

A Critical Discourse Analysis of the Representation of Women in Canadian Armed Forces  
Policies and its Connection to Sexual Assault

by  
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## Abstract

This thesis considers the connection between the policy and culture of the Canadian Armed Forces (CAF), representation of women and the prevalence of sexual assault. I analyzed how the policies and discourse of the CAF contribute to the permissive environment for sexual assault within the institution. Through this analysis I have found that the policies of the CAF do not substantively represent victims and do not contribute to a change in culture. The CAF, as with any culture, is resistant to change and the outdated policies contribute to this. Policies, as a guiding factor in the behaviour of CAF members, must be updated to include clear, direct wording that is substantively representative of victims of sexual assault. Although new documentation, like Operation HONOUR has been recently released, the policies in the QR&Os and DAODs must be adjusted.

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### Policies Analyzed – Page 74

Policy	Authority Issued On	Date Issued
<i>DAOD 5012</i>	Chief of Military Personnel, Assistant Deputy Minister Human Resources Civilian	December 2000, modified January 2017
<i>DAOD 5019</i>	Chief of Military Personnel	September 2008
<i>QR&amp;O 103</i>	Chief of Defence Staff	January 2006
<i>QR&amp;O 4</i>	Minister of Defence	June 2008, amended June 2014
<i>QR&amp;O 5</i>	Chief of Defence Staff	April 2009, amended August 2015
<i>Code of Values and Ethics</i>	Chief of Defence Staff, Deputy Minister of National Defence	2012
<i>Statement of Defence Ethics</i>	Director of the Defence Ethics Programme	August 2014
<i>RMC Policy on Harmful Behaviour</i>	Director of Plans and Strategy of RMC	December 2016
<i>Operation Order OP HONOUR</i>	Chief of Defence Staff	August 2015

### Themes Analyzed in Each Document – Page 76

Theme	Documents Coded In
Culture & Building Culture Top Down	<i>Operations Order Op HONOUR, External Review by DesChamps, DAOD 5012, QR&amp;O Chapter 4, Code of Values and Ethics, RMC Policy on HISB, Statement of Defence Ethics, Gender Based Analysis Roundtable</i>
Consent	<i>External Review by DesChamps, RMC Policy on HISB, Statement of Defence Ethics</i>
Limited Narratives	<i>Operations Order Op HONOUR, Code of Values and Ethics, External Review by DesChamps, Gender Based Analysis Roundtable, Statement of Defence Ethics</i>
Support for Victims and Victim Blaming	<i>External Review by DesChamps, RMC Policy on HISB, Statement of Defence Ethics, DAOD 5019</i>

## **List of Abbreviations**

CAF – Canadian Armed Forces

QR&O – Queens Regulations and Orders

DAOD – Defence Administration Orders and Directives

TAMS – Text Analysis Markup System

## **Chapter 1: The Connection Between Representation of Women and Sexual Assault**

The rate of sexual assault in the Canadian Armed Forces (CAF) has decreased but this crime is still prevalent. There is still a higher chance that a woman in the CAF will be sexually assaulted than in the civilian population (Allen 2016, 18; Cotter 2016, 5). According to the 2016 Statistics Canada survey *Sexual Misconduct in the Canadian Armed Forces*, in the past 12 months 1.7% of Regular Force members<sup>1</sup> (960 members) reported being victims of sexual assault (Cotter 2016, 11). Broken down by sex this is 4.8% of women (380 members) versus 1.2% of men (570 members) in the Regular Force (Cotter 2016, 8). According to the same survey of Regular Force members, 7.1% (3,940 members) reported being victims of sexual assault at some point over their career in the CAF; by sex this breaks down to 27.3% of women (2,120 members) and 3.8% of men (1,810 members) (Cotter 2016, 5). In the civilian population, according to police reported data from 2016, there were approximately 21,300 victims of sexual offences aged 15 years and older, with 92% of these being women (19,596 women) (Allen 2016, 18). With a Canadian population of approximately 36,286,378 in 2016 (Statistics Canada 2016) this indicates a Canadian woman has a 1% chance of being sexually assaulted each year and subsequently reporting it. In the survey regarding CAF members the definition of sexual assault was the same as in the Criminal Code of Canada, including: sexual attacks, unwanted sexual touching, and sexual activity where unable to consent (Cotter 2016, 8).

However, “we will likely never know the actual incidence of sexual violence” in either Canada or the CAF (Johnson 2012, 630). There are many women who choose not to report their

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<sup>1</sup> The CAF is split between Regular Force members who work full time as their primary career and Reserve Force members who work part time as a secondary career.

sexual assaults either to police or in surveys, both in the military and in civilian life. Johnson discusses what kinds of considerations victims must make in deciding whether or not to report.

Unless the attack occurs in a public place in full view of witnesses who make the decision for her, a woman who is sexually assaulted must first weigh the benefits and costs of sharing this with others in her social network, asking for medical assistance, emotional support, or help from police. She must first consider whether others in her social network will support her decision – whether they will support her perception of events or see her as somehow complicit or responsible for the attack. ...Her decision to report to the police is also affected by shame and embarrassment, a desire to protect others, especially family members, and concern about whether the police will take her complaint seriously, treat her with respect, and not subject her to ill treatment (Johnson 2012, 626-27).

The decision to report does not always lead to positive outcomes and this can be a major deterrent. The *Canadian Forces Military Police Report from 2015* states the Military Police initiated 130 sexual assault investigations. When compared to the 960 members (in 2016) who stated they were victims of a sexual assault in the Statistics Canada survey the difference is significant. According to Johnson, the Statistics Canada crime victimization survey indicates the number of civilian women who are sexually assaulted looks more like 460,000, with only 8% of those actually reported to police (Johnson 2012, 613). If we consider that approximately 460,000 women were sexually assaulted rather than the 19,000 who reported it, then it would be more accurate to say Canadian women have a 2.5% chance of being sexually assaulted

yearly. This is still significantly lower than the chances that women in the Canadian military have of being sexually assaulted, which leads to the question of why might women in the CAF have a considerably higher chance of experiencing sexual assault than their civilian counterparts?

The CAF has a history that extends beyond its official life as a Canadian institution. Canadian men serving in the military transitioned from serving as part of the British forces to serving as part of the Canadian Navy, Air Force or Land Force in the 19<sup>th</sup> century. The current iteration of Canadian Armed Forces as a unified structure was established in 1968 (Restoring the Historic Designations of the Royal Canadian Navy, the Canadian Army, and the Royal Canadian Air Force). Women began participating in military service with Canadian military forces starting in 1885 as nurses and the number of women serving sharply increased during the Second World War (Women in the Canadian Armed Forces). These numbers subsequently decreased after the Second World War ended as there was encouragement for men and women to each return to classic gendered positions in society, and women were again pushed out of the historically masculine and male-dominated military, even as nurses. Women were allowed to enroll again in the 1950s with the beginning of the Korean War, but their service was limited to roles such as medicine, communication, logistics, and administration (Women in the Canadian Armed Forces). In the latter half of the 20<sup>th</sup> century the role of women in the Canadian Forces progressed relatively steadily. In the 1960s a study on the employment of women in the forces determined that women should remain employed in the military but the number of women should be limited to 1,500 and a number of occupations remained closed to women including combat (Hope 44.2). Since 1970 there have been various policies introduced

by the Canadian government that deal in whole or in part with the rights of women in society and in the military. In 1970 the *Royal Commission on the Status of Women* put forward a number of recommendations. Six of them pertained directly to the CAF. They are: open all trades in the CAF to women; allow married women to enlist; standardize the length of initial engagement for which personnel are required to enlist in the CAF; eliminate having children as grounds for release for women; standardize pension benefits for men and women; and for women be allowed to attend Canadian military colleges (Bird 1970, 402). Due to the recommendations, by 1974 67% of all military occupations were open to women, as compared to the 19% in 1967 (Hope 44.2). Furthermore, the numbers of women had increased to 4,405 (Hope 44.2). In 1977 the *Canadian Human Rights Act* prohibited discrimination based on race, sex, age, and religion. In 1989 a Canadian Human Rights Tribunal ordered that all occupations be open to women in the Canadian Forces, with the exception of submarine service (which was subsequently opened in 2000) (Women in the Canadian Armed Forces; Hope 44.2). This was ordered with the intention of achieving complete integration of women into the CAF. Currently, women may serve in any capacity in the CAF (Women in the Canadian Armed Forces). Although there are no remaining formal obstacles to women's service, there are still informal obstacles that limit the extent to which we may say that women are integrated into the CAF. Examples of this are the hyper-masculine culture that denigrates the feminine and common language use that equates women and bodies that are female with weakness.

Although women have been participating in combat with the CAF since 1989, they meet informal resistance from their peers due to the maintenance of pre-integration culture. The change in policy has not immediately equated a change in attitude or culture. There are still

many people, both from within and outside of the military, who do not believe that women belong in combat. The arguments against women in combat are classically that: the physical demands of the job are too much for women; women's presence will disrupt unit cohesion and effectiveness; and that women, by nature, just do not belong in combat (MacKenzie 2015, 100). The belief that women 'just do not belong' in combat likely stems from the historically masculine nature of the military, and combat more specifically. However, extensive trials from the 1970s in both Denmark and Canada show that women perform effectively in combat and that these arguments are only myths and have been dispelled (MacKenzie 2015, 104). Sex is not the attribute that determines performance with regards to combat.

Along with the integration of women into all roles of the CAF there have been concurrent acknowledgements of a need to deal with sexual assault. This is not to say that sexual assault only occurred with the integration of women, just that it started to be acknowledged in the latter half of the 20<sup>th</sup> century. In 1988 the CAF put forward its first policy meant to deal with sexual harassment: *Canadian Forces Administrative Order (CFAO) 19-39 Canadian Forces Policy on Harassment* that was based on the *Canadian Human Rights Act* (Department of National Defence and Canadian Forces Harassment Prevention and Resolution Policy). In 1995 the first iteration of sexual harassment prevention training, "Sexual Harassment and Racism Prevention Training (SHARP)," was implemented by the CAF (Canadian Forces Military Law Centre, 2008). Then near the end of the 1990s the CAF opened an office of the Ombudsman specifically for military members and civilians working for the military such that they could lodge complaints of any nature against the military with sexual assault as a possible complaint. Complaints to the Ombudsman were to be protected from retribution or internal

interference within the military hierarchy, which provided independence from the chain of command which controls the flow of all other aspects of the military. However, until recently only retired military members were hired into this office, which raises questions of true independence (Gouliquer 2011, 216).

Although the military has always been a male dominated institution, since the latter half of the 20<sup>th</sup> century there has been an increasing push for better representation of women through formal policy. However, it is not enough as the CAF arguably does not have full gender integration. Currently, women make up 15% of the CAF overall, but only 12% of the regular force, and only 3% of combat forces (Park 2008, 1; Women in the Canadian Armed Forces). As well, women are predominantly found at lower ranks (Saski 2013, 169). 33% of men in the CAF are in the combat arms, compared to 11% of women in the CAF. 50% of women in the CAF are found in administration, logistics, security, intelligence, or emergency services compared to 19% of men (Park 2008, 3). Although policy has opened up all occupations to women, they are still concentrated in the more traditional support areas. Beyond just numbers of women though, the women who choose to remain in the military have likely internalized the hyper-masculine culture and thus while they provide role models for lower ranking female members as examples of women who have succeeded, they are not examples of a clear change in paradigm with a broader acceptance of women (Sasson-Levy 2002, 360). Although women in the CAF deploy less than men, women are 1.2 times more likely to have high job strain in the CAF, and the number and length of deployments were not associated with work stress among women in the CAF (Park 2008, 6). Better representation for women will look like a cultural change away from the denigration of the feminine (and therefore women), an environment

that is as welcoming to women as it is to men, and an increase in the number of female members, especially at higher ranks and in all occupations.

In the CAF in the early 2000s more than one fifth of reservists were women as compared to one eighths in the regular force. As well, 60% of CAF personnel are junior non-commissioned members (NCMs), where their ranks are from private to master corporal, 20% are senior NCMs (sergeant to chief warrant officer) and 20% are officers (Park 2008, 2). The implications of this are that the junior members, making up the majority of the CAF personnel, are the group that dictate the culture and attitude of members, even though they are guided by official policy and leadership. Significantly, this group is more likely to have a greater embracement of the classical, hyper-masculine attitude the military is known for, and further pass this attitude down through training. Although the policies have some specifics, such as a policy against drunkenness (QR&O 103.3, 74), they are generally vague and the repercussions dictated are phrased by giving the most severe punishment or lesser, or simply “administrative action” (DAOD 5012, 3). The significance of this is that with only vague policies guiding the official method of dealing with offences, the junior leadership that embraces the hyper-masculine culture are unlikely to choose to impose the more severe repercussions for offences they do not find significant to operational effectiveness, like sexual harassment and sexual assault.

