for the continued exclusion of gays for decades. Considering that seventy percent of Americans polled said that homosexuals were harmful to American society in 1965, it is reasonable to believe that it would have created quite an uproar if the military suddenly changed its policy so drastically as early as the late 1950s.¹⁷²

However, the U.S. Military did not alter its exclusion policy even after homosexuality became more acceptable and the United States got rid of sodomy laws. Although consensual "sodomy" was not decriminalized in all the states until 2003, eighteen states legalized consensual "sodomy" as early as the 1960s and 1970s.¹⁷³ The American Psychological Association removed homosexuality from its list of mental diseases in the early 1970s.¹⁷⁴ Already in 1977, a poll found that forty-three percent of Americans thought homosexuality should be legal, while forty-three percent said that it should not.¹⁷⁵ The source also shows that homosexuality became more acceptable throughout the course of the 1980s and the 1990s. In the 1980s, the number of people who believed that homosexuality should be legal had increased to forty-seven percent, while just thirty-six percent thought it should be illegal, according to the poll.¹⁷⁶ In a Gallup poll conducted in 1992, fifty-seven percent said they thought gay men and lesbians should be hired for positions in the armed services. In 1996, that number had increased to sixty-five percent.¹⁷⁷ The trend became quite clear: more and

¹⁷⁰ Shilts, *Conduct Unbecoming*, 281.

¹⁷¹ United States General Accounting Office, "Homosexuals in the Military," 3.

¹⁷² Harris, "The American's Tolerance," 18.

¹⁷³ Richard Weinmeyer, "The Decriminalization of Sodomy in the United States," *Virtual Mentor* 16, no. 11 (2014): 919, 917, <https://journalofethics.ama-assn.org/sites/journalofethics.ama-assn.org/files/2018-05/hlaw1-1411.pdf>.

¹⁷⁴ Baxter, "Homo-Hunting," 121.

¹⁷⁵ Roper Center, "Fifty Years Since Stonewall: The Change in Public Opinion," accessed May 9, 2021, <https://ropercenter.cornell.edu/fifty-years-stonewall-change-public-opinion>.

¹⁷⁶ Roper Center, "Fifty Years."

¹⁷⁷ "LGBT Rights," Gallup, accessed June 7, 2021, <https://news.gallup.com/poll/1651/gay-lesbian-rights.aspx>.

more Americans came to accept homosexuality in the decades that followed the 1950s. Long-held stereotypes about homosexuality did not change overnight, but things started to change as early as the 1960s. Still, the military's exclusion policy remained until 1993, when President Bill Clinton lifted the ban.¹⁷⁸ Burk notes that the military and the congressional leaders strongly opposed Clinton's plan even then. Instead of getting rid of the military ban, they reached a compromise called *don't ask, don't tell*. It meant that the ban was still in effect, but gay men and lesbian women were allowed to serve as long as no one knew of their sexual orientation.¹⁷⁹ Even in 1993 the military strongly opposed gay men in the armed services even when homosexuality became increasingly acceptable in American society.

3. 3. 2: Masculinity, manhood, and military culture

Homosexuality was particularly problematic for the armed services because of the military's hypermasculine culture and society's fixed idea of the combat soldier. The introductory chapter of this thesis demonstrated that the massive attention gay men received in the late 1940s and the 1950s was partly because of a "growing concern about the masculinity of American men."¹⁸⁰ Many politicians and historians, such as Arthur M. Schlesinger Jr., feared that American men had become soft, which was particularly problematic at the time partly because "strong, manly men" were those who would save America from the communist threat.¹⁸¹ Lehring describes the military as having a hypermasculine culture, and seemed to work as the remedy for young American men who felt the need to prove to society and to themselves that they were, in fact, "tough men."¹⁸² For example, some young, gay men enlisted in the armed services because they wanted to prove that they were not "sissies."¹⁸³ After all, the military has been an institution where boys could become men, according to Shilts.¹⁸⁴ The military's primary purpose has been to protect the United States from its enemies. The main enemy in these years was the Soviet Union. The armed forces was dependent on "resilient and rigid men" to carry out its mission. The combat soldier was to be "aggressively masculine," "strong" and "tough," and with a taste for battle. General George S. Patton Jr. famously said that: "a real man never let his fear of death overpower his honor, his sense of duty to his country, and his innate manhood. Battle is the

¹⁷⁸ Sinclair, "Homosexuality and the Military," 705.

¹⁷⁹ Burk, "Power, Morals," 29.

¹⁸⁰ Cuordileone, "Politics and," 522.

