February 2006

Deconstructing Truth: A Review of Carol Burke's Book "Camp All-American, Hanoi Jane, and the High-and-Tight: Gender, Folklore, and Changing Military Culture"

Charles H. Rose III

Follow this and additional works at: https://scholarship.law.wm.edu/wmjowl

Part of the Law and Gender Commons, and the Military, War, and Peace Commons

Repository Citation

Copyright c 2006 by the authors. This article is brought to you by the William & Mary Law School Scholarship Repository. https://scholarship.law.wm.edu/wmjowl
Carol Burke's book deconstructs specific instances of conduct and recasts them through the interpretive visions of feminism, folklore, and military culture. Dr. Burke uses this deconstructive process to support alternative arguments about how military culture must change to properly empower the women within it. She competently presents the feminist perspective; her study of folklore and its application to the human condition is fascinating. Unfortunately, the same cannot be said of her understanding and knowledge of the "rank and file" military culture. Dr. Burke appears bound by her personal experiences, and those experiences limit her ability to...
clearly identify and present the perspective of women serving in the United States Armed Forces.

Regardless, some subjects demand to be written about; this is clearly one of them. The status of women within a military currently engaged in combat on a worldwide stage is an incredibly relevant and worthwhile topic. The high percentage of women serving in positions that are truly ‘in the line of fire,’ as defined by current twenty-first century tactics, is astounding. In March of 2005, over 350,000 women were serving in the United States military. Women compose fifteen percent of the active duty personnel deployed in Iraq, meaning that one in every seven troops there is a woman. As of January 2005, 48 United States military women had died in Iraq, and 261 women had been wounded. Their sacrifice deserves a thorough review and understanding of how women and men interact while in uniform. This review should explore both male and female perspectives, creating the opportunity to move both extremes of the current debate to the center. Dr. Burke’s book does not accomplish this goal.

from the inside.”). Unfortunately, Dr. Burke’s experiences are confined to one service academy, not an active duty unit. Furthermore, she was present, through no fault of her own, at an institution and branch of the service which experienced greater than normal difficulties with the integration of female service members. See, e.g., Kenneth L. Karst, The Pursuit of Manhood and the Desegregation of the Armed Forces, 38 UCLA L. REV. 499, 542-44 (1991) (describing the adverse impact of enrolling women in the Naval Academy); Valorie K. Vojdik, Gender Outlaws: Challenging Masculinity in Traditionally Male Institutions, 17 BERKELEY WOMEN’S L.J. 68, 101 (2002) (recounting “profound sexualized hostility toward women” at the Naval Academy). Dr. Burke identifies oral history as an excellent source of information on military culture. See Burke, supra note 2, at x. Her book would have a much more persuasive impact if she had relied upon oral histories to support her suppositions. That would have been a book for the ages.


8. Wertheimer, supra note 7.

9. Id.

The United States must guarantee fairness and opportunity for all members of the armed forces, regardless of their race,\textsuperscript{11} gender,\textsuperscript{12} or sexual orientation.\textsuperscript{13} The history of the Armed Forces demonstrates uneven progress on each of these fronts. Military leaders routinely struggle with balancing the need to guarantee equal opportunity and treatment for all members of the armed forces with the primary mission of national defense.\textsuperscript{14} These leaders have attempted recently to create a fair and equitable environment on multiple levels.\textsuperscript{15} Dr. Burke is to be commended for taking on the


\textsuperscript{12} See J. Richard Chema, Arresting "Tailhook": The Prosecution of Sexual Harassment in the Military, 140 MIL. L. REV. 1 (1993) (evaluating approaches to address mistreatment and harassment of women in the military).

\textsuperscript{13} See 10 U.S.C. § 654 (2005) (requiring the Department of Defense to create, implement, and manage a Homosexual Conduct Policy); HEADQUARTERS, DEPT OF ARMY, MESSAGE FROM HQDA ON THE DOD HOMOSEXUAL CONDUCT POLICY (Jan. 10, 2000), http://sill-www.army.mil/JAG/UTP/message_from_hqda.htm (prohibiting harassment based upon perceived sexual orientation and requiring fair implementation of the Homosexual Conduct Policy). The refinement of this policy indicates a growing concern with issues regarding privacy, service, and accountability. This concern reflects a commitment to balancing the competing interests of privacy and security. Change is gradual; increased social acceptance of homosexuality will enable the Department of Defense to adopt a policy that allows homosexuals to openly serve in the military. It is a question of evolution, not revolution. The same evolutionary development is arguably present when reviewing the history of women in the services.