### **Research Question**

Through this research I explore the question of how discourse, in recent policies and policy responses, has enabled an environment that has a permissive effect on a culture of sexual assault within the Canadian Armed Forces. A permissive environment for sexual assault and

sexual harassment is one where policies with regards to this behaviour either do not exist at all, and thereby do not regulate the occurrence of the behaviour, or where the policies do not adequately address types of behaviour that people may exhibit. This could be through incomplete definitions or scarce wording that leave many aspects of the behaviours and event situations unaccounted for in various interpretations of the policy. In contrast, a constraining environment has clear policy discourse that set limits and consequences for various actions and events. This might seem too obvious; however, in setting policy there are many situations and events that should be accounted for, and these are not always apparent at the time of policy creation. Thus policies should be reviewed often, critically, to determine if they are effectively doing the work they were created to do. For example, when setting policy with regards to sexual assault it is important to consider what definition of sexual assault will be used, what actions constitute sexual assault, and where a line will be drawn in what is and is not sexual assault. However, beyond this sexual harassment also needs consideration as it is a related offence with its own spectrum of actions. Where sexual assault includes any number of sexual actions towards a person without consent including touching, penetration, or forced performance of sexual acts, sexual harassment is harassing language or behaviour of a sexual nature including but not limited to jokes, demands for sexual favours, unwelcome touching, invasion of personal space, and propositions (Sexual Harassment; Sexual Assault). These offences are different but they are correlated (Morris 1996, 680). Unless sexual harassment is acknowledged in policy for its potential contributions to sexual assault then policies will not curb sexually harassing behaviours (which relate to sexual assault). This will leave the policy environment permissive, allowing sexual harassment and sexual assault to occur at high rates.

The representation of women in the CAF is inadequate, not only because only 15% of the CAF are women but because the culture is one of hyper-masculinity that not only emphasizes aggression, strength, and power of men but further denigrates women.<sup>2</sup> Although women may now occupy any role in the CAF, up until 1989 the policies of the CAF dictated otherwise (Women in the Canadian Armed Forces). Due to the hierarchical nature of the military, women have had a significantly shorter period of time to move through the ranks of the institution and so women are primarily found in the more junior ranks. Furthermore, women continue to face informal resistance from their peers that limits the integration of women and contributes to the poor representation of women in the CAF. The policies of the CAF are significant contributors to the representation of women as they contribute to the culture.

I found the representation of women in the discourse of the policies contributes to a permissive environment for sexual harassment and sexual assault. The CAF is a highly hierarchical institution where the members at the highest levels of the institution enact rules and policies that set the guidelines for the behaviours of all members at all levels. The culture of the military is significantly impacted by the policies dictated by these leading members because it affects the extent of the behaviours of each member. For example, the specific policy, *QR&O 103.17* prohibits “striking or offering violence” (*QR&O 103.17, 47*) which puts a specific limit on members’ behaviours. Although military culture is also a product of large groups of members working together, official policies state the military’s position on a broad scale. If the policies are written in a way that is not easily interpreted to represent the interests of women in the

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<sup>2</sup> I expand on this concept in chapter two.

CAF – to make the environment as welcoming and safe for them as it is for men – then there is little motivation for the culture to change to accommodate this. Although there is a connection between representation of women in policy discourse and occurrence of sexual assault, there has been very little research demonstrating this. Therefore, my research examines this connection alongside literature and policies that discuss the impact of combatting an environment conducive to sexual assault.

My research looks at the connection between the substantive representation of women in the policy discourse of the CAF and sexual assault in the CAF. In this research I am not attempting to make a probabilistic causal claim. However, my findings do indicate an explanation linking the discourse to the higher instances of sexual assault. There are recommendations from the CAF stating that simply increasing the number of women recruited and retained in the military will improve the integration of women more generally. However, whether or not an increase in women will improve the environment for women is questionable. I argue that there is a connection between the environment women encounter in the CAF and the policy discourse of the same institution. The discourse used in the CAF's policies project the identity of the CAF, not only in the specifics of the policies they create, but in any absences. In not acknowledging certain situations, the policies thus identify the institution's priorities and what matters in its operation. Through this political discourse analysis I find the policy discourse of the CAF contributes to a permissive environment for sexual assault through the vague language and absences in the policies. When the language is vague, or there are absences of specific behaviours, this widens the perceived allowable behaviours by members; because there is no specific mention of sexual harassment this absence provides an interpreted

authorization of this with no administrative repercussions. The policy discourse may facilitate representation for women by having women participate in the creation of policies and by indicating consideration of the various interests of women as equal members of the CAF; however, the policy discourse may present a lack of substantive representation for women, which contributes to the idea in the hyper-masculine military culture that women are worth less than men as soldiers.

The discourse used in policies impacts the language members use. In discussing critical discourse analysis, Janks says, “ideology is at its most powerful when it is invisible, when discourses have been naturalized and become part of our everyday common sense. This is what results in writers using a discourse of paternalism unconsciously, because it is available. By being there (...) available discourses constitute our identities and our construction of the world” (1997, 340). This has an impact on the everyday language that occurs in the CAF. For example, the discourse in the policy regarding sexual misconduct has a strong emphasis on providing proof of the alleged activities and on providing methods for alleged assaulters to prove their innocence: namely through the ‘good soldier defence,’ which relies on their time in service. This discourse emphasis contributes to the everyday discourse regarding sexual assault that emphasizes the possibility for false allegations and shifts the onus of proof to the victim.

Policies and their implementation have an impact on different, broad groups in terms of gender, sexuality, religion, race, and other social characteristics. This is important because this type of consideration is frequently left out. For example, in the CAF’s recent survey and statistical analysis of the prevalence of sexual assault there was no analysis of social characteristics other than sex. This means that it is unknown if members of a certain sexuality,

religion, or race are more frequently targeted as victims of sexual assault than others. While instances of sexual assault are significant themselves, the representation of women in policy discourse also sets the stage for their representation in all other aspects of the CAF. The way that policies are written informs the behaviours and limits of behaviours that will be tolerated, as will the training they receive on ethics and general expectations of all members. Further, the official discourse will inform and affect members' informal discourse and language usage. Policy discourse and the culture of the CAF have a mutually constitutive relationship in that culture and representation will affect policy creation, and implementation of these policies will guide members' behaviours and the institution's culture. The policies of the CAF as an institution set the boundaries for the culture and the individual members enact this, but it also works in the opposite way in that those who create and amend the policies of the CAF are well integrated in the culture of the CAF, which influences how the policies are created.

A discourse analysis in particular is valuable in this instance because the policies are written with the intent to create guidelines and boundaries for members and to solve identified problems, such as high rates of sexual assault. However, if the discourse used within them actually contributes to perpetuating the problems they are meant to solve through the narratives used within the discourse, then this must be addressed. As well, while the CAF has acknowledged that sexual assault is an issue that still needs to be addressed (Op HONOUR, 1), it is valuable to look at the motivation behind this intention as well as the CAF's approach to this ongoing problem. If the motivation is to improve combat effectiveness or the institution's efficiency, it will look different than if the motivation is to recruit and retain more members, especially women. These motivations will have an important effect on efforts to address the

problem. It is valuable to look at what these documents actually say about women from a gendered perspective and to identify the narratives of women's portrayal. Understanding how CAF policy portrays women, as well as the implications this may have within the CAF, provides a basis for how we might improve this representation as well as improve its outcomes moving forward.

The following chapters develop my argument that the discourse of the policies within the CAF are permissive of sexually harassing behaviours and sexual assault. In chapter two I review the literature regarding instances of sexual assault generally and the motivations behind it, as well as the same within military culture. The actual crime of sexual assault is similar between civilian and military settings though statistics indicate it occurs more within the military. The hyper-masculine culture of the military contributes to this, as its emphasis on dominance and aggression pair well with the power motivation that lies behind many sexual assaults (Morris 1996, 721). I also look at the CAF as a typical instance of military culture generally through previous works such as Gouliquer and Poulin's examination of discrimination in the CAF and DesChamps' review regarding sexual assault (DesChamps 2015; Gouliquer and Poulin 2012), and review the literature regarding culture change arising from policy change. *Operation HONOUR*, as the CAF's push to decrease rates of sexual assault, is based on the concept of top-down culture change and so I review how culture is developed. I also discuss gender integration within the CAF, both in terms of official policies and the general atmosphere that women face, as well as motivations for gender integration. Women remain as an out-group in the military due to the hyper-masculine culture, regardless of the policies dictating their official inclusion to all aspects of the military. Finally, I discuss the theory of representation as

this background is necessary in my examination of policies from the CAF with regards to the representation of women.

In chapter three I outline the methods I used to complete this research. I used poststructuralist theory to inform my analysis and I drew on Hansen's *Security as Practice* as well as Janks' *Critical Discourse Analysis as a Research Tool*. I conducted my analysis as both a discourse and policy analysis, looking specifically for representation.

In chapter four I analyze the various policies and policy responses from the CAF with regards to representation and permissiveness towards sexual harassment and sexual assault. Through an examination of the documents' context I develop the idea that there is not much descriptive representation in the CAF's policy formation.<sup>3</sup> All noted individuals are white and male. The only noted female authors for documents I analyzed are the ones who have written policy responses to the CAF. I further analyze each document with regards to how the language indicates or does not indicate representation of women. In the literature review I discuss that gender integration is not complete, though policies officially include women. However, in my analysis of the policies I find that the representation of women is poor as the wording is vague and is permissive of harassing behaviours. I further analyze the documents with regards to themes surrounding sexual assault: consent, victim blaming, and support for victims. Support for victims through various resources both for emotional and physical care as well as justice are necessary aspects of a reactive system. Education for all members regarding consent and language that does not blame victims could be a preventative action to reduce future sexual

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<sup>3</sup> Descriptive representation is the representation of social characteristics where those who are descriptively representing a group share one or more social characteristics with the group (Mansbridge 1999, 628).

assaults. Finally, I examine the language of policies and policy responses with regards to the creation and development of narratives of both victims and aggressors. This is important because while it is useful to acknowledge the statistically likely members who may be victims or aggressors (because the victims are overwhelmingly women), it is isolating to not acknowledge the other potential members at all.

## **Chapter 2 Literature Review: Policy Change as an Incomplete Method of Culture Change With Respect to Gender Integration in the Military**

The 2009-2010 Judge Advocate General report for the Canadian Armed Forces stated that there were 84 charges of a sexual nature laid against 51 accused (Lorincz 2013). This shows sexual assault in the military is not happening at a 1:1 assailant to victim ratio, meaning that many assailants have multiple victims. Two popular examples of this are the former medic, who in 2011 was charged with 20 offenses for sexual assault and breach of trust against women from 2002-2009, and the former Commander of Trenton Canadian Forces Base, who was charged with two counts of sexual assault and murder and 80 charges of break-ins (Lorincz 2013; Col. Russell Williams Pleads Guilty 2010). Although these numbers indicate that the number of perpetrators may not be as high, we must also consider that a significant number of assaults are not reported.

The literature regarding sexual assault in the context of the military is extensive. Some main focuses are on the occurrences and motivations of rape in war as well as aspects of the military's culture that contribute to the permissive environment (Morris 1996, Littlewood 1997, Loken 2017). The literature establishes that male dominance and hyper-masculinity shape the military culture, meaning that women are generally not welcomed into the institution (Eichler 2016, Sasson-Levy 2002, Gill and Febbraro 2013, Gouliquer 2011). The literature regarding gender integration generally concludes that even where policy states full inclusion, the actual integration and representation of women within the military, both in terms of numbers of women and the culture that rejects them is poor. After analyzing sexual assault, Canadian

military culture, how policy contributes to culture change, and gender integration in the military I will examine representation theory. This analysis looks at what may or may not be considered representation as well as a couple of methods of improving representation (Crenshaw 1991, Young 1994). The poor representation and integration of women in the CAF contributes to an environment where they are less valued than their male counterparts (Sasson-Levy 2002, 378). This is concurrently occurring alongside significant rates of sexual assault that are primarily affecting female service members. My review and analysis of this literature serves to provide background regarding these topics as well as to question the correlation of these instances and the permissive environment of the CAF for sexual assault.