¹⁸¹ May, *Homeward Bound*, 94.

¹⁸² Lehring, *Officially Gay*, 129-130.

¹⁸³ Bérubé, *Coming Out*, 178.

¹⁸⁴ Shilts, *Conduct Unbecoming*, 5-6.

most magnificent competition in which a human being can indulge.”¹⁸⁵ These characteristics did not correspond to how politicians, psychiatrists, and medics portrayed gay men at the time. Bérubé observed that Americans saw gay men as “weak,” “soft,” and “passively effeminate.”¹⁸⁶ These stereotypes were partly based on theories developed by some sex researchers who believed that homosexuals were a cross between the anatomy of the male and the “emotional psyche” of the female. This meant that certain characteristics commonly associated with women, such as being “emotional,” “sensitive,” and “big-hipped,” became the norm to describe gay men’s appearance and behavior.¹⁸⁷ In other words, gays represented the complete opposite of the “tough and strong men” who would save the country from the communist threat. The incompatibility between the homosexual man and the idealistic soldier was particularly damaging to gay men during the Cold War because, as May argues, Americans thought the country was dependent on “masculine, strong men” to beat communism.¹⁸⁸ Arguably, this gap between what a combat soldier should be like and what gay men were perceived to be like was part of the reason why gay men in the military were so problematic. They simply did not have the characteristics to become good soldiers, the rationale went.¹⁸⁹

These stereotypes regarding the “masculine” soldier and the “spineless” gay man hardly reflected a more subtle reality. For example, most heterosexual soldiers did not engage in combat, and most of them were reluctant to kill, according to Bérubé.¹⁹⁰ This did not fit the description of the aggressive soldiers who were always ready and willing to go into battle. Similarly, many gay soldiers did not match the soft and effeminate description of the public imagination. Some of them were excellent soldiers and received medals for their participation and fighting skills.¹⁹¹ The military was wrong to assume that all gays were poor soldiers because of their perceived feminine traits. For example, the “Fry project,” which Glass and Williams talked about in their testimony before the Crittenden Committee, found that 118 of the gay soldiers in the study served honorably and fourteen did not.¹⁹² Some of them were bad soldiers, while others were outstanding. The point is that sexual orientation had nothing to do

¹⁸⁵ George S. Patton Jr., “George S. Patton’s Speech to the Third Army,” (speech, England, June 5, 1944,) *What So Proudly We Hail*, 4, https://www.whatsoproudlywehail.org/wp-content/uploads/2013/03/Patton_Speech-to-the-Third-Army.pdf?x65350.

¹⁸⁶ Bérubé, *Coming Out*, 176.

¹⁸⁷ Lehring, *Officially Gay*, 52-54.

¹⁸⁸ May, *Homeward Bound*, 97, 97.

¹⁸⁹ Lehring, *Officially Gay*, 82.

¹⁹⁰ Bérubé, *Coming Out*, 176-177.

¹⁹¹ Bérubé, *Coming Out*, 177.

¹⁹² Crittenden Report, 94-95.

with their military service. Also, the Crittenden Report, the Fry and Rostow study, and the military officials who spoke up for gay soldiers were proof that the military knew of the falsehood of or at least the challenges to these stereotypes. They also must have known that not all heterosexual men were great soldiers just because they were heterosexual. The military kept service records of its personnel and consequently knew that not all heterosexual soldiers excelled in the service.¹⁹³ This chapter has demonstrated that they also had evidence which proved that many gay soldiers did. It shows that the military officials had concrete evidence which proved that the assumed stereotypes concerning gay men and the masculine soldier did not always reflect the truth. That did not, however, stop them from denying gay men to serve until 1993.

Historically, groups of people who did not fit society's concept of manhood and masculinity proved problematic for the military. The previous section demonstrated that in the 1950s, the military was a place for "manly men." However, manhood is a social construct.¹⁹⁴ The Merriam-Webster dictionary defines manhood as "qualities associated with men."¹⁹⁵ These qualities can and have changed over time. For example, part of the reason why the U.S. Military denied African Americans combat roles and only confined them to segregated units before 1948 was because they were considered boys or immature adults, not "real men."¹⁹⁶ This means that at the time one had to be a straight, white male to be a "real man." Military leaders seemed to have believed that African Americans did not fit the description of a "real man" because they were boys and homosexuals because they were "feminine." For example, when Roscoe Hillenkoetter talked about gays, he described them as having "consistent symptoms of weakness and instability."¹⁹⁷ These characteristics, which were commonly used to describe gay people in this era, such as "soft" and "weak," did not correspond well with the qualities necessary to be a man. Consequently, it seems that groups of people who did not fit in with society's definition of manhood were, for a long time, problematic for the military. This did not, however, mean that African Americans or gays were poor soldiers. The assumptions about African Americans, just like gays, were based on prejudice and

¹⁹³ Bérubé, *Coming Out*, 177.

