



# CMR Notes

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## Media Spin Promotes Feminist Pork

### Scolding About Sex Surveys Unfair to Service Academies

#### Instructor Court Martialed for Using Crude Language

#### **Naval Academy Prosecu- tion Taken to PC Extreme**

If the Navy court-martials all sailors who use blue language, will there be any sailors left to sail the ocean blue? Officials at the **U.S. Naval Academy** ought to think about this as they prepare to court martial **Lt. Bryan D. Black**.

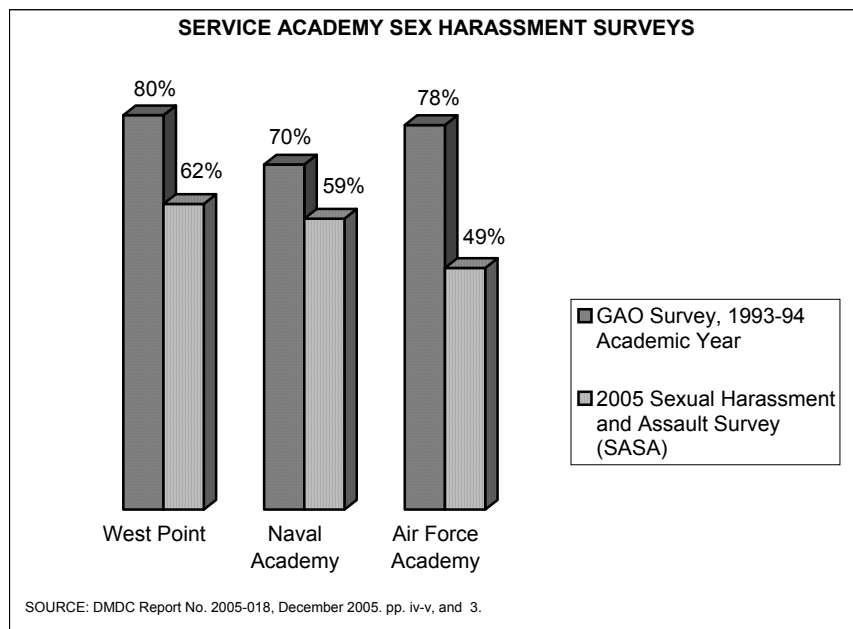
Lt. Black, an oceanography instructor, got himself in trouble last August by using crude language in the presence of several midshipmen, one of them a woman. Black's sexual braggadocio, inspired by the sight of the battleship *Wisconsin* berthed near the patrol boat on which he stood, was clearly profane. The incident went beyond a "guy thing" when he made a clumsy attempt to "share" the fantasy moment with the female midshipman. Black apologized for the vulgarity and she accepted, noting that she had heard worse in the halls of the academy.

The matter escalated, however, when a female lieutenant commander decided

See **PROSECUTION** (Cont. on page 4)

On December 23, 2005, the Department of Defense released a 2005 poll of service academy men and women regarding sexual harassment and assault. You would never know—judging from the news stories that followed—that reports of sexual harassment at the service academies have gone down instead of up.<sup>1</sup>

The 124 page **Service Academy 2005 Sexual Harassment and Assault Survey (SASA2005)**, produced by the **Defense Manpower Data Center (DMDC)**, was authorized by legislation passed in 2003. Data gathered in this survey, and another one done by the **General Accounting (now Accountability) Office** in the 1990s, show a downward trend in sexual harassment and behaviors over the past 15 years.<sup>2</sup>



The percentage of survey respondents reporting some form of sexual harassment—most of them minor—dropped from **80%** to **62%** at **West Point**, **70%** to **59%** at the **Naval Academy**, and **78%** to **49%** at the **Air Force Academy**.

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## SEX SURVEY *(Continued from page 1)*

Inappropriate jokes and unkind comments still occur, but reports of severe abuse of women at the military academies are greatly exaggerated.

Some reports on sexual misconduct since 2003 have required hard data on “substantiated” cases, but the 2005 SASA report is only a poll, done with pen-on-paper responses to survey questions answered anonymously. Suggestive jokes and rude behavior are annoying, but “sexist behaviors,” including offensive gestures and horseplay, can be observed almost everywhere. Resourceful women usually can handle the problem without a court order, but professional **P.C. Police** tend to treat every offense as the equivalent of assault or rape.