### **Sexual Assault**

A significant number of Canadian women and men experience sexual assault every year, though statistics indicate that women are victims significantly more often than men (Sexual Misconduct in the Canadian Armed Forces, 2016). Sexual activity toward another person without consent constitutes sexual assault, though there is wide misunderstanding of what consent legally means. These explicit definitions are necessary in the policies of the CAF in order to determine the limits of acceptable behaviours for members.

The Criminal Code of Canada defines consent as voluntary agreement to engage in a sexual activity and precludes consent from situations where a person is physically unable to consent, where a person abuses a position of trust, power, or authority to engage in the activity, or where a person expresses a lack of agreement to engage in or continue to engage in the activity (A Definition of Consent to Sexual Activity). Consent is more than an absence of

“no” or physical struggle but requires ongoing and enthusiastic agreement.<sup>4</sup> Without consent, sexual assault has occurred, and without wider understanding of what consent is there will be misinformation as to what constitutes sexual assault.

Sexual assault is a variety of crimes surrounding sexual behaviour that occurs without consent. It is a crime that may happen to anyone; however, specific populations have a higher statistical likelihood of sexual assault. Sexual assault in the Canadian civilian population is a crime that occurs mostly to young women: over 80% of sex crime victims are women and one quarter of North American women will be sexually assaulted in their lifetime (Vaillancourt 2008, 10). 82% of all victims of sexual assault under the age of 18 are female, and young Canadians are more likely to experience sexual assault (The Nature of Sexual Offences; Ogrodnik 2008, 12). Half of all victims are married or in long-term relationships and 80% of assailants are friends or family of the victim (Statistics on Sexual Assault Cont’d). Furthermore, only six out of every 100 incidents of sexual assault are reported to the police and only two to four percent of sexual assault reports are false reports (Sexual Assault Statistics in Canada). As well, it is estimated that less than 1% of sexual assaults experienced by women lead to an offender being convicted (Johnson 2012, 613).

Most sexual assaults fall into the category where there is little or no physical injury (Wathen 2012, 12). These statistics indicate that not many sexual assaults are reported and not many victims sustain physical injury from their assault meaning the assault may not have been a violent, physical struggle. Sexual assault is a crime that occurs to a significant portion of the population, but not necessarily in the violent way that many people stereotypically think of it.

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<sup>4</sup> I elaborate on definitions of consent in Chapter 5, in the section regarding consent.

Although a stereotypical understanding of sexual assault involves physical assault, any type of sexual assault is violent in its own way as it is power and domination of another person's body.

The overall culture of the military is sexualized and the statistical likelihood of being a female victim in the military is higher than that of being a male victim (DesChamps 2015, 2). Three factors make the military a higher risk environment for sexual assault: most members are younger than the general population; the living quarters are often isolated and integrated; and men greatly outnumber and frequently outrank women (Watkins, Bennett, Richer, Zamorski 2015). Only eight percent of members who are above the rank of lieutenant-colonel are women (Lorincz 2013). These factors are indicative of women as victims. Sexual assault occurred in the military before women were active participants and so there is a need to consider the general culture and environment. However, the fact that the majority of victims are women is significant.

An American example of the military as a sexualized institution is the Abu Ghraib scandal in Iraq, as analyzed by Enloe. Both male and female American soldiers were photographed sexually assaulting Iraqi prisoners by various means (Enloe 2004, 90). Enloe discusses the motivations of these humiliations in terms of power and feminization of the prisoners (2004, 99). She further discusses the role of the female soldiers acting in a masculinized role in order to not only decrease their femininity but to further highlight the feminization of the Iraqi prisoners (Enloe 2004, 98). This is significant as an example, because even though the victims of these sexual assaults were male, they still played out with distinct masculine and feminine gender roles.

Although women in the military are at a higher risk of experiencing sexual assault, there is still significant under-reporting. It is difficult to obtain clear statistics on what the rates of sexual assault actually look like over time. Gill and Febbraro discuss that although the reported rate of sexual harassment in the Canadian military decreased from 26% in 1992 to 14% in 1998 this could be attributable to an increased emphasis on harassment policies or to the well documented under-reporting due to members' lack of confidence in the ability of the chain of command to adequately deal with their complaints (Gill and Febbraro 2013, 271). However, there have not been conclusive studies done to indicate if either of these or other factors are responsible.

The results of surveys of regular force CAF members by Statistics Canada in 2014 indicated that similar numbers of men and women experienced sexual assault while working with the CAF (Stats Canada Canadian Forces Mental Health Survey, 2014). However, 800 men and 700 women having this shared experience translates to 1.2% of the male population and 7.6% of the female population because the total number of men surveyed was 55,500 and the total number of women surveyed was 8,900 (Stats Canada Canadian Forces Mental Health Survey, 2014). So although the exact number of men and women who experienced sexual assault are similar, the percentage overall indicates that women are more likely to be victims. Similarly, a survey from Defence Research and Development Canada from 2013 conducted by Statistics Canada indicated that approximately 40% of women and 9% of men have experienced sexual assault, either military work-related or not (Watkins, Bennett, Richer, Zamorski 2015). Furthermore, specifically in military work-related sexual assault, this survey found that approximately 15% of women have experienced unwanted touching, compared to 1% of men,

8% of women have experienced forced sexual activity compared to .2% of men, and 16% of women have experienced any type of sexual assault as compared to 1% of men (Watkins, Bennett, Richer, Zamorski 2015). These statistics indicate that although men also experience sexual assault in the military, women experience it in significantly higher numbers. Women are four times more likely than men to experience unwanted sexual touching, are five times more likely to be sexually attacked, and six times more likely to be subjected to sexual activity to which they were unable to consent (Sexual Misconduct in the Canadian Armed Forces, 2016).

Sexual jokes are the most common type of inappropriate sexual behaviour members experience, followed by inappropriate sexual comments (Sexual Misconduct in the Canadian Armed Forces, 2016). This type of language alone creates a sexualized environment that indicates normalcy of sexual harassment. The culture of the military, distinct from the policies of the CAF, provides an especially hospitable environment for continued high rates of sexual assault. In addition to the normalized sexual environment, women are twice as likely to report being personally targeted by this sexualized behaviour and language (Sexual Misconduct in the Canadian Armed Forces, 2016). Women, as 15% of the CAF, are disproportionately targets of sexual assault in the military. Thus, the prevalence of sexual assault is tied not only to the sexualized environment that normalizes sexual harassment, but also to the low representation and disproportionate targeting of women.

Widespread ignorance regarding consent contributes to a permissive environment towards sexual assault. Those who do not understand consent are more likely to believe that sexual assault only occurs when the aggressor uses violence, or believe that unconsciousness does not necessarily mean a lack of consent. In this sense it is important for all members of the

CAF to know what consent is. The statistics I have stated regarding likely victims of sexual assault and understanding consent develop the background necessary for adjusting policy regarding sexual assault. Identifying the gaps in general knowledge and the likely victims of this crime are important towards steps to reduce the rates of sexual assault.

### **Canadian Military Culture**

Military culture is hyper-masculine. It is a male-dominated institution, dependent on group cohesion for operational effectiveness. Although group cohesion is highly sought after in the military, there is resistance to diversity within the military culture. This resistance was historically encouraged via policies that limited women's engagement with the military; however, there is now official movement towards diversification. Informally the culture continues to reject women and femininity, which isolates female members.

There is a regulation in the CAF called Universality of Service, which allows the military to use soldiers as it wishes and to demand higher standards of performance. Universality of Service means that soldiers are liable to be sent wherever and whenever to do whatever the military requires of them for operational success (Gouliquer 2011, 136). This means that the military has complete power over its soldiers and refusal to follow orders can be punished with a maximum of release from the military but could be less than this (Gouliquer 2011, 137). This is found in section 103.6 of the *Queen's Regulations and Orders*: "Any act, conduct, disorder, or neglect to the prejudice of good order and discipline is an offence and every person convicted thereof is liable to dismissal with disgrace from Her Majesty's service or to less punishment"

(QR&O 103.06, 8). The culture of the military is developed through policies that articulate the extent of allowed behaviours. This order maintains that anyone who neglects “good order and discipline” may be “dismissed or lesser punishment”; however, how the military defines ‘good order’ matters significantly to how members believe they can act.

The CAF is typical of military culture. Militaries are classically a male-dominated institution with hyper-masculine culture. Kaplan discusses the masculinity of the military, “Given historical and contemporary reality, soldiering is symbolically synonymous with being male, and a means to confirm manhood and masculinity” (Kaplan 2003 via Gouliquer 2011, 137). Masculinity in the military is associated with physical strength, aggressiveness, and agency (Seymour 2003 via Gouliquer 2011, 140). Further, “men and masculinity seem to shape workplace culture and to be the definers of the culture, policies, practices, and structures” (Gouliquer 2011, 17). In this way the CAF is built on a model of hyper-masculinity defining the military, which strongly influences the culture. The CAF is composed of 85% men on average across regular and reserve forces and all trades. Gutek and Done, cited in Gouliquer “demonstrated that male dominated workplaces are highly sexualized” (2001 via Gouliquer 2011, 215). In congruence with this, the CAF has a well-documented culture that has allowed sexualized behaviours, such as posters of nude women in the workplace, and language that denigrates women and female bodies (DesChamps 2015, 18). This denigration of the feminine is related to the military’s conceptualization as an opposite to femininity and being female (MacDonald 1987 via Gouliquer 2011, 137; Morris 1997, 716). Femininity is defined and associated with mothering, weakness, passivity, and submission (Seymour 2003 via Gouliquer 2011, 137). The association of the military with strength, and femininity with weakness,

provides the basis for a military culture that rejects and denigrates the feminine. This further translates into similar attitudes toward women, who represent femininity. “Femininity is feared within the military because individual soldiers and the military entirely cannot afford to be perceived as weak” (Kaplan 2003, Kovitz 2000 via Gouliquer 2011, 145). The significance of this is that to increase the substantive representation of women the cultural association of women with weakness must be overcome.

Through a half-year investigation into the culture of the CAF, DesChamps concluded it is a sexualized environment (2015, i). This sexualized environment is a culture that does not accept women readily and condones misogynistic behaviours and attitudes that “creat(e) an alienating environment and place barriers in the path of female soldiers trying to attain a fundamental quality of good soldiering” (Gouliquer 2011, 230). The “fundamental quality” Gouliquer references is teamwork and inclusion, and these qualities are “integral to military success” (Gouliquer 2011, 215). The military builds its effectiveness around these qualities because there is and must be significant trust between soldiers participating in combat. However, this leads women in the military who experience the alienating environment due to misogyny to either isolate themselves to tolerate and avoid the sexism or be isolated by their colleagues who accept the sexism (both male and female) if they challenge it (Gouliquer 2011, 215). Furthermore, this isolation as a strategy contributes to the culture that supports underreporting of sexual assault. This alienating environment that women face is a deterrent to reporting sexual assaults. This does not contribute to strong group cohesion when members are socially excluded on the basis of gendered stereotypes regarding their sex. There are also women who internalize the misogynistic attitude and downplay negative or harassing incidents

in order to maintain the teamwork and group cohesion despite their token status (Gouliquer 2011, 249). This strategy is effective in that it allows women to ignore their gender and include themselves in the group by contributing to the culture. Both isolation and internalization as strategies may occur also in part due to a lack of confidence in the institution to adequately deal with any harassment complaints, due to the overall culture of the CAF. Both of these strategies are consistent with a culture that supports the underreporting of sexual assault. Those who internalize the hyper-masculinity accept the occurrence of sexual harassment as normal behaviour and deter others from reporting sexual assaults, and those who choose isolation to tolerate these behaviours have also accepted their inevitability and are unlikely to report.