¹⁹⁴ Shilts, *Conduct Unbecoming*, 32-33.

¹⁹⁵ Merriam-Webster, "Manhood," accessed May 12, 2021, <https://www.merriam-webster.com/dictionary/manhood>.

¹⁹⁶ Shilts, *Conduct Unbecoming*, 32-33.

¹⁹⁷ *Executive Session Hearing of the Subcommittee on Investigations Before the Investigations Subcommittee, Committee on Expenditures in the Executive Departments*, 81st Cong. 2100 (1950) (Statement from Hillenkoetter).

overgeneralizations. Subsequently, the military struggled to justify the rationale for its discriminatory policy.

The military used similar tactics to keep African Americans out of the military as they did with homosexuals. They justified the exclusion of African Americans and gay men on claims they could not prove and were based on prejudice rather than hard evidence.¹⁹⁸ For instance, in the 1930s and 1940s, the U.S. Military opposed racial integration because it believed that African Americans in the armed services would “undermine unit cohesion.”¹⁹⁹ Although this justification was not identical to the military’s arguments to exclude gay men from the service, it was strikingly similar. For example, gay people could not serve because they were security risks and would undermine morale. These arguments have in common that they were based on prejudice and lacked evidence. The military did, however, have reports which suggested that the “unit cohesion” argument was incorrect. Still, just like the military did with reports and studies which proved that gays were capable soldiers, the armed services ignored evidence that challenged its “unit cohesion” argument after World War II. That seems to have been the armed services’ strategy when it came across documents that challenged its policies. Furthermore, the military attempted to hide evidence and reports which proved that the integration of African Americans had been successful following the racial integration in 1948, according to Kier.²⁰⁰ As seen with gay soldiers, African Americans have served honorably after they were allowed to serve fully in 1948.²⁰¹ Hiding the evidence which disproved the military’s claims about gay men and African Americans seemed to have been the only way the armed services could justify its exclusion policy. As such, the rationale for excluding gays, just like African Americans, from the armed services was not based on logic or evidence, but rather overgeneralizations and prejudice about gay men and African Americans as well as assumptions about manhood.

The idea of accepting gays into the military, formerly a place for heterosexual white males, challenged society’s views of manhood and masculinity. For example, gay men in the military would “threaten the straight serviceman’s position as a masculine subject,” Lehring states.²⁰² The military was the most masculine of all places. According to Shilts, going to war was the ultimate test for white men to prove they were “real men.”²⁰³ If they suddenly let

¹⁹⁸ Harris, “Permitting Prejudice to Govern,” 202.

¹⁹⁹ Kier, “Homosexuals in the U.S. Military,” 23.

²⁰⁰ Kier, “Homosexuals in the U.S. Military,” 34.

²⁰¹ Osburn, “Policy in Desperate,” 227.

²⁰² Lehring, *Officially Gay*, 129-130.

²⁰³ Shilts, *Conduct Unbecoming*, 33.

homosexuals, or women and African Americans for that matter, into the military, then how would white men prove to themselves and society that they were, in fact, men? Shilts argued that allowing gay men into the military, challenged the entire idea of manhood and masculinity.²⁰⁴ Consequently, critics thought the military would no longer be a place where young men could come and prove that they were strong and capable. Because then society would see that African Americans, who were “boys,” and homosexuals, who were “feminine” and “weak,” were just as proficient soldiers as heterosexual, white men. If the military let “feminine” men prove they were just as capable soldiers, which it knew that they were based on the Crittenden Report, service records of gay soldiers, and the military officials who defended gay personnel, the military’s place as a hypermasculine institution and the definition of manhood would be contested. Arguably, the military was afraid that if it did let “sexual deviants” serve in the armed forces, it would change how Americans perceived their institution and the combat soldier.

Osburn argues that the military’s exclusion policy did not have any rational foundation but rather was based on fear: “fear of the unknown, fear of adverse public reaction and fear of someone different.”²⁰⁵ Military officials were afraid of what allowing gay men to serve would mean for the armed services and the notion of manhood itself. That was in part why gays were so problematic for the military and why the armed services excluded them even long after homosexuality became more socially acceptable in the United States.