### ***Sexual Assault vs. Harassment***

Graphically worded survey questions about sexual assault are frequently highlighted by the media, creating the impression that hundreds of service academy women are being abused every day. Sexual assault is always wrong and must be punished with due process. It is inaccurate and demoralizing, however, to suggest that all allegations are equally serious, and that women cannot cope unless the military provides even more professional services than are already available.

The “victim advocate” service industry has an economic interest in exaggerating the problem, even though numbers of substantiated assaults are relatively small and probably comparable to or lower than incidents in the civilian world. A table on page 13 of the SASA report shows the numbers of men and women surveyed. Doing the math on the percentages of academy women reporting sexual assault we find, for example, that **6% (37 of 618)** women at the Military Academy (USMA), **5% (35 of 693)** women at the Naval Academy (USNA), and **4% (30 of 738)** women at the Air Force Academy (AFA) reported some form of sexual assault, defined most often as “unwanted touching of private parts.”

Even one case of assault is too many, but perspective is in order. All the bad publicity aimed at West Point, tagged with the largest number (6%), has resulted from anonymous reports from only seven more women than those who anonymously reported assaults at the Air Force Academy.<sup>3</sup>

### ***The Question Not Asked: Fraudulent Complaints***

In 2004, Defense Department Inspector General **Joseph E. Schmitz** conducted an extensive survey collecting opinions on sexual harassment and assault at the service academies. The Schmitz DoD IG Report, released in March 2005, found that fraudulent complaints are perceived as a problem by an average of **73%** of women at the Air Force Academy, West Point, and Annapolis. The comparable average percentage for men at all three academies was **72%**.

Figures of that size indicate a problem worthy of further investigation. But in the 2005 SASA report, described as a “baseline” study, *there are no questions about fraudulent complaints.*<sup>4</sup> The omission was intentional.

### ***Lowered Standards? Survey Doesn’t Ask***

The 2005 survey also omits any questions about “complaints that standards have been lowered,” even though

this was identified by the GAO in 1991 and 1994 as the second most prominent type of sexual harassment at the academies.

That issue doesn’t fit the template into which stories in this news category must fit. In fact, the survey seems to omit any mention of men’s concerns at all—unless they complain about sexual harassment or assault. Concerns about differing standards, false accusations, and a lack of legal support when accusations are filed simply don’t count.

### ***Awareness of What to Do***

According to the 2005 SASA Report, at the USMA **95%** of female cadets who did not report incidents of sexual harassment said they “believed they could handle the situation themselves.” At the Naval Academy, the figure was **100%**. But at the Air Force Academy, the same figure was only **70%**.

This seems to suggest that women at West Point and the Naval Academy know how to deal with guys who get out of line, but fewer Air Force Academy feel prepared to handle it. So they turn to professionals in the “victim advocate” service provider industry for help. This is progress?

Perhaps it is time for the Pentagon to re-evaluate all policies based on the assumption that women can handle personal adversity with the same self-reliance as men.

At all three institutions, percentages of men and women who said they knew how to report sexual misconduct were **90-98%** at the USMA, **91-96%** at the USNA, and **93-99%** at the AFA. Critics still complain as if the huge array of existing professional support services simply does not exist.

### ***Growing the Market for Victim Advocates***

There is a reason for this: bad news is good news for “victim advocate” service providers. This is a special interest like all others, with professional contractors seeking millions of Defense Department dollars for multi-year projects, career opportunities, prestigious offices, conferences, surveys, and even grants for “provocative” plays that use offensive language to teach undergraduates about date rape.

Several strategies are used to expand the “market” for these services. The 2005 SASA survey, for example, rates opinions about the “effectiveness” of sexual harassment and assault (SH&A) training. This implies that more training will yield perfect people, as if it is the mission of the military to mold human beings who never interact with persons of the opposite sex.

Sexual misconduct must be discouraged, but is perfection a realistic goal when we are dealing with young human beings? Or is it a rationale for more service provider contract proposals? The nation expects academy instructors to indoctrinate discipline and high moral standards, but no one expects the academies to produce candidates for sainthood only.

### ***Enough Already!***

The 2005 SASA survey mandated by Congress must be repeated annually through the 2008 academic year. Instead of tracking progress in a constructive way, these polls are more likely to embarrass the academies, demoralize cadets, and make the case for more lucrative contracts for “victim advocates” and other professionals, including those who produced the SASA report.

Since Congress has already mandated three more surveys

of this kind, Under Secretary of Defense for Personnel and Readiness, **Dr. David Chu**, should correct deficiencies in the survey questions, and instruct subordinates to produce a useful report that does not cause more needless embarrassment for the Defense Department and the military academies.