DesChamps, in her review of the CAF with regards to sexual assault, found that many members felt that sexual harassment is condoned by senior members and thus it is not behaviour that threatens the good order of the institution (2015, 18). DesChamps' recommendations discuss acknowledging the seriousness of the problem of sexual assault and establishing a strategy to effect cultural change regarding the sexualized environment (2015, ix). I further recommend that by senior leadership making explicitly clear that this type of behaviour is not only a serious problem, but threatens the good order of the military and its operational effectiveness, this poses more relatable and anchored motivation to change behaviours such that ideally it will no longer occur. This is not a complete causal explanation of sexual harassment or sexual assault in the CAF; however, it contributes to the culture that allows it. Further, sexual harassment and sexual assault are not equal actions, but an environment that allows or condones sexual harassment is one that breeds individuals more

willing to commit sexual assault (Morris 1996, 690). This is even further influenced by individuals who do not have a full understanding of consent and instead only consider sexual assault as a violent attack. In an environment where many do not understand that various factors like coercion, inebriation, and consciousness affect consent, and where members live and work in an environment where jokes and language about sexual harassment are common, sexual assault is not an unlikely outcome.

The military culture that isolates and rejects women and femininity is one that breeds an environment that condones sexual harassment and sexual assault. Though the military prides itself on group cohesion, the hyper-masculinity of the institution does not contribute positively to this.

### **Sexual Assault and Military Culture**

The culture of the military contributes to the permissiveness of the environment towards sexual assault. The violence and aggression rewarded within the military culture are related to the demonstration of power that occurs in sexual assault. Though a culture change will have a positive effect on rates of sexual assault, simply adding more women into the military will not significantly change the culture in a way to reduce this.

The statistics regarding women as victims of sexual assault in the military lead to an understanding of women solely as victims. However, this is not always true. There are women in the military who internalize the misogyny of the institution and perpetuate the environment of sexual harassment, just as their male colleagues do (Sasson-Levy 2002, 376). Loken discusses the hypothesis that the inclusion of women in the military discourages wartime rape from their

colleagues against other military members or non-combatants and argues this is not in fact true. Loken finds organizational factors, like culture, drive the violence in these groups and encourage conformity regardless of social characteristics (Loken 2017, 60). This argument is contrary to the assumption that female combatants are inherently less violent than their male counterparts. It also highlights the limits of women's inclusion, particularly in terms of a failure to account for the organizational pressures that both men and women experience as part of a military – relying instead on a classic definition of femininity that would preclude women from aggression. Further, it justifies women's inclusion in the military as pacifiers (Loken 2017, 67). In fact, Loken finds that women do not “disrupt misogynistic socialization practices” but instead contribute to existing practices (2017, 66, 88). Loken further finds, “individuals are likely to adopt the majority opinion or norms of a group, even when they believe that the norm is wrong. Their preferences will change when a group norm shifts” (2017, 83). This is significant because it indicates an increase in the number of women in the CAF will not necessarily move to decrease rates of sexual assault. This is not to say that increasing the number of women in the CAF, or any military, is not a good thing, just that it should be done with that as the sole motivation, rather than for an ulterior purpose. An increase in the descriptive representation of women is in and of itself an important goal, regardless of if this increase may lead to a decrease in sexual violence.

Contrary to this, Gill and Febbraro note that there is significant literature that demonstrates that women in organizations whose workforce is primarily male and whose jobs are stereotypically masculine experience more sexual harassment than women in organizations that are primarily female and whose jobs are more stereotypically feminine (Gill and Febbraro

2013, 269). Gill and Febbraro also discuss Kenig and Ryan's findings from 1986 that indicate that men will attribute responsibility to victims of harassment for either provoking the behaviour or not handling 'normal sexual attention' appropriately (Gill and Febbraro 2013, 272). This finding is consistent as a problem of a sexualized culture where inappropriate behaviour is considered normal. Gill and Febbraro conducted research in 2003 regarding gender integration by interviewing CAF members at Canadian Forces Base Petawawa and learned of women's experiences reporting through interviews. One woman they interviewed discussed being isolated after reporting harassment not only formally by being removed from her duties but also by members of her unit that threatened her for reporting (Gill and Febbraro 2013, 276). Results like these, where victims report and then receive negative repercussions, have led to the fear that many share of reporting, which results in significant under-reporting.

Although from the 2016 survey from Statistics Canada 1.7% or 960 regular force members experience sexual assault yearly, the *Canadian Forces Military Police Annual Reports* from 2013, 2014, and 2015 state that between all types of sexual assault<sup>5</sup> there were only 95, 119, and 152 investigations ongoing each year, respectively (Cotter 2016, 11; Canadian Forces Provost Marshall Annual Report 2015-2016). The inconsistency in these numbers indicates that many members who experience sexual assault yearly do not report these assaults or that investigations are not opened upon victims reporting assaults. Another woman interviewed by Gill and Febbraro had not personally experienced sexual harassment and explicitly blamed

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<sup>5</sup> The types of sexual assault listed are: aggravated sexual assault, sexual assault with a weapon, sexual assault, sexual interference, invitation to sexual touching, sexual exploitation, luring a child via a computer, voyeurism, other sex crimes. Sexual assault is the most common investigation with 60-80+ reports from each year and all other types with less than 10 yearly.

women for the harassment they experienced due to their behaviours and clothing (Gill and Febbraro 2013, 278). This is an explicit example of a woman internalizing the misogynistic attitudes prevalent in military culture. This is problematic because it indicates that simply increasing formal representation of women may not be effective in terms of adjusting the culture to be more welcoming of women and less conducive to sexual assault.

Morris argues that changing normative aspects of the military may lead to a reduction in the incidence of sexual assault (1996, 654). She notes that rates of sexual assault in individuals, groups, and societies are influenced by societal structure, group dynamics, and the environmental impact on individual's psyche (1996, 680). Morris further notes that the military is considered a primary group (1996, 691). Primary groups are characterized by "intimate face to face association and cooperation" and they are "fundamental in forming the social nature and ideals of the individuals (within the groups)" (Morris 1996, 691). Furthermore, the result of the socialization of group members is that individual members become a fusion such that the common purpose of each is the purpose of the group (Morris 1997, 691). Due to the fact that the military is a primary group, there is an expectation that the "norms and attitudes engendered in the context of military units will have significant effects on the behaviour of the members" (Morris 1996, 692). This is significant in that military groups develop very close bonds between members to the point that deindividuation takes place and each member no longer thinks of themselves as an "I" but rather as part of the "we". This is "essential to combat performance"; however, it also contributes to a difficult to change culture that currently condones sexual harassment (Morris 1996, 694). DesChamps recommends that a strategy must be developed to effect cultural change (2015, ix) but this strategy must take into account the

nature of the culture as a primary group. Although a cultural change is necessary to change the sexualized environment of the CAF, changing the attitudes of a majority of the individual members is a difficult feat. Furthermore, this difficulty lies in creating a change that separates the cultural emphasis on strength from the cultural emphasis that masculine strength is an opposite to feminine weakness, which contributes to the sexualized environment of the CAF.

The military remains a hyper-masculine institution that emphasizes military masculinity in terms of dominance, aggression, and violence that positions itself as opposite to the feminine in terms of compassion and sensitivity. Morris states that certain specific attitudes toward masculinity and sexuality toward women are associated with heightened propensity to commit rape (1996, 701-703). She discusses these as an emphasis on dominance and aggressiveness, the minimization of gentleness, sensitivity and other stereotypically feminine characteristics, hostility towards women, and views that women should not do “men’s work” (1996, 701, 703). These attitudes exist in the military. Further, with the hyper-masculinity of the military, women remain outside of the in-group and are not immediately welcomed. We see this through common language usage in the military that denigrates women where phrasing meant to indicate weakness equates it with being feminine, being a woman, or having the parts of a woman. This includes referring to recruits or candidates on a course as ladies or girls or using vulgar names for women’s anatomy; although the military masculinity is no longer part of official training, and gendered name-calling is no longer officially sanctioned, it remains rooted in military culture (Morris 1996, 717). The emphasis on masculinity in the military and its definition as opposite to femininity develops a disparaging attitude towards women generally. Furthermore, the necessity of primary group bonding for combat effectiveness means that this

negative attitude towards femininity, and therefore women, with its strong historical background, remains prevalent amongst most members. These underlying factors lead to a military environment that is permissive toward sexual harassment and, further, towards sexual assault. However, Littlewood makes the point that “we can try to assess the contribution of military ideology without assuming it is solely responsible (Littlewood 1997, 11). Sexual assault is prevalent in Canadian civilian society, so it is not only military ideology that contributes to its occurrence; however, the rates of sexual assault are higher in the CAF.

The cultural dislike of femininity and women is a contributing factor towards the heightened rates of sexual assault against women in the CAF. Morris discusses Nicholas Groth’s three patterns of motivation for rape: power, anger, and sadism. She states that power is the most prevalent motivation, with 55% of rapes occurring from this, anger at 40% and finally sadism at 5% (Morris 1996, 723). Littlewood as well states “rape is primarily a question of political power” (1997, 9). Groth describes power as a motivation, with the offender “motivated by feelings of inadequacy and weakness and by doubts about his masculinity. The offender rapes in an effort to compensate for those feelings through controlling and sexually possessing the victim. The intent is to assert his competency and validate his masculinity” (Morris 1996, 723). This explanation develops a narrative limited to a male perpetrator; however, most of the perpetrators in the military are male. This explanation further matches the culture developed by the emphasis on military masculinity and primary group bonding. Further, it matches with the propensity towards animosity towards the feminine. It is an organization where individuals are pushed to be aggressive and demonstrate power, and so this may come through in terms of sexual assault. Further, the organization holds the masculine over the feminine, and the

negative attitude towards women acts as a contributing factor towards an environment that appears to condone sexual assault.

The CAF has a justice system separate from the Canadian civilian one: *The Code of Service Discipline* establishes uniquely military offences. If a sexual assault allegation leads to an investigation and then further to a trial, the system is set up in a way to favour the defendant (Temkin 2000, 225). This process in the military is very similar to the civilian progression of events in a sexual assault allegation in that charges are reviewed in trial. In the military, charges are reviewed in either summary trial or court martial depending on the severity of the charge (*The Code of Service Discipline and Me*). Summary trials are meant to deal with minor offences to maintain discipline at the unit level and so defendants do not have a right to be represented by a lawyer and the powers of punishment are more limited (*The Code of Service Discipline and Me*). However, court martials are designed to deal with more serious offences and use procedures similar to civilian criminal courts (*The Code of Service Discipline and Me*).

In the process of court martial, as in any fair court, there is an opportunity for the defendant to prove their innocence. However, one of these opportunities is the use of 'good military character' which Hillman discusses. "Accused service members, unlike criminal defendants are allowed to introduce evidence of their "good military character" during the guilt phase of court martial (Hillman 1999, 880). In the *DAODs* this shows up as well where anyone trying a case of sexual assault is instructed to consider the military career of the alleged assailant (DAOD 5019, 8). This 'good soldier' defence perpetuates an idea that long service precludes members from having conducted crimes, like sexual assault. However, this is a subjective element added because good military character is dependent on how good conduct

is initially defined. As previously discussed, good military conduct is mentioned in policies, but is not defined, meaning as long as basic soldierly functions like care of uniform and weapons skills are demonstrated, behaviour like sexual harassment, as long as it fits under the condoned cultural environment, may still be “good military character.” Furthermore, the military reputation of an alleged assailant is as relevant as the past sexual history of a victim: that is to say, not at all. Regardless of a member’s military history, they may have sexually assaulted another member because their ability to conduct their job’s duties is not related to sexual assault. “Someone you would go to war with” is a powerful statement of military character, states Hillman, but points out that the differences between a good soldier and a violent felon may not be so clear (1999, 895). In fact, the military rewards individuals who portray aggression and strength, which are also traits that may be seen in individuals who have committed sexual assault. A clear example of a military member who had an exemplary military history is former Lieutenant Colonel Russell Williams who was the commanding officer at Camp Mirage during operations in Afghanistan and was the commanding officer at Canadian Forces Base Trenton from 2009 to his arrest in 2010. Despite his successful military career with ‘good military character,’ Williams was convicted on two counts of sexual assault and murder (Col. Russell Williams Pleads Guilty 2010).