\textsuperscript{14} See DEPT OF DEF., DIRECTIVE NO. 1350.2, DEPARTMENT OF DEFENSE MILITARY EQUAL OPPORTUNITY (MEO) PROGRAM (1995), available at http://www.dtic.mil/whs/directives/corres/pdf/d13502wch1-0181955413502p.pdf. "It is DoD policy to .... Support the MEO program as a military and economic necessity .... Component heads are charged with promoting EO and affirmative actions, and for eliminating unlawful discrimination and sexual harassment within the Department." Id. at para. 4.

\textsuperscript{15} See News Release, Dep't of Def., Defense Department Announces Sexual Harassment Task Force (Sept. 22, 2004), http://www.defenselink.mil/releases/2004/nr20040922-1305.html (providing an example of the Department's continued commitment to addressing sexual harassment issues as discovered). See also Paul H. Turney, Relations Among the Ranks: Observations of and Comparisons Among the Service Policies and Fraternization Case Law, 1999, 2000 ARMY LAW. 97. See generally MARINE CORPS, MARINE CORPS MANUAL § 1100, para. 4 (1996), available at http://www.usmc.mil/directiv.nsf/0/730666e702054ae4855556f4a006a095a/$FILE/MARINE%20CORPS%20MANUAL%20W%20CH%201-3.pdf (prohibiting fraternization that is "prejudicial to good order and discipline or of a nature to bring discredit on the Marine Corps" and indicating that "[p]rejudice to good order and discipline or discredit to the Marine Corps may result from any circumstance which calls into question a senior's objectivity, results in actual or apparent preferential treatment, undermines the authority of the senior, or compromises the chain of command"); OFFICE OF THE CHIEF OF NAVAL OPERATIONS, DEPT OF THE NAVY, INSTRUCTION No. 5370.2B, NAVY FRATERNIZATION POLICY (1999), available at http://www.npc.navy.mil/NR/rdonlyres/21C5E9CO-81E1-4406-9947-E55E0A87879B/0/OFNAVINST53702b.pdf (prohibiting
challenge of addressing this multi-faceted and deeply divisive issue. She is an excellent author who, within the limited confines of her chosen material, does a credible job of presenting arguments for change. These arguments are particularly effective and persuasive when they involve the experiences of prisoners of war during the Vietnam conflict, forecast the appearance of the Armed Forces of the future and what that might mean for those wearing the uniform, and discuss the impact of military speech.

Dr. Burke is less persuasive concerning gender issues and is ultimately unable to support her feminist interpretations of military culture concerning the status of women within the Armed Forces. This failure is, in large part, attributable to her decision to cherry pick issues that support her conclusions. The lack of information from women who have actually been in the trenches is, ultimately, a fatal flaw of the book’s feminist interpretation of the current state of women in the military.

It is unfortunate that Dr. Burke’s primary contact with active duty military personnel occurred at the United States Naval Academy during the time of Tailhook. Her experiences at that institution serve as her primary point of reference when dealing with other issues in her book. This creates an inaccurate view of military fraternization that is "prejudicial to good order and discipline or of a nature to bring discredit on the naval service"); U.S. AIR FORCE, INSTRUCTION No. 36-2909, PROFESSIONAL AND UNPROFESSIONAL RELATIONSHIPS (1999), available at http://www.e-publishing.af.mil/pubfiles/aetc/36/aetc36-2909/aetc36-2909.pdf (defining "unprofessional relationships" as "interpersonal relationships that erode good order, discipline, respect for authority, unit cohesion, and, ultimately, mission accomplishment"); U.S. COAST GUARD, INSTRUCTION NO. 1000.6A, COAST GUARD PERSONNEL MANUAL ch.8.H.2.c (1998), available at http://www.uscg.mil/hq/g-w/g-wp/g-wpm/PersMan/PERSMAN%20Chap%2008.pdf (prohibiting relationships that “either in actuality or appearance: 1. jeopardize the member’s impartiality, 2. undermine the respect for authority inherent in the member’s rank or position, 3. result in members improperly using the relationship for personal gain or favor, or 4. violate a punitive article of the UCMJ”).

Dr. Burke’s supposition that the services are not concerned and working to address gender issues is not supported by the efforts each of the services has and continues to make, as the foregoing demonstrates.