It is long past time for Defense Secretary Rumsfeld to think about the negative impact of such reports, and shut off the subsidies for them. Civilians who have little knowledge or respect for military law and regulations should not be allowed to relentlessly criticize the culture and people of the military, with government funds and prestige that amplify their criticisms to increasingly unfair levels. Feminist pork needs to be trimmed from the DoD budget, not expanded even more. **CMR**

## Endnotes:

1. An exception was the January 9 *Washington Times* article by **Rowan Scarborough**, titled "Military Academies See Less Harassment."
2. The 1994 GAO Survey cited on p. 3 of the 2005 SASA Report, done in the academic year 1993-94, inquired about types of sexual harassment. Listed in descending order of frequency they included: Derogatory comments, jokes or nicknames; Comments that standards have been lowered; Comments that women don't belong; Offensive posters, signs, graffiti, T-shirts, or pictures; Mocking gestures, whistles, catcalls, etc.; Derogatory

letters or messages; Exclusion from social activities and informal gatherings; Unwanted horseplay or hijinks; Unwanted pressure for dates by a more senior student; and Unwanted sexual advances. (GAO/NSIAD-95-58, March 1995, pp. 9-11)

The 2005 SASA Report combined the behaviors reported above into a single percentage for "any type of sexual harassment." The 2005 survey reported percentages of respondents who said they had experienced at least 1 of 17 types of sexual harassment. These included: Offensive remarks about appearance; Gestures or body language of a sexual nature; Offensive sexist remarks about qualifications; Unwanted attempts to establish a romantic sexual relationship; Put-downs or condescension because of gender; Continued requests for dates, drinks, dinner, etc, despite saying "No;" Apparent bribe, reward, or special treatment for engaging in sexual behavior; Threats of retaliation for not being sexually cooperative; Touching causing discomfort; Sex without consent; and other unwanted gender-related behaviors. (Q #23, Appendix, p. 6)

3. These small percentages generated the scathing headline "Sexual Misconduct Reports are Highest at West Point" in *Army Times*, followed by an article leaving the impression that 97% of survey respondents (actually, 97% of 6%) had experienced a particular form of sexual assault.
4. An appropriate place to include the issue would have been survey Question #6, which asked respondents about "behaviors that would disrupt good order and discipline." This would have been consistent with the authorizing legislation, which directed that the survey "assess the perceptions of academy personnel on...any other issues relating to sexual harassment and violence involving academy personnel."

## O'Beirne's Overview of the Feminist World

Almost every edition of *CMR Notes* mentions feminists. Who are they, and why are they so powerful? For the answer to that question, read *Women Who Make the World Worse*, by *National Review* Washington editor **Kate O'Beirne**. The 230 page book is thorough, intelligent, and often as funny as Kate herself when she effortlessly pokes holes in liberal arguments on TV.

Mrs. O'Beirne is a West Point wife, mother of two sons, and was a respected leader in public policy circles long before she became a welcome voice of reason on CNN's *Capital Gang* and NBC's *Meet the Press*. Kate explains why and how major institutions in American life—our families, several generations of children, schools, sports, and the military—have been negatively affected by so-called "women's leaders." Targets of Kate's illuminating criticism are hit not with harsh rhetoric, but with their own words, quoted briefly and accurately.

Kate zeroes in on "Feminists [who] argue there are no innate sex differences—except where there are." Attempts to apply that inconsistent philosophy have changed the culture of many institutions, including the armed forces.

O'Beirne praises military women for their admirable service, but criticizes Pentagon leaders who ask them to serve where they do not have an equal chance to survive. Expressing compassion for single mother **Lori Piastewa**, the first female soldier killed in Iraq, Kate notes that Piastewa's best friend **Jessica Lynch** was almost killed by captors who sexually abused and beat her while unconscious for several hours. Former Congresswoman **Patricia Schroeder** and aggressive feminists who came to power during the **Clinton Administration** demanded but did not warn female soldiers about the new, more hazardous "conditions of employment" they would face in time of war.

Kate writes about Pentagon official **Sara Lister**, who re-established co-ed basic training in the Army, even though it is

less effective than separate gender training, which still works well in the Marine Corps. She goes on to quote author **Linda Francke**, who approvingly wrote that the modern military has become a "mecca for single parents."