3. 4: Conclusion

This chapter shows that not only did the military have little evidence or examples to back up its claims that gay men were security risks and unsuitable for military service, it also exhibited concrete evidence which suggested that gays were capable soldiers. This evidence came from the Crittenden Report and other research conducted by the military and military officials who worked with homosexual soldiers daily. Prejudice and long-held stereotypes against gay men stood as the only rationale for the exclusion policy. According to military logic homosexuals did not have the qualities required of “real men.” Even after homosexuality had become more socially acceptable in the U.S., the military continued to exclude gay men and women. This chapter has also argued that the idea of homosexuality was particularly problematic for the armed services because of a hypermasculine atmosphere and

²⁰⁴ Shilts, *Conduct Unbecoming*, 5.

²⁰⁵ Osburn, “Policy in Desperate,” 236.

prejudice against homosexual men. Furthermore, if the military let homosexuals serve, gay men would prove they were qualified, which the military knew they were. This would rock the foundation of the masculine military institution and the entire concept of manhood.

4 - Conclusion

4. 1: Arguments and evidence

With recent developments in certain Western countries in mind, such as Poland and Hungary, this thesis closely examines how governments have justified the systematic discrimination of groups of people based only on sexual orientation. The thesis explores the Lavender Scare purge in the U.S. Armed Forces in the 1950s to highlight a particularly important time in this story. The aim has been to investigate and discuss the arguments and evidence military officials and political leaders used to rationalize the exclusion of homosexual personnel from military and federal jobs. Thus, the first research question was: How did the U.S. government and military officials defend the mistreatment of homosexuals based only on sexual orientation?

During the Lavender Scare purge in the 1950s, political leaders and military officials used mainly two arguments to defend the military's exclusion policy: gay men were security risks and generally unsuitable for military service. However, the evidence that politicians and military leaders used to back up these two claims was lacking. The thesis demonstrates that the little "evidence" military officials referred to were, for the most part, based on rumors and speculations. For example, Colonel Hamilton H. Howze told the Hoey Committee that Nazi Germany was rumored to have a list of known homosexuals they could blackmail.²⁰⁶ However, the supposed list had never been located, and Howze admitted that he was not entirely sure that it even existed. The two main chapters of this thesis illustrate that none of the military officials who testified nor the military documents referred to any proper evidence to back up the claims.

It was not only challenging to find proper evidence supporting the arguments made by political leaders and military officials, the thesis reveals that there was in fact substantial evidence that actually refuted their claims entirely. This evidence came from military psychiatrists, researchers who studied gay soldiers, and even some military officials who spoke up for personnel accused of homosexuality. For example, the Crittenden Report argued there was evidence which suggested that gay soldiers had served respectably without any issues or even detection of their homosexuality.²⁰⁷ This evidence and liberal voices were,

²⁰⁶ *Executive Session Hearing of the Subcommittee on Investigations Before the Investigations Subcommittee, Committee on Expenditures in the Executive Departments*, 81st Cong. 2125-2126 (1950) (Statement from Howze).

²⁰⁷ Crittenden Report, 11.

however, not heard. Chapter two shows that the military psychiatrists who witnessed before the Hoey Committee were, for the most part, ignored. Similarly, the Navy hid the Crittenden Report away for decades. It proves that political leaders and military officials had concrete evidence that discredited the gay ban, but they chose to ignore it and to pretend that the evidence did not exist.

The thesis argues that the military's gay ban rested on prejudice and put forward three arguments for why that is. First, there was no valid evidence to prove the accusations military officials and political leaders made. Second, there was evidence that challenged the rationale behind the ban, but the military knowingly hid it away and denied its existence. And third, the U.S. Armed Forces permitted gay soldiers to serve during wartime. The second chapter contends that if military officials truly believed that homosexuals were a threat to national security, they would not have allowed gay men to serve when the country was at war. Thus, the thesis concludes that the military's discrimination of gay men was solely based on prejudice and overgeneralizations, not rational evidence. The last part of chapter two discusses "military deference" and whether that can be applied to the military's gay ban. If so, the armed services' discrimination of gay men would have been deemed necessary to uphold the military's mission.²⁰⁸ However, the military has not proven that homosexuality was negatively correlated to performance or that gay men undercut military discipline.²⁰⁹ Therefore, the thesis demonstrates that the military could not uphold that the discrimination of gay men was necessary to carry out its duties.