The military is a hyper-masculine institution that is unwelcoming to women and denigrates femininity. This culture contributes to an environment that is permissive of sexual assault (Morris 1996, 740). Thus, Morris suggests an increase in the number of women personnel (1996, 740). Morris suggests that the “integration of women throughout the military services would do much to undermine group norms featuring the constellation of attitudes

comprised of hyper-masculinity, hostility toward women, adversarial sexual beliefs, etc.” (1996, 740). She goes on to state that “the presence of women as full members of the fighting forces would be inconsistent with a military culture in which women are viewed as the ‘other’ primarily as sexual targets, and in which aggression is viewed as a sign of masculinity” (Morris 1996, 740). An increase in the descriptive representation of women would likely be a positive change in the military, and would certainly be a positive change specifically for the representation of women. However, an increase in descriptive representation would not necessarily lead to better substantive representation<sup>6</sup> of women. In her review of the CAF, DesChamps states that many women who succeed in the military do not move to change the culture but rather adapt and internalize the hyper-masculine attitudes prevalent in the military (2015, 29). This perpetuates the culture of hostility to women, aggression, and power dynamics related to inadequacy of masculinity. An increase in women would not preclude a culture from continuing to define masculinity with aggression. The idealization of aggression and such characteristics in the military is functional, as combat is a primary objective of the military (Morris 1996, 751). Better representation of women will instead look like better substantive representation of women with an adjustment of culture away from hostility towards women, and a change in definitions of masculinity away from a direct opposite to femininity.

The hyper-masculine culture of the military rewards aggression and violence and it is generally unwelcome to women. The addition of women to the military is ineffective at changing the culture because many of these women undergo internalization of the hyper-

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<sup>6</sup> Substantive representation is a representation of a group’s interests and concerns. Where descriptive representation requires a shared social characteristic, substantive representation does not (Tolley 2011, 581).

masculine culture that denigrates femininity. This culture contributes to the permissive environment towards sexual assault. A culture change is necessary, though it cannot be brought about solely through policy change. Policy change is necessary but not sufficient. Rather, there must be a shift from hyper-masculinity and denigration of femininity to attitudes that accept women and do not equate femininity with weakness.

### **Policy Change and Culture**

I noted previously that policy change is not sufficient for culture change, though in the context of military it is necessary (but not sufficient). Culture is developed both bottom-up and top-down with norms created and strengthened both from individual actions and through policy. The military culture is one of strong social norms, making it resistant to change.

Okros defines tight and loose cultures with regards to strong or weak social norms and low and high tolerance for deviant behaviours (Okros 2009, 367). Tight cultures tend to be homogeneous groups with clear boundaries of membership and explicit social norms and appropriate behaviours (Okros 2009, 367). Furthermore, there are defined roles and high levels of obligation to fulfill these roles, and an emphasis on personal sacrifice for the good of the group's goals (Okros 2009, 367). In contrast to this, loose cultures tend to be heterogeneous groups and it is the individual who defines their membership to the group (Okros 2009, 367). As well, there are flexible norms and values meaning a greater acceptance of diversity and there is no strong emphasis on roles or defined identities within the group (Okros 2009, 367). There is an emphasis on obligations to others, but it is less in terms of sacrifice and is more so focused

on the idea of maximizing other's wellbeing. The military operates under the mantra, "mission, team, self," to indicate the order of priority for each individual (Okros 2009, 268). The CAF displays many of the characteristics of a tight culture in that they work with an emphasis on personal sacrifice for the group and for the country they serve.

Okros notes the current military push towards diversity is motivated by operational objectives like creating an effective, cohesive workforce and increasing value through the addition of unique skills, perspectives, or capabilities (Okros 2009, 365). However, with the tight culture of the military, rather than integrating diversity, individuals are assimilated into the culture. Okros describes the key indicators for assimilation as the ability for new group members to successfully mimic the dominant group behaviours and adapting to fit in without the dominant group altering at all (Okros 2009, 365). The significance of this is that the diversity initially valued is lost due to only truly incorporating more individuals with the same perspectives. However, the military maintains the necessity of this tight culture for optimal operational effectiveness (Okros 2009, 368). In this sense, the CAF is at a current paradox where the policies demand better integration across a spectrum of social characteristics while also demanding the assimilation of these individuals to the dominant, hyper-masculine model of the prototype soldier. Okros argues that if the military moves beyond a demographic-focused push for diversity and instead embraces one that allows for a looser culture and tolerance of ambiguity there will be better integration of members that fall outside the dominant demographic groups (Okros 2009, 368). So, although there is a push for increased diversity from the CAF due to the tight culture of the military that demands assimilation, this diversity would in effect be descriptive representation only, rather than substantive

representation. This further contributes to the maintenance of the entire culture, rather than a shift toward cultural change.

The culture of an institution, like the CAF, is developed through two main methods: bottom-up and top-down. Top-down is the development of policies and directives from the highest-ranking members, such as the Chief of Defence Staff (CDS), who guide the directions of the military. An example of this is the Canadian Military Doctrine, which was issued on the authority of the CDS and lays out expectations of the organization as a whole in terms of its role and missions (*Canadian Military Doctrine 2009*, V). Bottom-up consists of the social environment of the institution where members develop the norms and attitudes and continue to socialize new members. Both of these mechanisms are important for culture development. Currently the CAF employs a top-down method of change through the institution of *Operation HONOUR* in order to address the systemic problem of sexual assault. However, in policy development, bottom-up development may also occur as the policies set the boundaries for acceptable behaviour and then members may develop norms within these boundaries. The policies state behaviours that are not allowed, such as drunkenness, and give some specifications to the context of the offensive behaviours: “is unfit to be entrusted with any duty that the person is or may be required to perform, or behaves in a disorderly manner” (QR&O 103.3, 74). This outline of the unacceptable behaviour allows members to develop norms of where and when they might drink, for example, in a bar off base or in the mess on base where alcohol is served but not in other common areas on base. These norms are taught and passed on as new members join. Though the requirement for these norms was created through the

policies (top-down), the cultural norms themselves were developed by the members (bottom-up).

The norms created in the military are strengthened by the setup of the institution whereby members spend significant amounts of time together in stressful situations and are very influential with regards to each other's attitudes. This is indicative of the military as a primary group, which is significant when dealing with the question of how the norms of the military culture might be adjusted. Primary groups are "characterized by intimate face to face association and cooperation... [they] are particularly influential in shaping their members' attitudes and behaviours" (Morris 1996, 691). In this sense, members from within the primary group will definitively affect the attitudes and "the bases of the individual's personality or self" (Morris 1996, 692), which will in turn perpetuate the attitudes that define the culture of that primary group. In the military context we see this in terms of sexual assault. "Even while the military services institute policies of 'zero tolerance' of sexual harassment and assault and provide formal training pursuant to those policies, informal socialization continues to perpetuate group norms that are inconsistent with those formal policies and goals" (Morris 1996, 720).

In August 2015 *Operation HONOUR* was implemented in the CAF to eliminate harmful and inappropriate sexual behaviour with the understanding that it requires sustained effort because "culture is not a thing to be changed but a dynamic system that is constantly changing due to internal and external influences" (English, *Canadian Armed Forces Progress Report Addressing Inappropriate Sexual Behaviour 2016*, 24). This acknowledgement by CAF leadership is significant because it is a complex problem to adjust culture and English further states that

culture is the “bedrock of military effectiveness” (English, Canadian Armed Forces Progress Report Addressing Inappropriate Sexual Behaviour 2016, 24). The language of the *Operations Order for Operation HONOUR* put forward by General Jonathan Vance indicates that the method of culture change the CAF is attempting is top-down. This is indicated through the change of policies and General Vance’s emphasis on upper leadership members portraying the expected behaviour and enforcing it from their subordinates. The *Operations Order* he sent out in 2015 states: “Main Effort: Leveraging CAF leadership at all levels to stop wrong and harmful and inappropriate sexual behaviour and provide better support to affected members” (Op HONOUR 2015). Similarly, in October 1992 the Armed Forces changed their policies regarding homosexuality, stating that “Canadians, regardless of their sexual orientation, will now be able to serve their country in the Canadian Forces without restriction” (Poulin and Gouliquer 2012, 55). Gouliquer and Poulin published research regarding homosexuality in the Canadian military in 2012 but began interviewing members in 1997. One of the significant conclusions of this research is that a policy change, as a top-down method of culture change, does not actually lead to the change in informal culture as quickly as may be expected (Poulin and Gouliquer 2012, 60). The five-year gap between the change in policy and the initial interviews for this research was because LGBTQ members of the CAF still felt that they had to be secretive about their sexual orientation (Gouliquer and Poulin 2012, 57). For the culture change to occur, from a top-down perspective, the change must be accepted by the larger group for it to take root. The CAF has a reputation as an effective military force, thus this is a deterrent from changing the culture, especially because this culture adjustment is towards an acceptance of the feminine, which is currently equated with weakness.

The current push for the CAF to develop in terms of diversity is a good goal. However, the motivations of the goal should be to provide an equal opportunity for anyone to participate rather than to make the military better or more effective through differences in perspective. Currently, the military is a tight culture and so not everyone experiences the same kind of opportunity in joining the military. Those who conform to the current norms of the culture succeed more than those who do not (Okros 2009, 365). The significance of this is that men and women who portray masculinity experience more success. Policy changes that demand an increase in the number of women in the military in various positions is good, but it does not necessarily address the culture change required to properly integrate women, rather than assimilate them.

### **Gender Integration**

Gender integration in the CAF has been an ongoing process over the past century. The motivations for gender integration can arise from an instrumental or intrinsic perspective. The instrumental motivations come from government-mandated targets of various population groups, whereas intrinsic motivation has integration as the final goal.

Gender integration of the military entails increasing the substantive representation and participation of women in the CAF. It also aims to treat women in the military as equals, both in terms of attitudes towards women generally and with regards to positions within the CAF. In 1994 the CAF declared that in principle gender integration had been completed due to policies stating “equal opportunity and equal liability” (Park 1996 via Davis 2009, 442). However, the difference between completion of gender integration in principle and in practice is the

difference between official policies and the attitudes of members carrying out those policies. Although women legally can participate in a combat capacity in the CAF, the Combat Arms maintains the lowest percentage of women while simultaneously continuing to be the closest in ties to the “masculinized warrior image” (Eichler 2013, 258). “Numerous research reports between 1994 and 1999 confirm that various issues, such as harassment, continue to impede the integration of women” (Davis 2009, 442). Similarly, the review done by Marie DesChamps in 2015 found similar results (2015, 7).

If the military culture is to really welcome women, it will require more than just adding more women to the institution. Rather there must be a paradigm change that adjust the culture to accommodate greater diversity. Diversity includes characteristics like ethnicity, language, religion, ability and disability, education, socio-economic background, sexual orientation, gender, and sex. The CAF is supposed to be a reflection of broader society, yet it “does not fairly reflect the ethnic, cultural, and gender diversity of Canadian society at all levels of leadership” (Scoppio 2009, 28), meaning that the CAF is not as diverse as Canada more generally. Further, “if an army does not reflect the values and composition of the larger society that nurtures it, it invariably loses the support and allegiance of that society” (Scoppio 2009, 27). This is evidenced by Goldie, who found “the CAF is rarely seen as a viable career option for young Canadians. Young Canadians, aged 1-24, and adults, over 25, indicated that they viewed the CAF as a sexist, racist, and less-than-ideal place to work (Aubry 2002 as cited in Goldie 2014, 418). The CAF is transparently working to increase the levels of diversity in the institution. However, the culture of the CAF does not necessarily promote this diversity as the CAF is also transparently dealing with higher levels of sexual assault than the civilian population. As

previously mentioned, the CAF is a primary group that tends to encourage assimilation of diverse members rather than integration. This is a deterrent for members to join. As well, in at least the past couple of years there has been drive to increase the representation of women by 1% of the total forces each year for ten years, as part of diversifying the CAF (*On the road to greater representation of women in the CAF*). However, simultaneously there has been significant attention on the increased risk rates for women in the CAF to experience sexual assault as compared to their civilian counterparts. So although the CAF has goals to increase diversity, specifically with regards to women, this is hindered by the culture and the repercussions of the culture.