Feminists show little concern about "pediatric postwar syndrome" among children left behind in recent wars. Instead they demand millions more defense dollars for professional child-care—the largest system in the world. O'Beirne scores gender-based recruiting quotas, demanded by feminists for years, noting that almost **47%** of enlisted women leave the service in less than three years, compared with about **28%** of men. The illogic of that is explained only by the peculiar way in which men in authority keep trying to please implacable feminists.

Properly referring to women's *exemption* (not exclusion) from involuntary combat assignments, Kate writes about her service as a member of the 1992 **Presidential Commission on the Assignment of Women in the Armed Forces**. On a visit to a Marine base Commissioner O'Beirne asked an enlisted woman whether women should serve in combat. "Not if it's not good for the Corps, ma'am." If the men who run the Pentagon applied the same standard, the military would avoid many social problems that make negative headlines on a regular basis.

In a particularly enlightening chapter, O'Beirne demolishes the belief that feminists must be catered to because they have the power to decisively influence elections. To the contrary, virtually every promise and threat made by feminist ideologues has failed. Myths about their power live on.

O'Beirne has been attacked by a few commentators who resent her frank exposure of *Women Who Make the World Worse*, but those reviews reflect the power of the book, which provides fresh insight for policy makers in almost every field. Many institutions have been weakened by feminist influence, but the military is the only one on which our national security depends. **CMR**

## PROSECUTION *(Continued from page 1)*

to report another off-color comment Black had made when bantering about his ex-wife with a group of men, who were overheard by a woman. A local Marine investigator recommended a non-punitive letter of caution. That action, which would damage and very likely end Black's career, would have been proportional and appropriate. An atmosphere of hyper-sensitivity, however, elevated the matter to the Superintendent of the Naval Academy, **Vice Adm. Rodney Rempt**, who had just declared a "zero tolerance" policy against sexual harassment.

### *Shell-Shocked in the Gender Wars*

Freeze the frame. At the time Superintendent Rempt was under fire because of the August Report of the **Defense Task Force on Sexual Harassment & Violence at the Military Service Academies**. Many of the panel's 44 recommendations, largely crafted by civilian "victim advocates," were problematic, contrary to sound military principles, and potentially harmful to morale at the academy. (See analysis of this report in the November 2005 *CMR Notes*, posted on [www.cmrlink.org](http://www.cmrlink.org))

Maryland **Sen. Barbara Mikulski**, a feminist termagant and member of the **USNA Board of Visitors**, scolded Superintendent Rempt, who seized upon the case of the hapless Lt. Black. Lest anyone think he is soft on sailors who swear, Superintendent Rempt overruled the Marine investigator, and signed papers ordering a Special Court Martial charging Lt. Black with "conduct unbecoming an officer."

Fast-forward the tape. The Special Court Martial, postponed beyond January 31, will skip Article 32 hearings that provide opportunities to challenge witnesses and test an officer case prior to a jury trial. If convicted, Lt. Black will be denied two-thirds of his salary for a year, his DNA will be registered with the FBI, and he will have a criminal record for life.

### *Mixed Signals About Sex and Profanity*

Now split the screen. In the same week that news of Lt. Black's criminal prosecution was reported in the *Washington Times*, Admiral Rempt issued a personal invitation to all midshipmen and academy staff to attend an adults-only interactive play called "**Sex Signals**." Staged three times in the academy's **Mahan Hall**, the two-person play was flagged in advance with warnings of offensive language.

As explained by one of the producers, who performs the play for college audiences nationwide, "*We use language that is very frank...these are phrases students use in real life and we see no reason to dumb it down or 'baby' the students.*"

Admiral Rempt's zero tolerance policy, it turns out, has an asterisk on it. Four-letter words for intimate body parts and crude slang for sexual activity are perfectly OK, provided that they are recited by civilian actors in an "educational" production that is supposed to teach midshipmen about date rape.

But according to attorney **Charles Gittins**, who is representing Lt. Black and attended the play, "Sex Signals" goes far beyond irony and offense. Instead of providing sound information to help midshipmen resist temptation and inappropriate behavior, the production conveys a legally and factually inaccurate definition of rape.

In a letter to Superintendent Rempt, Gittins noted that the actors' risqué skits suggest that a woman can whisper "No" to a man during consensual foreplay suggesting consent to sex, but even in the absence of force the man could be guilty of rape. Academy legal authorities made no effort to correct the misinformation.

