

BRIEFING NOTE FOR THE MINISTER

Subject

1. Homosexuals in the Canadian Forces.

Canadian Forces Policy

2. CFAO 19-20 Homosexuality - (copy attached)

3. The Canadian Forces enrol, and retain, only such persons as are capable of performing all military tasks that are assigned to them, and whose lifestyles are compatible with a military environment. In the case of homosexuals, it is the considered view of authorities in both the Department and the Canadian Forces that such persons, because of their sexual orientation, create a number of serious problems for the Canadian Forces which militate against their employment. Canadian Forces policy in respect of homosexuals is, and remains, that they are not knowingly enrolled or retained in the Canadian Forces. This policy, in respect of serving members, is set out in Canadian Forces Administrative Order 19-20.

4. A member who is to be released from the Canadian Forces as a result of the application of this Order will normally be honourably released under Item 5(d) of the Table to Article 15.01 of the Queen's Regulations and Orders for the Canadian Forces. Should a member of the Canadian Forces believe he has suffered any personal oppression, injustice or other ill-treatment ~~in or~~ as a result of the application of

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this policy, that member may seek redress under the provisions of the Queen's Regulations and Orders for the Canadian Forces Articles 19.26 and 19.27 - Redress of Grievance.

Discussion

5. The policy is based, for the most part, upon the fact that the Canadian Forces, unlike most other employers, provides, in many instances, a combined working and social milieu. Because, in such a milieu, persons having unusual behavioural traits may attempt to inflict them upon others, there is only one method of assuring our servicemen and women that their rights will be respected: by denying employment to homosexuals. This is particularly important when servicemen and women are ordered to isolated posts, to serve at sea, or to a communal life in barracks or in the field; situations where personal privacy is most difficult, if not impossible.

6. In such circumstances, where the employee has no choice as to either his environment or the company he keeps, the employer, the Canadian Forces, has an obligation to provide a milieu which is acceptable to the vast majority of his employees. The position is based on experience over several decades and involving, over the years, a significant number of individual incidents; it is based, as well, on the inherent and unique nature of military service which, to be effective, is predicated on strong group cohesion and morale, elements which by

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general agreement in the Armed Forces, proscribe the employment of homosexuals.

7. There is also the serious question of the image of the Canadian Forces in the eyes of the public. This is of direct concern to ~~the Minister of National Defence, and to~~ authorities in the Canadian Forces, since the maintenance of a volunteer force depends, to a large measure, on how that force is viewed by potential recruits, by their relatives and friends, and by the public at large. The majority of Canadians are not prepared to accept the idea of homosexuals in the Canadian Forces, and they would not see such an organization as a suitable or acceptable environment for their sons and daughters.

8. It is also an inescapable fact that homosexuals are in a difficult position where a security clearance is required. ~~As you know,~~ I in matters pertaining to security and the application of Cabinet Directive 35, a doubt is resolved in favour of the State, not the member. Here again, experience, over the years, has demonstrated a degree of vulnerability of homosexuals to blackmail, which cannot be overlooked in this particular context.

9. Finally, a substantial number of military personnel serve outside the country: under the United Nations, North American Aerospace Defence and North Atlantic Treaty Organization auspices, or in Canadian military missions throughout the world. In a great many cases,

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homosexuals would be ineligible for such service because of the laws or the social mores of the host country. Such limitations on the employment of homosexuals are a fact of life and would seriously reduce the operational flexibility of the Canadian Forces.

10. A military force, particularly one composed of volunteers, has an image of itself which is to some extent determined by how it is viewed in the eyes of the nation, of foreign nationals, and of allied military forces. Military forces have historically seen morale, a function of self-image, group cohesion, spirit and a host of intangible factors, as being of supreme importance in crisis situations. Morale can easily be destroyed, but is extremely difficult to rebuild. To enrol or retain homosexuals would do grave damage to morale and the internal cohesion of the Canadian Forces and, for that reason alone, such a course of action is unacceptable.

#### Conclusion

11. It is the firm position of Canadian Forces authorities that homosexuality presents a bona fide impediment to employment because it is not possible to fully utilize homosexuals to meet the exigencies of the Service.

#### Annex

Canadian Forces Administrative Order 19-20

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