16. BURKE, supra note 2, at 150, 155-59, 165-70, 172-73.
17. Id. at 187-227.
18. Id. at 106-124. This excellent chapter is true to form in its analysis of the historical effect of language in the services.
19. See, e.g., id. at 60 (describing, in graphic detail, the humiliating practices of an initiation ritual to the elite forces of the Canadian Airborne Regiment).
20. Tailhook is an annual symposium of naval aviators and defense contractors. At the 35th Annual Symposium in Las Vegas in 1991, eighty-six women were sexually assaulted. See Frontline, Tailhook 91, PBS Online, http://www.pbs.org/wgbh/pages/frontline/shows/navy/tailhook/91.html (last visited Jan. 25, 2006); BURKE, supra note 2, at 129.
21. See BURKE, supra note 2, at x.
culture that negatively impacts her analysis of gender issues within the military. Service academies, by their very nature, are environments that do not accurately reflect the elements of society that compose the rank and file military establishment. These academies produce officers that represent a distinct minority of military personnel, most of whom are not officers. These elitist organizations also contribute a smaller number of actual officers to the service than other sources of commissioned officers. For example, West Point graduates approximately 900 new lieutenants each year, only twenty-five percent of the Army’s yearly requirement.

Nonetheless, these academies serve as repositories of history, tradition, and rigid forms of thinking. These aspects can serve as both positive and negative reinforcement, depending upon the cultural indoctrination that transforms these young cadets from civilians to officers. Service academy graduates may reasonably feel the weight of over two hundred years of institutional history. This creates an environment that is extremely resistant to change and demands, as the price of entry to an elite club, total acceptance of the status quo. That demand exists regardless of race or gender; in return, it confers status as an academy student and graduate. This status persists throughout active duty service and creates cultural differences between the officer corps and enlisted personnel. This problem is particularly exacerbated by Naval culture.

If Dr. Burke had assumed the same unbiased analytical view found in her treatment of prisoners of war in her treatment of gender issues, she could have made some excellent points about the transference of military cultural values from the academies, through the chain of command, to the different services. The opportunity was present, but she chose not to avail herself of it. It was a missed chance, particularly given the recent investigations into allegations

---

22. See Office of the Inspector Gen., Dept of Def., Project No. 2003C004, Report on the Service Academy Sexual Assault and Leadership Survey (2005), available at http://www.dodig.mil/occl/pdfs/ExecSumFinal.pdf (executive summary). This report clearly identifies the difficulties between the sexes at the various service academies. Id. Not surprisingly, given Dr. Burke’s own experiences at the Naval Academy over ten years ago, the Naval Academy, in comparison to its sister services, does not fare as well in her book.

23. For example, in 2004, 83.7% of the Active Duty Army were enlisted members while 13.9% were commissioned officers and 2.4% were warrant officers. Betty Maxfield, Dept of Army, Army Demographics FY04, available at http://www.armyg1.army.mil/hr/demographics/FY04%20Army%20Profile.pdf.

of sexual harassment and unfair treatment based upon gender within the service academies.25

Dr. Burke misdirects issues regarding gender and military service as early as the preface of her book. When describing the integration of the women’s auxiliary forces into the mainstream military, she states:

In the past thirty years, women . . . have put pressure on military culture to change — not as a conscious or concerted political effort, in most cases, but simply by being present and by participating in the tasks and routines that make up military life. The old and almost always unofficial rites that cement ties among postadolescent males don’t work their bonding magic with women in the same company or platoon. The old jokes and songs that celebrate the sexual exploits of predatory males whose warrior skills are visited not upon the enemy in the battlefield but upon the women in port don’t voice a fantasy shared by gender-integrated troops.26

Dr. Burke then employs her own type of “shock and awe”27 campaign in support of her position. She starts by quoting the most incendiary cadences possible, related to her anecdotally by personnel at the Naval Academy,28 implying that these constitute the norm when authority figures are not present. She does not support this position with any evidence other than anecdotal references, and fails to mention the extreme measures taken by commanders to remove any language from cadences that denigrates individuals

25. See, e.g., OFFICE OF THE INSPECTOR GEN. OF DEF., supra note 22.
26. BURKE, supra note 2, at x.
27. Much like the “shock and awe” campaign designed by Secretary of Defense Rumsfeld in the Iraq war, Dr. Burke’s campaign is ultimately misleading and ineffective.
28. BURKE, supra note 2, at xi (sung to the tune of The Candy Man):

Who can take a chainsaw
Cut the bitch in two
Fuck the bottom half
and give the upper half to you . . .