### *Key Words Re-Defined*

This is what passes for "**leadership**" at the Naval Academy today. Instead of reinforcing personal responsibility in sexual matters, the academy has invited the midshipmen to embrace misleading and inaccurate information about the legal aspects of rape.

It seems that the Naval Academy Superintendent doesn't have a clue. Gender relations in the Navy are muddled, but mixed signals picked up from "Sex Signals" could encourage more misunderstanding and risky behavior, not less.

Sexual abuse is always wrong and should be punished, but the Pentagon-subsidized campaign of feminists to eradicate "masculinism" in the military is starting to do real harm. The word "**accountability**" has been redefined, meaning that officials must "account" for the disposition of every case of sexual harassment. The phrase "**due process**" has a whole new meaning too, because in the confused minds of civilian "victim advocates," nothing short of court martial will do.

Crude language is rude and unprofessional; it should be discouraged or punished in appropriate ways. But are women truly helpless when they hear cuss words that don't make sailors blush? In another 2005 survey of sexual harassment at the military academies, released on December 23, **100%** of Naval Academy women who did not file official complaints said they thought they could handle such problems themselves.

### *The "New Chivalry"*

But a peculiar form of "**New Chivalry**" has emerged. Some male officials say they want to protect women from verbal harassment or harm, while simultaneously promoting the exposure of military women to unprecedented abuse and violence at the hands of enemies in combat.

Complicating the situation even more, some women try to keep up with men who use profanity as performance art. Witness the book *Love My Rifle More Than You*, written by former Army sergeant **Kayla Williams** about her experiences in Iraq. The provocative book takes the prize for equal opportunity raunchiness in a gender-mixed environment.

Some men try to avoid trouble by avoiding women, but "shunning" shows up on lists of "harassment behaviors" drawn up by professionals seeking Defense Department grants and more "feminist pork." Even if the academies recruited candidates-for-sainthood only, the professionals still would find fault. Trying to please civilian victims advocates should not be the primary goal of Naval Academy leaders.

The most forbidden four-letter word in the military is "lady." Its notable absence as an ideal makes it harder to understand the meaning of "officer and gentleman." In the mine-laden world of sexual politics, what's a midshipman to do? The Naval Academy Honor Code provides a useful guide, and it ought to be followed from the Superintendent on down. **CMR**

## Just Say No to Feminist Pork

The Air Force Academy sex scandals in 2003 sparked several investigations and some constructive suggestions, most of which have been implemented with positive effect. But as the influence of civilian “victim advocates” has grown, task force recommendations have gotten worse. To an increasing and alarming degree, social engineers are using the issue of sexual misconduct at the military academies to promote demoralizing feminist agendas.

The 2005 report of the *Defense Task Force on Sexual Harassment & Violence at the Military Service Academies*, which CMR analyzed last fall, promoted several controversial proposals that are likely to worsen gender relations. These include changes in military law defining rape, gender quotas, and prime-time sensitivity classes to indoctrinate men on the need for different training standards. The report listed a wide array of services to help self-identified “victims” complaining of sexual harassment, but had little to say about the scarcity of legal help for presumptively labeled “offenders” who are accused of misconduct.

A new panel called the **Defense Task Force on Sexual Assault in the Military Services**, already authorized by Congress, will evaluate and promote implementation of the previous panel’s recommendations. If the **DTF-SAMS** has the same type of membership, it will be in a position to expand the market for “victim advocate” services. The only beneficiaries will be professionals like those who were over-represented on the previous task force.

Survey data indicate that the atmosphere for women has improved at the academies, but negative media spin keeps portraying military men as abusive. Conformance with this media template hypes the demand from congressional feminists for even more “victim advocate” services, known as “feminist pork.”

Prizes being sought include contracts for multi-year Defense Department projects, polls and surveys, high-profile women’s conferences and seminars, prestigious offices, and career opportunities for women’s studies majors schooled in male-bashing attitudes. Professionals in the victim advocate service industry promote each other’s projects in an endless, self-interested cycle that is starting to look like a racket.

### ***Forget the Pentagon OVA***

As CMR reported last fall, Defense Secretary Rumsfeld may be on the brink of establishing an **Office of Male Bashing** in the Pentagon. That won’t be the official name of the **Office of Victim Advocate (OVA)**, but it surely will be called that when Pentagon OVA officials start reaching down and making fiascos of cases like that of Navy Lt. Bryan Black, reported in this edition of *CMR Notes*.