The CAF has set targets of recruiting and retention to increase diversity that would put them in compliance with the Employment Equity Act and the Human Rights Commission (Jung 2007, 27). However, despite these goals, the number of women recruited since 2002 has declined (Jung 2007, 28). Further, a push for diversity, especially at high ranks, is a long-term process because there is no lateral entry point: all members must start at the bottom of the rank structure and work their way up through time in and in leadership courses. Currently the military employs a legal compliance in shifting towards diversification: however, the CAF should “see diversity as a positive strength and value added for the organization” (Scoppio 2009, 22). Further than this, the CAF should look beyond legal compliance and beyond how diversity improves operational effectiveness and instead improve diversity because it is intrinsically important. Without diversity an organization is more likely to have systemic discrimination, and diversity is valuable as it is necessary to treat everyone as equals within an institution. Diversity is an acceptance that every person has the same rights in Canada, not only in terms of formal

inclusion but on a substantive level as well. This means that policies actively represent the interests of everyone and promote equal participation and respect within an institution. Scoppio discusses three models: discrimination fairness, access legitimacy, and learning effectiveness (Scoppio 2009, 23). In the discrimination fairness model policies are decided based on doing the right thing by law. For example, the CAF abides by the *Human Rights Commission* and the *Employment Equity Act* by aiming to improve recruiting and retention of female members, with the motivation being solely to abide by these directives. In the access legitimacy model the motivation behind doing the right thing goes beyond compliance with the law and moves into motivation through the changes making good business sense. In terms of the CAF this is the point where studies<sup>7</sup> showed that increasing numbers of women and allowing women into combat would in fact not reduce operational effectiveness but may improve the CAF generally, and so the CAF became more inclined to improve diversity. However, using either of these models prevents full and effective integration because they are done from a perspective of adhering to guidelines or to reach some level of improvement via a specific group. This is problematic in that women are not a homogeneous category that bring unique assets to the combat environment. Finally, the learning effectiveness model makes changes due to the intrinsic value of individuals, rather than for the instrumental value of serving another purpose. In the context of diversifying the CAF this would mean integrating various groups with the motivation of inclusion because every individual is equal and deserves

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<sup>7</sup> From 1979 to 1985 the CAF conducted Servicewomen in Non-Traditional Environments and Roles (SWINTER) Trials to assess the potential impact of women participating in combat roles. These trials found that women would be effective in the role but that integration of women would require guidance from leadership to address real and perceived issues like training standards, harassment of women, physical strength and aggression differences (Davis 2007, 76).

equal opportunities to work in an environment that is accepting of them. Currently, the CAF is working to improve diversity within the first two models: to reach quotas based on the Human Rights Commission and the Employment Equity Act and to improve operational effectiveness based on studies indicating that diversity of sex will be favourable.

With the military as a hyper-masculine institution, for women as soldiers, the job is a deviation from the stereotypical woman's gender role. As well, women are token representatives and "their status as a soldier is overwritten by their gender" (Gouliquer 2011, 196). Due to this, women are more likely to 'turn off' their gender when they work in the military (Gouliquer 2011, 157). This is different from men because for most men there was never a question of whether or not they belong there.<sup>8</sup> Women in the military must prove that they have the ability to perform, whereas men have the benefit of the doubt as they join. "The implicit perpetuation of masculinity as the ideal of soldiering keeps in place barriers to women's recruitment and retention in particular in the combat arms" (Eichler 2013, 258). Even though women may participate in the combat arms the standard of soldiering remains steadfastly a very specific definition of masculinity. The significance of this is that women must reject any definition of their femininity in order to prove that they are masculine and can contribute in the combat arms, regardless of whether one is causally related to the other.

A fully integrated military would have a welcoming organizational culture with no sex segregation (Gouliquer 2011, 18). Until 1989 the CAF maintained a gendered quota policy with a minimum male requirement for each occupation: 100% for the combat arms and 0% in dental

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<sup>8</sup> The exclusions of course over time being men of colour, gay men, and men of varying class distinctions.

trades, as examples (Eichler 2013, 257). In 2012 only 2.3% of personnel in the regular force combat arms were women and only 4.9% in the reserve forces (Eichler 2013, 258). Furthermore, women only make up 15% of the CAF generally (Eichler 2013, 258). This means that although policies indicate that there are no barriers to women serving in the CAF, in practice, the integration of women into the CAF is not effective such that women are more than simply token members across the institution, and especially in the combat arms. Furthermore, Davis found that female members of the CAF are twice as likely as their male counterparts to leave the CAF, and this becomes especially pronounced at the 10-20 year mark in their careers (Davis 1994, 5). Davis suggests that this may be attributed to the hyper-masculine culture of the CAF (Davis via Tait 2014 2). Experiencing an unsupportive work environment would lead many to look elsewhere for a career.

Okros and Scott discuss an anthropologist's field work with a Canadian infantry unit in Afghanistan in 2006 (2015, 249). This anthropologist concluded that, in the CAF, the professional culture has reached the point where the only question that matters to personnel is 'can their peers do the job?' (Okros, Scott 2015, 249). This appears to indicate that gender integration in the CAF has extended beyond solely policy and into actual practice. However, this explanation does not delve into the nuance of the culture whereby women must work to shed the assumptions of their male co-workers and adopt a masculine persona. Even the women who enter the CAF with a more masculine attitude than others must reject femininity and internalize a sexualized work culture. This culture holds gendered assumptions about members, and so even if the main concern is "can my peer do their job?" the implications of this question and the basis of proof will look different for men than for women. Tait discusses that this comes

out in the form of joking and teasing, which can either be fun and inclusive or harassing (Tait 2014, 6), which depends not only on the intentions of the deliverer but also the recipient. Tait states that jokes and teasing occasionally alienate female soldiers and that “this is particularly the case when this teasing is used as a vehicle to question female soldiers’ capacity to perform their jobs. In this sense, teasing crosses the line when it is intended to perpetuate the second-class status of women in the CAF” (Tait 2014, 6). In an environment built around military masculinity, women enter as not part of the in-group, with a history of policy dictating that women are unwelcome, so jokes about women being unable to perform effectively may be more serious – especially in the context of a culture that still does not entirely welcome women, and where women are token members.

The integration of women within the CAF is an ongoing process that has been motivated primarily by reaching gendered policy quotas from sources such as the Employment Equity Act and the Human Rights Commission. However, a significant inhibiting factor to better gender integration is the emphasis on maintaining a hyper-masculine culture that denigrates the feminine. Better gender integration will occur with culture change.

### **Representation**

Representation can be broken down into two subcategories that interact: descriptive and substantive representation. Mansbridge explains descriptive representation as “individuals who in their own backgrounds mirror some of the more frequent experiences and outward manifestations of belonging to the group” (1999, 628). This is representation in terms of groups distinguished by social characteristics like gender, race, sexuality, and religion. Descriptive

representation is satisfied by having only one member from a group present. “In contrast, substantive representation refers to what representatives do and whether or not their actions and decisions are in the interests of those they represent” (Tolley 2011, 581). This means that a descriptive representative must have shared social characteristics of the group they are representing. For example, only a woman can descriptively represent women. However, substantive representation is a representation of interests, meaning that anyone can act as a representative for a group. Pitkin explained descriptive representation as ‘standing for’ and substantive representation as ‘acting for’ (Pitkin 1967, 11). The significance of this is that theoretically anyone may substantively represent any group. Descriptive representation seems easy to define as it is just a quantification of the groups that are represented. If there are only three women in a group of 100, you could argue that there is descriptive representation but it is quite poor. However, we must also consider how the boundaries of a group are defined. By this I mean, can we consider any woman a representative for all women, and if not then how many subgroups of social characteristics must be considered before we can have adequate descriptive representation? Substantive representation is even more nuanced in that not only must you define the group but also define the interests of that group.

Many scholars are concerned with increasing descriptive representation in order to increase substantive representation, but argue that increasing descriptive representation is valuable in its own right. The underlying presumption of this is that descriptive and substantive representation are causally related (Carroll 2000, 1). An important aspect of this theory is the “concept of critical mass, or the idea that women are likely to make a difference once they constitute a certain proportion of the Parliament,” or any other institution (Kanter 1977 and

Dahlreup 1988 via Celis 2006, 86). Childs and Krook consider a critical mass to be a sub-group making up 35% of the broader group, at which point each member of the sub-group is no longer a token representative (2008, 726). In the CAF women make up approximately 15% of the forces (Park 2008, 1), meaning that there is not a critical mass of women. However, when broken down into specific trades and units, there are some trades, like medical or dental, which boast much higher percentages of women, and others, like the combat arms, which have much lower percentages of women (Park 2008, 2). If the causal relation between descriptive and substantive representation exists, we would expect that in the trades with percentages of women over 35% that there would be better substantive representation of women. There have not been specific studies done in the CAF to determine whether this does occur. The significance of this is that there is still uncertainty with regards to whether the programs and plans to increase the numbers, and therefore the descriptive representation, of women in the CAF will have a positive impact with regards to the hyper-masculine culture of the military or the substantive representation of women.

There is also a politics of presence theory that has a prescriptively more limited claim than the critical mass theory. It states that “gender has an influence on the potential to represent women” (Celis 2006, 86). This means that women who are part of an institution like the government or military “presumably share their experiences with female citizens, and their presence increases the likelihood that women’s needs and interests will be represented, female perspectives will be presented, or the voices of women will be heard” (Celis 2006, 87). This claim falls more in line with Pitkin’s opinion when she stated that, “an assembly with no element of descriptive representation fails as representation” (Phillips 2012, 513). So, a politics

of presence makes a broader claim regarding the extent that substantive representation of gender affects outcomes.

Whether or not increased descriptive representation improves substantive representation is not clear. Celis found in her study regarding the Belgian Parliament that “a higher degree of descriptive representation does actually improve substantive representation,” (2006, 110). However, Phillips states that “empirical material on representation has not established enormously strong correlations between descriptive and substantive representation” (2012, 513). Although there is not confirmation whether there is a significant link between descriptive and substantive representation, we may consider that until Canadian legislation dictated the CAF must allow women to join, and then must allow women to participate in all roles, there was no representation from the inside advocating for this inclusion – meaning there is likely a connection between descriptive and substantive representation. Furthermore, we may consider that there are likely other factors that contribute to the substantive representation (or lack thereof) that exists. The culture of the institution generally will reinforce the level of representation, as well as the policies of the institution (that inform the culture and draw the boundaries of the institution). Although theoretically anyone may substantively represent the interests of women as a group there was not significant substantive representation of women by men in the CAF at least until there was some descriptive representation of women within the institution. This is not meant to argue a definite correlational link between descriptive and substantive representation but rather to ground the discussion in an example. Policies of an institution contribute to guiding the behaviour of members of said institution. Therefore, the representation found in these policies is significant

in terms of indicating who is considered part of the institution and how they should act.

Women are indicated to be allowed as members of the CAF in the policy; however, if that is the only substantive representation they receive in terms of policy discourse, then reading through the policies indicates that they may be less valuable or outside members.

Though much of the literature discusses the link between these two types of representation, “descriptive representation is not just a tool for achieving better substantive representation” (Phillips 2012, 513). It is valuable in its own right because it sets out who does and does not count – who is or is not included – whether as a citizen or as a member of an institution such as the military. Descriptive representation, whether it applies with token members or as significant percentages of the group, also has a significant impact on inclusion. “Inclusion is not representation per se, but it definitely matters” (Phillips 2012, 513). Having members of a group descriptively represented indicates that this group is included in the broader institution. The inclusion of women in combat groups continues the opportunity for other women to be included later on, potentially with less resistance.

Although in the CAF, women make up less than 4% of the combat arms, the symbolic and official inclusion of women from 1989 onward is significant. The policy that states women may be part of the combat arms, and the token representation of women in the combat arms, are statements that women are part of the institution of the armed forces, including its stereotypical role in combat. However, the culture of hyper-masculinity, which does not substantively represent women, maintains that although women are included they are not necessarily part of the in-group. Phillips states “challenging patterns of representation matter because of the challenges this represents to social and political hierarchies” (2012, 513). Even if

the inclusion and therefore descriptive representation of groups outside the dominant group does not effect a cultural change, inclusion is an important objective. The initial challenge to defined patterns of representation matters because it changes the boundaries of inclusion.

The challenge of descriptive representation is defining a group. 'Women,' though it may seem like a clear boundary of inclusion, is not necessarily so. Crenshaw discusses intersectionality, stating that the inclusion of Black people and the inclusion of women has not always meant the inclusion of Black women (Crenshaw 2013, 791). From this we examine the problem of essentialism: "the assumption that members of certain groups have an essential identity that all members of that group share and of which no others can partake" (Mansbridge 1999, 637). Essentialism further implies that "any woman representative represents all women equally," regardless of the woman's other social characteristics like race, ethnicity, or political beliefs (Mansbridge 1999, 638). Young points out that you cannot isolate any part of someone's identity (1994, 714), meaning two women who do not share any other social characteristic other than their sex may have very different interests and they cannot simply isolate their womanness. The significance of this is that one woman acting as a representative for all women would not necessarily provide adequate substantive representation for another woman because they differ so much. Generally, in the military everyone is expected to conform to a standard such that the group appears to be a single unit. However, the military is made up of many individuals of various social characteristics and the military is working to increase the diversity of their members. In the context of the military this is significant because there are so few women representatives within the institution. In the context of sexual assault and sexual

harassment this is important to note because each person's experience will be significantly different and so one victim is not necessarily qualified to speak on behalf of all victims.