[Chorus] The S&M Man, the S&M Man,
The S&M Man 'cause he mixes it with love
and makes the hurt feel good!

Who can take a bicycle
Then take off the seat
Set his girlfriend on it
ride her down a bumpy street . . .

[Chorus]
based upon race or sex. Dr. Burke’s inflammatory use of these cadences is not only a disservice to the current members of our Armed Forces, it is also disingenuous. Dr. Burke’s comments would be relevant if they properly exposed the current military culture; they do not. Given that the sources of these anecdotes are neither identified nor quoted, their value for properly identifying current military cultural values is limited. They shock quite well, but they do not persuade. An example of young women in the services who have heard these remarks and raised them to the command structure and either experienced justice or injustice would be illustrative — unfortunately, Dr. Burke fails to provide this type of example. Later in the book, when Dr. Burke reviews military cadences designed to break down the normal civilian barriers in order to empower a soldier to take another life, she is spot on in her analysis.\(^{29}\) When her feminist slant is removed, Dr. Burke views the evidence as it relates to violence and clearly identifies the soldierization process as it applies to all service members, men and women alike.

The Department of Defense has gone to great lengths over the last thirty years to address the issue identified by Dr. Burke in her preface.\(^{30}\) She rightly points out the difficulties involved in combining young men and women in the charged environment of military combat training.\(^{31}\) The focus of this training upon the very basic nature of combat, the need to dominate the enemy and prevail, has clear sexual and physical dominance connotations. Dr. Burke correctly identifies the need to address the leadership challenges that will always exist when young men and women are thrust together into a highly stressful environment that focuses on physical abilities and conflict. Dr. Burke fails, however, by neglecting to recognize any of the attempts made by Department of Defense agencies to control these situations and empower women. By choosing to organize her book in this manner, she guarantees that those members of the Department of Defense who could effect the very change she supports will never willingly accept her ideas.

As a folklorist, Dr. Burke is clearly aware of the phenomenal amount of energy that must be expended to properly guide people to change their perceptions and beliefs about women in the service. She also understands the complex factors that are necessary to effectuate real change. Her book initially suggests that she will discuss this process and provide examples of women who have been
there and done that' to indicate how this process has both succeeded and failed over the last thirty plus years. Unfortunately, Dr. Burke took a different path, and her book is the poorer for it.

Dr. Burke begins the important discussion of the sexual abuse of service members by service members with a Canadian military unit incident. In order for this incident of abuse to have relevance to the current state of gender issues within the United States military, some sort of logical nexus must exist. Dr. Burke draws a specific nexus between elite units, arguing that the Canadian unit is analogous to United States Special Forces units. The reader is left with the choice of whether to connect Canadian military culture to general United States military culture. This is a slippery slope argument that is not persuasive. The structure of the Canadian military much more closely resembles British military organizational constructs than those of the United States military. One was born of open rebellion and consecrated on the field of battle. The other was a gentlemen's agreement in accordance with the amicable parting of two nation states. It is a poor logical construct to connect the two. It is a lot like mixing apples and oranges: both are a type of fruit, but the similarities generally stop there. The later connection made between Australian military units and academies and the United States military is even more logically tenuous.

Dr. Burke returns to Canadian and Australian examples again and again, tying her arguments about Canadian unit excesses to Paris Island Marine Corps training. Unfortunately, this type of analogy is not logically consistent. She slips back and forth between Canadian units, Australian units, U.S. Special Forces, and U.S. Marine Corps boot camp. Dr. Burke uses this structure to argue that even where evidence does not exist of one type of atrocity, its existence can be inferred because it happens in other places. The difference is one of military culture tied to national identity and remedial measures. The types of abuses discussed by Dr. Burke do occur in U.S. military units. They are met, however, by a reasoned application of the rule of law to individual misconduct, not systemic failures of leadership. The misbehavior identified by Dr. Burke in Canadian units has been largely eliminated in the U.S. by a concerted effort on the part of the Department of Defense to change the culture of the military. Dr. Burke can be forgiven for not accepting that change, given the crucible of the Naval Academy where her first perceptions were formed. The overwhelming impact of that

32. Id. at 62-65.
33. Id. at 61.
34. Id.
35. Id. at 60-68.
experience is clearly present in her virulent attack on James Webb, the Secretary of the Navy, during that tumultuous time. 36