Sometime last year, the Office of the Secretary of Defense contracted with the **Wellesley College Centers for Women** to evaluate “prospects” for a Pentagon level **Office of the Victim Advocate (OVA)**. According to the *Boston Globe*, the still-undisclosed contract was for **\$50,000** and the resulting report already has been submitted to Secretary Rumsfeld. (Dec. 10, 2005)

Pentagon officials have ignored CMR’s **Freedom of Information Act (FOIA)** request for a copy of the Wellesley contract. The *Globe* reported that there is a “confidentiality agreement” with the college, but if Secretary Rumsfeld tries to ignore the OVA report until the cleaning lady carts it away, that strategy will not work. Congressional feminists will somehow get a copy of the Wellesley report, and proceed to brow-beat Rumsfeld for supposedly favoring “violence against women” if he does not comply.

With trend lines on sexual harassment going in the right direction, there is nothing a Pentagon level OVA could add except the type of interference and PC extremism that has led to the court martial of Lt. Bryan Black. Secretary Rumsfeld should restore common sense and perspective to matters such as this, and firmly reject any plan for more feminist power in the Pentagon.

# President's Comments

by Elaine Donnelly



## Politics, Posturing, and the PC Police

The court martial of Lt. Bryan Black requires thoughtful consideration, but not for the sake of the defendant alone. Black's apology and locally recommended punishment for using bad language were justified. CMR is concerned about the impact of the pending court martial on the Naval Academy as a whole.

A spokesman for Superintendent VADM Rodney Rempt suggested that profanity with sexual overtones will now be a matter of "zero tolerance." This echoes the military's successful campaign against drugs decades ago. In actual practice, however, the policy is unenforceable and therefore unwise.

Witness the personal message sent by Superintendent Rempt to midshipmen, inviting them to participate in the "inter-active" adults-only play "Sex Signals," in which actors use vulgar language similar to that used by Lt. Black. If a male midshipman repeats profanities spoken by the actors to a female midshipman who missed the performance, will she have the option of writing him up for sexual harassment, for which he could be court martialed?

The second offense for which Lt. Black is being prosecuted involves crude language while talking to male colleagues. A woman overheard the conversation. If that is a court martial offense, all Navy men who serve with women are one accusation away from career ruin.

If coarse language is sexual harassment, but only if women are around to hear it, does this mean that the ears of women are more delicate than men's? If they are, someone will have to explain why it is all right—and even desirable—to send the same women into brutal combat situations on the same basis as men. The next challenge

will be to figure out what to do when some women insist they have an equal right to get along with the guys by using the same profanity they do.

The next act at Mahan Hall ought to be stand-up comedian **Jerry Seinfeld**, who could get a lot of laughs poking fun at a confused Naval Academy professor trying to explain it all. But this is not a laughing matter.

Extremism in the prosecution of men is demoralizing and not necessarily helpful to women. Unequal enforcement will lower respect for academy leaders, while increasing tension between men and women.

In the case of Lt. Black, the female midshipman who initially accepted his apology will have to testify not because she wants to, but because the Navy's P. C. Police are trying to punish him as a criminal. The complaint was filed because another woman thought that Black's apology wasn't "sincere enough." The trial must take place in public, and persons other than Black will be discomforted when cross-examination begins.

If the goal is to "send a message" about profanity, it might have been better for Adm. Rempt to summon Lt. Black to his office and wash out his mouth with soap. Now that a criminal trial is about to ensue, a different message is being heard by male midshipmen and young men considering a military career: In the Navy any woman can ruin a man's career at any time, so it might be best to stay away.

If the superintendent wants to improve respect and acceptance of women, he needs to avoid disciplinary decisions based more on moralistic slogans than they are on common sense.

**CMR**

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## CMR ACTIVITIES

- The **Claire Boothe Luce Policy Institute**, which mentors young women for conservative leadership, recently included **Elaine Donnelly** on their list of "**Top 10 Conservative Women**," which was published in the influential weekly newspaper *Human Events*. (December 5, 2005)
- Accompanying this edition of *CMR Notes* is a special section that includes the names and some photos of those

who helped to make the October **CMR Celebration and Issues Briefing** a big success. Many thanks to all!

- We hope that our members will share this edition of *CMR Notes* with others who are graduates or supporters of West Point, the Naval Academy, or the Air Force Academy. Related articles are available on our website, [www.cmrlink.org](http://www.cmrlink.org), or we will be happy to send extra copies of *CMR Notes* on request. CMR is taking the lead on these issues, and tax-deductible contributions are always appreciated.

**CMR**

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