However, in order to work towards the goal of adequate substantive representation, the group, and the interests of that group, must be defined. In considering the interests of women we must understand that "the representation of women's interests will not always be unidirectional, straightforward or uncomplicated" (Carroll 2000, 11). Every woman will have varied life experiences and not simply be part of the group 'women,' but rather have a unique identity built from all of their social characteristics. Celis then argues that "women's interests then, are a priori undefined, context-related, and subject to evolution" (2006, 87). She further explains "women's interests are a hard to justify, subjective intervention. It tends to 'freeze' or essentialize women and their interests and to deny diversity among women" (Celis 2006, 88). This proves to be a dilemma in terms of providing adequate substantive representation for women as their interests vary and cannot be determined simply through their membership to the category 'women.' The significance of this is that the integration of women in the CAF is not a simple problem to solve, but a complex one. The representational needs of women from 1989, when the policy was introduced to allow women in the Combat Arms, are different from today where the integration goals women face have adjusted. Currently, the integration of women must focus on further amending policies to provide better substantive representation of women, and the culture must adjust to be a more welcoming environment.

Phillips discusses problems in presuming that any member of a group is qualified to speak for the rest of the group (2008, 558). This is because the women who act as token representatives were likely educated in the same way as the men in similar positions and so

simply by virtue of being a woman they will not have more information. Furthermore, descriptive representation is not a guarantee of substantive representation. Pitkin warns that “representatives who persistently act against the declared wishes of their electorate cannot be said to engage in representation” (Phillips 2012, 513). In the context of the military we might consider how female members may be expected to be mentors or leaders for newer female members and move to change the culture for the better of women. However, the training that men and women receive is the same and many women who are successful in the military are so because they internalize the culture, complete with sexism. Thus, women who consistently act in a way that does not align with the interests of women, although are descriptively representing women, cannot necessarily be said to be substantively representing them.

Mansbridge goes on to state that “the problem of simple categorization becomes much worse when, as is often the case in human affairs, one group is socially dominant and becomes the norm, setting expectations and structuring the institutions so that those who do not conform to that norm are perceived as deviant or lesser beings...and cannot function as well in the structures designed for the members of the dominant group” (1999, 630). In the context of the military this can be thought of in terms of men being the socially dominant group and setting norms that are difficult for women to function within. However, it can further be broken down by considering that, once women broke the initial barrier of official inclusion in the military, it became white women who maintained dominance continuing to set expectations that women of other races would not fit into. Young states that “most of the rhetoric surrounding women and women’s rights are from a heterosexual white woman’s perspective, so it is dangerous to build the persona of a ‘woman’s perspective’ from this as it does not

encompass all women” (1994, 713). An example of this are the dress regulations of the CAF. In the dress regulations, for women, hair is expected to be pulled into a bun at the nape of the neck or to hang flat and short above their shoulders; the CAF provides diagrams of white women to demonstrate (Canadian Armed Forces Dress Instructions 2016, 2-2-2). However, this does not take into account the natural hair of Black women, which may not fall flat. The inclusion of women generally must account for the inclusion of various groups of women in terms of race and ethnicity as well as religion, sexuality, and all other social characteristics. This must be evident through the policy discourse that guides the actions of the CAF.

Although when attempting to group women together I acknowledge the problem of essentialism, I also acknowledge, along with Young, that women’s voices have been silenced and to overcome systemic sexism women must be grouped together in some way. However, the entirety of women does not have a collective identity or a shared characteristic. Young points out that “we must view women as individuals but by doing this it obscures oppression. Without conceptualizing women as a group you cannot conceptualize the oppression as a systemic, structured, institutionalized process” (1994, 718). This includes, but is certainly not limited to, sexism and sexual assault that systemically has a greater negative effect on women in the military than men. Thus, Young came up with the concept of a serial collective and Crenshaw uses intersectionality in order to substantively represent women without falling into false essentialism. Young states that a serial collective is any number of individuals who share a defining trait. She further states, “members are unified passively by the objects around which their actions are oriented” (1994, 725). Each member would “recognize themselves in unified relation with one another and acknowledge that they undertake a common project... oriented

towards a common goal” (Young 1994, 724). The example that Young provides of a serial collective is one of a collection of individuals waiting for a bus (1994, 724). She describes that their collective is defined with regards to the bus as a material object and the social practice of public transportation (Young 1994, 725). The significance of their collectivity is that they are “united only by their desire to ride on that route... (but) do not identify with one another...or identify themselves with common experiences,” (Young 1994, 725). In this way they are a group of people but the group is not easily defined consistently over time.

This serial collective is not a perfect solution but provides a framework to work towards dismantling systemic oppression. Crenshaw’s intersectionality “is best framed as an analytic sensibility: a way of thinking about and conducting analyses” (Crenshaw, Cho, McCall 2013, 795). Crenshaw argues “it is dangerous to use a framework that treats gender and race as different categories because Black women fall in both” (1991, 1278). For example, Crenshaw discusses how “racism experienced by Black women is only seen in terms of white male access to them (rape)” (1991, 1277). She further discusses that intraracial rape is treated differently when the victim is a Black woman or a white woman, in that “intraracial rape of white women is treated more seriously than intraracial rape of Black women” (Crenshaw 1991, 1277). In examining sexual assault of Black women they are racially discriminated against because their rapists are less likely to be charged (1991, 1277).

The value of intersectionality as a method of analyses is that it does not separate categories but rather looks at how categories are fluid and how they intersect with each other. “Failure to connect (categories) keeps them from developing a broader, deeper perspective (Crenshaw 1991, 1278). Using both Young’s concept of serial collective and Crenshaw’s

intersectionality as methods of analysis would be valuable in dismantling systems of power and privilege.

This might look like a new iteration of the Gender Based Analysis Plus (GBA+) program that the CAF has implemented with regards to analyzing and adjusting policies. By utilizing Crenshaw's intersectionality, problems of race, sex, and any other social characteristic may be analyzed concurrently while also making problems the responsibility of all members, as they are intersected through various social categories. Furthermore, Young's concept of a serial collective would provide the structure for members to align based on goals, regardless of social categories, in efforts to dismantle various forms of discrimination. This would be particularly valuable in terms of sexual assault as it is underpinned by cultures of not only sexism but racism as well. Only working to analyze and curtail sexual assault through the lens of sexism overlooks other significant contributing factors. This is significant not only in terms of acknowledging victims, but also in terms of the perpetrators of sexual assault and the privileges associated with white assailants versus people of colour. Sexual assault in the military is a complex problem rooted in various cultural structures of sexism, racism, and power generally. Through analyzing this issue with the lens of intersectionality and working to dismantle it with various serial collectives the complex nature of the problem may be dealt with: simultaneously dismantling various power structures rather than attempting to work within just one.

In this review of the literature I have demonstrated that the military is classically and continues to be a hyper-masculine institution that does not serve as a welcoming environment for women culturally. Culture is developed through policies as well as through groups

developing likeminded attitudes towards various problems they encounter (Morris 1996, 691). Further, culture is difficult to change, especially in a primary group like the military (Morris 1996, 692). Although policy change is necessary for culture change, it is not sufficient. As well, both descriptive and substantive representation are important: it is possible to have substantive representation without descriptive, but it is more likely to occur with descriptive representation (Phillips 2012, 513). As well, substantive representation will contribute to societal change but descriptive representation may not because descriptive representatives do not necessarily have views that differ from the main body. This review of the literature details military culture, the development of culture, as well as sexual assault in a military context and the motivations behind it. However, the literature has yet to look at the connections between representation and the widespread occurrence of sexual assault, specifically in the context of a military culture, like the CAF. My research, through a discourse analysis of CAF policies, fills this gap in demonstrating that there is a connection between representation of women and sexual assault in the CAF.

### **Chapter 3: Method: Political Discourse Analysis**

This research is a poststructuralist analysis of the contemporary policies and policy responses that deal with the sexualized culture of the Canadian Armed Forces. My analysis of these documents looks at the connection between the rates of sexual assault and the top-down construction of culture through policy discourse using the lens of representation. In *Security as Practice*, Hansen states that identity is “relational, discursive, political, and social” (10, 2006). Thus we may view the identity and the culture of the CAF within these. The identity of an institution such as the CAF is not a completely inflexible one: it is fluid based on its top-down construction through policies and initiatives by the leadership and is also based on the attitudes of individual members that make up the institution. The policies that identify the role of the CAF within Canadian society determine its identity within the social structure of society and its political role in society. Hansen further states that policy and identity are performatively linked and as such cannot be considered in causal terms (10, 2006). When she states that they are performatively linked, she means that the way that policy is interpreted and acted out is dependent on and also acts to shape the identity (culture) of an institution. However, “the absence of causality does not imply a lack of structure” (Hansen 15, 2006). I base the foundation of this research on this argument from Hansen. This research is not meant to develop an argument of causality between the discourse in the policies of the CAF and instances of sexual assault within the CAF. Rather, it is an examination of the performative nature of certain policies of the CAF that relate to its identity as an institution with a historically sexualized culture with an intention to move towards full gender integration without the sexualized culture.

Janks states that, “critical discourse analysis stems from a critical theory of language which sees the use of language as a form of social practice” (329, 1997). This echoes the argument that Hansen makes regarding policy and identity being performatively linked. As such, I will utilize Hansen’s and Janks’ research to inform my own analysis and evaluation of how policies inform the culture of the CAF, specifically with regards to why a permissive environment for sexual assault exists.

The CAF has a relatively resilient identity as a masculine institution (Eichler 2016, 3), and so this will affect the discourse of policies and policy updates that are published, both through the authors involved in creating policies, and through the language they use. Although the CAF is creating new policy responses to combat rates of sexual assault, the identity of the CAF will inform the discourse of these policies in that it will likely reflect a masculine narrative that does not consider an intersectional perspective on race, gender, or sexuality. Furthermore, the masculine identity of the CAF will inform the policy enactment. CAF policies are written in a relatively vague format in order to encompass a maximum situational reach. However, this vague notation leads to a broad policy interpretation. This will have serious effects on how the policies are understood and implemented; the way that these documents are written matters.

The documents I examine in this research are: *The Queen’s Regulations and Orders Chapters 4.02, 5.01, 103.01, 103.25, 103.26, 103.28, 103.29, 103.30*, the *Defence Administration Orders and Directives 5012-0 (Harassment Prevention and Resolution), 5019-5 (Sexual Misconduct and Sexual Disorders)*, the *Royal Military College Policy on Inappropriate Sexual Behaviour*, the *Department of National Defence and Canadian Forces Code of Values and Ethics and Statement of Defence Ethics*, *Operation HONOUR Order*, the *2015 External Review*

*into Sexual Misconduct and Sexual Harassment into the Canadian Armed Forces*, and the *Gender Based Analysis Plus Round Table Discussion Report*. The *Queen's Regulations and Orders* and the *Defence Administration Orders and Directives* are main bodies of rules and regulations that bind all CAF members. They should be generally well understood by each member and should guide the extent of member's behaviours. The *Royal Military College Policy in Inappropriate Sexual Behaviour* is a policy that only applies to students at the Royal Military College (RMC). However, RMC's policies and culture are somewhat representative of all training and culture in the CAF as it is the education institution for many future officers and leaders; however, there are some differences between RMC and the CAF generally in terms of policy. The *Code of Values and Ethics* and the *Statement of Defence Ethics* outline expectations of behaviour for all members. They are taught to each member in the first course they attend (Basic Military Qualification Course, or Basic Military Officer Qualification Course). Expectations for ethical behaviour closely relate to expectations regarding sexual harassment and sexual assault.

*Operation HONOUR* is the policy the CAF has undertaken, from 2015 onward, to address and eliminate inappropriate sexual behaviour in response to the External Review conducted by Marie DesChamps, discussed below. The *Operation Order* for this defines the timeline for the operation as well as its intentions and goals. An Operation Order is a document used for any CAF operation that dictates the context of the situation and motivation of the operation, the mission itself, and how the mission will be executed.