4. 2: The U.S. Armed Forces and homosexuality

While all parts of American society were antagonistic towards homosexuality in the 1950s, Lehring points out that the military was particularly hostile to gay men.²¹⁰ The U.S. Armed Forces also upheld the gay ban for years after homosexuality had become more acceptable in the United States. Therefore, the thesis also aims to explore why gay men turned out to be problematic for the armed services. Thus, the second research question is: Why was the U.S. Armed Forces particularly hostile towards gay soldiers?

The third chapter argues that gay men were particularly problematic for the military because of the hypermasculine atmosphere and assumptions about gay men and manhood. Americans commonly thought gay people were "soft," "feminine," and "weak." These

²⁰⁸ Burke, "A Few Straight Men," 110.

²⁰⁹ Harris, "Permitting Prejudice to Govern," 217.

²¹⁰ Lehring, *Officially Gay*, 73.

characteristics did not correspond well with what ideal combat soldiers were like.²¹¹ “Real men” were “masculine,” “rugged,” and always ready for battle. The third chapter shows that these stereotypes hardly reflected the truth. While some gay soldiers received medals for their fighting skills, not all heterosexual soldiers were good soldiers, and many were also reluctant to kill, according to Bérubé.²¹² Either way, the thesis argues that these stereotypes were partly why the military waited for decades before lifting the ban. “Soft” and “feminine” men did not make good soldiers, was the typical argument.

Furthermore, the thesis demonstrates that the military had a hypermasculine culture. It was where young boys could go and prove they were real men. This thesis argues that if the military suddenly allowed gay men who were “soft” and “feminine,” to serve, that would challenge the military as a masculine institution and thus the entire concept of manhood. Because then gay men would join the armed services and prove they too were qualified, which the military knew they were. It meant that the military’s reputation as a hypermasculine place where only the toughest excelled would be challenged. It would also mean that gay men would prove to Americans that they too could be “tough” and capable, which would threaten the notion of manhood and what it meant to be a “real man.” Instead of letting that happen, the military went to great lengths to keep gay men out of the service for a long time. The military seemed to understand that they did not have evidence that pointed in favor of their policy. Thus, the arguments they used to make this happen were, as the thesis demonstrates, based solely on speculation, rumors and long-held prejudice.

4. 3: Concluding remarks

The Lavender Scare purge in the U.S. military served as a basis for investigating how the U.S. government rationalized its discriminatory policies against a group of people based only on sexual orientation. This thesis is relevant because it investigates an incident that happened in a period that shares many similarities with the United States today. In the 1950s as well as 2010s, America was swept by a conservative wave. In 2013, *The Washington Post* journalist Larry Bartels said that American citizens had not been that conservative since 1952.²¹³ When Eisenhower won the presidential election in 1952, the Democratic Party had

²¹¹ Bérubé, *Coming Out*, 176.

²¹² Bérubé, *Coming Out*, 176-177.

²¹³ Larry Bartels, “Americans are more conservative than they have been in decades,” *The Washington Post*, September 30, 2013, <https://www.washingtonpost.com/news/monkey-cage/wp/2013/09/30/americans-are-more-conservative-than-they-have-been-in-decades/>.

held office for twenty years. Similarly, when Trump won the presidential election in 2016, President Barack Obama and the Democratic Party had been in charge for eight years. Although Trump lost the reelection in 2020, he still got over seventy-four million votes.²¹⁴ These voters do not just disappear. It proves that Donald Trump and the conservative right still have a huge follower base. Also, while in office, Trump nominated as many as three conservative judges to the U.S. Supreme Court. This means that conservative judges now hold the majority in the Supreme Court. Its job is to, among other things, interpret the U.S. Constitution. The court also has the power to declare laws and presidential orders as unconstitutional. This means that the members have the power to reverse presidential orders that are unconstitutional. These conservative judges may not have the motivation nor wish to fight for and protect LGBTQ rights.

These recent developments in America make this thesis particularly important. The thesis demonstrates that politicians in power can and have implemented policies that discriminate against groups of people without providing sufficient justifications for those policies. And, evidently, without meeting sufficient obstructions while doing so. While this incident happened in the United States over fifty years ago the matter is still relevant today. Even though homosexuality is much more acceptable in the United States now and numerous human rights organizations fight for LGBTQ rights, Trump still managed to introduce the transgender ban during his term. Naturally, Trump met more opposition now than what Eisenhower did in 1953. However, that did not stop him from implementing the policy. Who's to stop the next republican president from doing the exact same thing a few years from now?

²¹⁴ James M. Lindsay, "The 2020 Election by the Numbers," *The Water's Edge (blog)*, Council on Foreign Relations, December 15, 2020, <https://www.cfr.org/blog/2020-election-numbers>.

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