Dr. Burke’s analysis of Secretary Webb’s nemesis, 37 Admiral Jeremy Boorda, 38 the Chief of Naval Operations, 39 the forces arrayed against him, and the subsequent tragedy of his suicide is excellent. 40 Unfortunately, she does not tell the rest of the story. In large part, the Department of Defense initiatives that have addressed the improper treatment of women and enlisted personnel had their genesis in Admiral Boorda’s death. Dr. Burke details the pain Admiral Boorda felt and the depression that consumed him. 41 Her discussion of this horrible tragedy is a fitting eulogy to Admiral Boorda’s sacrifice and it is the most moving and honest portion of her book.

If Dr. Burke wrote this book as a diatribe designed to inflame the base of feminist support and to reaffirm their view of military culture, she achieves that goal beyond all reasonable expectations. The casualty of that success is any attempt to look at these issues from a macro perspective. That type of analysis would have assisted the reader in identifying and weighing ascertainable objective truths about the lives of the women in the armed forces — women who, like the line of Americans who have come before them, take an oath to support and defend the Constitution of the United States against all enemies, foreign and domestic, while bearing true faith and allegiance to the same.

If the goal was to create dialogue with those members of the Department of Defense who can transform the culture about which Dr. Burke is concerned, or to produce positive thoughts about

37. In an infamous speech delivered by Webb on April 25, 1996 at the Naval Institute’s annual meeting, Webb accused Navy leaders (Boorda primarily) of “the ultimate disloyalty” by “abandon[ing] the very ideals of their profession in order to curry favor with politicians.” Frontline, Admiral Boorda’s ‘InBasket,’ PBS ONLINE, http://www.pbs.org/wgbh/pages/frontline/shows/ship/plus/inbasket.html (last visited Jan. 25, 2006). See also BURKE, supra note 2, at 131-32.
38. Admiral Boorda was the first man to rise from sailor to Chief of Naval Operations, a post he held from April 23, 1994, until his suicide on May 16, 1996. For Boorda’s biography, see The U.S. Navy, Admiral Jeremy Michael Boorda, http://www.navy.mil/palib/people/flags/boorda/boordbio.html (last visited Jan. 25, 2006). Admiral Boorda was widely credited with pushing for an expanded role for women in the military. Id.
40. BURKE, supra note 2, at 125-34.
41. Id.
change, the book falls short of the mark. It does not accurately reflect the current state of military lifestyles and its reliance upon controlled versions of events limits the applicability of what are otherwise valid thematic concepts of folklore, culture, and the eternal tension between men and women.

The choir to which Dr. Burke seems to be preaching cannot help but be satisfied by her sermon. The uneven nature seems to indicate that to a certain extent the author has taken a variety of shorter essay pieces written over a series of years and strung them together. That type of organizational construct allows the author to speak about certain snippets of military life but prevents her presentation from persuading. With the exception of her last chapter, most of the book concerns itself with events of high political significance surrounding the United States Navy during a time when Dr. Burke taught at the Naval Academy. Each example that she gives is easily explained away by an alternative view of the facts or circumstances. This is unfortunate, because often her criticisms are right on the mark.

This review of her work does not indicate a denial of her primary thesis. Women have not always been treated fairly or been given equal opportunity within the services, for a variety of reasons. Some of those reasons stem from within the military culture, but many of them arise from, and continue to be influenced by, civilian values. Significant progress, and obstacles to that progress, have taken place over the last ten to fifteen years. The story of the continuing struggle to transform military culture is one that needs to be told, but it is less salacious than the examples Dr. Burke has chosen.

This was a book that cried out to be written. Women and men in uniform are commingled on the battlefield in a manner never before experienced in our history, with long-term implications for future force structure. Issues of gender integration will continue to impact the viability of today's fighting forces and must be addressed. The argument that the sacrifices of women in uniform are not every bit as valuable as those of the men who wear the uniform is morally reprehensible and logically indefensible. In places, this uneven book is excellent in its analysis and insight, in others it merely inflames the most radical proponents on both sides of the issue without identifying a middle ground where compromise and progress can grow. For that, it is truly an opportunity lost.

42. The absence of interviews or discussions with current and former female members of the Armed Forces is particularly troublesome. One is left to wonder if perhaps the reason for their exclusion is due to the fact that they would not have provided evidence that supports the author's thesis.