The *External Review into Sexual Misconduct and Sexual Harassment in the Canadian Armed Forces from 2015* by Marie DesChamps is not a policy document; however, it is the

document the CAF has used to guide their ongoing actions regarding sexual misconduct prevention. The discourse within this document has a direct effect on how the CAF is responding to this issue. Finally, the *Gender Based Analysis Plus Round Table Discussion Report* is a report on a meeting regarding a mass analysis of CAF policies in terms of gender and advancing gender equality in Canada. The insight from this report is also being used to guide the ongoing actions of the CAF with regards to sexual misconduct prevention. Each of these policies or policy responses provides a piece of the top-down construction of the identity and culture of the CAF. Some of them are very closely related to the contemporary development away from the sexualized culture of the military, whereas others are broad guidelines of behaviours for members and thus provide the boundaries of behaviour. The documents from the *QR&Os* and the *DAODs* are each pieces of the overarching policies of the CAF. These policies are updated irregularly. The *External Review* by Marie DesChamps was conducted prior to *Operation HONOUR* and was significant in its creation.

I use the first intertextual model as described by Hansen in *Security as Practice* to analyze official discourse and the intertextual links made within them (2006, 66). While Hansen discusses using the three intertextual models together in assessing discourse, this research is only concerned with the discursive value of official policy documents rather than media debate (second model) and popular culture (third model).<sup>9</sup> Each of the documents that I have chosen

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<sup>9</sup> Hansen's model of critical discourse analysis centers on analysis through three intertextual models. The first model looks at official policy discourse, examples of such being any text from political leaders such as: speeches, political debates, interviews, articles, and books (2006, 54). Model One is meant to look at the constructions of identity within official political discourse (2006, 54). The second model broadens the scope of discourse by looking at the media and corporate institutions. By analyzing media discourse we may identify the 'official discursive hegemony' (2006, 55). The actors from the second model are 'major players in the broader political debate' (2006,

meet the three criteria outlined by Hansen in that they are: “characterized by clear articulation of identities and policies, widely read and attended to, and have the formal authority to define a political position” (2006, 76). The documents are either policy documents, texts that are meant to inform policy, or responses to policy and all have a relatively clear articulation of identity. The word choices used, as well as the scenarios the policies project with the intent to avoid, indicate a sense of identity in the CAF. Finally, each of these policies are guiding documents and are the authority on behaviours and actions of members of the CAF, and the policy responses are commissioned by the CAF. Through this first intertextual model I analyze the source of these policies in terms of when they were written and by whom, as well as the language within the policies. These two aspects together develop the discourse of the policies, which I will use to situate the identity of the CAF as an institution with an environment currently permissive to sexual assault through its culture, but with the intention of reversing this.

In the analytical process I use open-source software Text Analysis Markup System Analyzer (TAMS) to code and extract information from each document. In discussing the discourse of United Nations policy documents regarding gender Shepherd states that, “the first point of critical engagement must be with the language used to write policy” (2010, 157). The language used reveals a lot about the documents and the institution they are written for. In each of the documents I examine I look for the following themes: representation, consent,

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55). Finally, the third intertextual model looks beyond the material that ‘explicitly engages with official political discourse’ and instead articulates policy discourse through popular culture. Examples of this include: film, fiction, television, computer games, photography, and comic books (2006, 55). An example of this third model is analyzing how a region is represented in popular culture.

support, blame, and narratives for victims, and culture construction. In examining for representation I look for descriptive group representation in terms of gender, race, religion, sex, and sexual orientation, as well as an intersectional approach to descriptive representation. I also look for substantive representation of groups in the policy language.<sup>10</sup>

I measured descriptive representation by the acknowledgement of certain groups in the language of the policies as well as in the individuals who aided in the creation of the policies. There will be some groups that are named, but for other aspects of descriptive representation I looked for absences of groups in the content of the policies. For example, the dress regulations provide Eurocentric, female hair standards that do not always apply to afro-textured hair. I measured substantive representation by looking not only at whether categories or groups are mentioned, but how they are mentioned. If women are discussed, is it in an intersectional way, or is a certain group of women clear? I also looked for specific narratives in the writing, particularly those addressing victimization and the necessity of protection for women.

I also looked for language that relates to support for victims and victim blaming.<sup>11</sup> These are each important to consider because once victims are identified or identify themselves there should be something in place to support them. Furthermore, support for victims may look like a

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<sup>10</sup> Appendix A details the definitions of the codes I used.

<sup>11</sup> I want to acknowledge that there are implications of my usage of the word victim in this research. Rather than use victim, some prefer the term survivor as it recognizes the agency of someone who has experienced sexual assault and emphasizes a more positive outlook. However, my use of the term victim is intentional as it more readily conveys the victimization of members who experience sexual assault and the further victimization of these members who do not see justice due to significant underreporting as well as low rates of conviction. As well, arguments against the word victim are due to the connotations of helplessness and passivity, though the culture of the CAF is hyper-masculine and sexualized which is not welcoming to women generally, who are more often victimized by sexual assault according to statistics from anonymous surveys of CAF members (Sexual Misconduct in the Canadian Armed Forces 2016, 5).

diffusion of responsibility to all members for reporting assaults they have knowledge of and making this part of the CAF policy. This would result in collective responsibility, where it is not only the victim who must confront the perpetrator or the chain of command, but anyone who sees harassment. Furthermore, it means that blame is laid not only to the attacker perpetrating the crime, but also to anyone with knowledge of it that does not report it and is therefore enabling the crime. As well, consent is related to the concept of victim blaming because the absence of general blame on the victim is not enough, but there must also be an understanding that the various actions of the victim did not lead to the sexual assault (i.e. their clothing or being inebriated). There must also be an understanding of consent across the institution in order to address the problem of sexual misconduct. I look at the narratives developed through the policies' language to see if the narratives are limited and portray expectations of who a victim and who a perpetrator may be. This is important because although the majority of cases see male perpetrators and female victims, this is not always the case, and male victims should not have further discouragement through limited expectations in policy language from reporting or acknowledging harassment. Finally, I looked at the construction of culture through the language of policy and policy responses. Specifically, acknowledgements of the current CAF culture and attempts of top-down reconstruction of the culture. In my examination of each of these documents the presence of any of these themes is important. What is equally important however is the absence of them. A significant piece of the value of this research is in identifying the silences in terms of representation, culture, victim support, and consent.

An example of this is the way the dress regulations are written for the Canadian Armed Forces. The dress is laid out with white, Christian men in mind and any differences from this

model of what a CAF member should be are considered 'accommodations' (Canadian Armed Forces Dress Instructions, 2-1-2). In the dress regulations, the religious accommodations listed are for Sikhs, Muslims, and Aboriginal members. These religious inclusions are specific rather than extensive and complete. There is consideration given, but the consideration is for them as 'others' and a differentiation from the stereotypical model of what a CAF soldier 'should' be. Thus, I would code this for descriptive representation. As well, in a document describing sexual harassment and sexual assault if it is written in a heteronormative way with only men as aggressors and only women as victims I would code this for non-intersectionality and limited narratives. Phrasing with regards to stereotypical gender roles and heteronormative positioning indicates a lack of consideration for the different roles that both men and women can play. This positioning also indicates an expectation that men have power over women, in a sense of physical power leading to assault or power in the hierarchy allowing for sexual harassment.

In my analysis of these documents I also looked at the context of the material as this is essential in analyzing discourse, and it aids in the analysis of each document, and of the documents together. Reading into the meaning of the documents requires more than an analysis of textual signs of the documents. In this analysis I included: the authors, the publishers, and who provided the funding if there was funding behind it. I searched for these themes in the creation of the documents. This was done through an examination of who contributed to their making. The difference between descriptive and substantive representation here is difficult because inclusion is not equal to representation, necessarily. Having a woman present in the creation of a policy does not mean that she contributed in any substantial manner to its creation. As such, I only identify the descriptive representation of

groups by identifying the document's creators. As well, I looked at the social and historical context of the material. For example, women were allowed into combat in the CAF in 1989, so any policy changes around that time may have been due to this. Along with the context, I looked at the projected implementation of the policies and the policy responses in terms of what the target is and who is affected. Furthermore, I looked at the target audience of the policies, whether it is the highest-ranking members of the CAF, or if the intended audience is each working member. Whether the intended audience is high, low, or all ranking members of the CAF, they will also be both sexes, all genders, and all races, sexualities, and religions. I also looked at which actors' interests will be served or negated by the positioning of the documents and, generally, how each document is positioned and the point of view or narrative it uses looking at the implications for both bodies that are men and bodies that are women. As well, I looked at how these apply to different (broad) groups of women on the dimensions of race, sexuality, religion, and ability. Similarly, I analyzed the relations of power in each document, both clear and hidden, as well as who is exercising power. In the context of power, I also looked for what is left unsaid and the implications this has in its understanding by the intended audience and in its implementation. Finally, I looked at what repetition exists both within each document and across any documents.

Previous studies, such as DesChamps' *External Review* have been done to interview members and gain a deeper understanding of the culture of the CAF. However, the purpose of this study is to look at how the culture stems from the policy discourse of the institution. The value of this research is that it analyzes the documentation that should inform the behaviour of

the members, which complements the research that analyzes the interpretation of the CAF culture by members. Each of these policies was analyzed with regards to the language within them, but also with regards to how they fit into the broader culture of the CAF. Specifically, I noted pieces, such as the language that indicates a prevalence to deter false allegations rather than language that supports victims who choose to report. The significance of this finding within the language is that DesChamps found the complementary cultural behaviour aligned with this where members who report feel discouraged from reporting (DesChamps 2015, 17). The following analysis develops this connection between the policy discourse and the masculine, sexualized culture of the CAF.

## **Chapter 4: Findings and Analysis: Vague Language Contributes to a Permissive Environment for Sexual Assault**

In my analysis of the policy documents of the CAF I have found that they have enabled a permissive environment for sexual assault and especially for sexual harassment. Although harassment is mentioned, and sexual misconduct is discussed, it is not adequately defined. Therefore, from a policy perspective the military is a permissive environment for sexual harassment and sexual assault to occur. Policies regarding sexual misconduct discuss sexual assault but the language remains ambiguous. The phrasing of the various policies does not always provide adequate substantive representation because they are written with complex and vague language. For some terms there is no definition provided, like fraternization in *DAOD 5019*, or striking in *Chapter 103*. This type of language means that it is difficult for members to understand the policies and the policies are then not comprehensive enough to be representative of experiences of members. My analysis expands on these main findings looking at how these policies interact with and inform the culture of the CAF.

### **Context of the Documents**

Each of the policies were ordered on the authority of figures such as the Chief of Defence Staff or the Deputy Minister of National Defence. However, there is no publicly accessible data that allows me to see who participated in the actual writing of each policy, though I assume there were people who worked in the offices of these authorities who participated in the research and writing involved in the creation of these policies. Each of the people issuing these policies are white men. The *Defence Administration Order and Directive 5012* was issued on the

authority of the Chief of Military Personnel, Assistant Deputy Minister Human Resources Civilian in December 2000, and modified in January 2017. The *Defence Administration Order and Directive 5019* was issued on the authority of the Chief of Military Personnel in September 2008. The pieces from *Chapter 103* and *5* of the *Queens Regulations and Orders* were issued under the authority of the Chief of Defence Staff, and *Chapter 4* was issued under the authority of the Minister of Defence. *Chapter 103* was issued January 2006, *Chapter 4* was issued in June 2008 and amended in June 2014, and *Chapter 5* was issued in April 2009 and amended in August 2015. The *Code of Values and Ethics* was issued in 2012 by the Chief of Defence Staff and Deputy Minister of National Defence at the time, W.J. Natynczyk and Robert Fonberg. The *Statement of Defence Ethics* was issued in August 2014 by the Director of the Defence Ethics Programme. The *Royal Military College (RMC) Policy on Harmful Behaviour* was issued in December 2016 by the Director of Plans and Strategy of RMC. The *Operation Order for Operation HONOUR* was issued on the authority of the Chief of Defence Staff, Jonathan Vance in August 2015.

Policy	Authority Issued On	Date Issued
<i>DAOD 5012</i>	Chief of Military Personnel, Assistant Deputy Minister Human Resources Civilian	December 2000, modified January 2017
<i>DAOD 5019</i>	Chief of Military Personnel	September 2008
<i>QR&amp;O 103</i>	Chief of Defence Staff	January 2006
<i>QR&amp;O 4</i>	Minister of Defence	June 2008, amended June 2014
<i>QR&amp;O 5</i>	Chief of Defence Staff	April 2009, amended August 2015
<i>Code of Values and Ethics</i>	Chief of Defence Staff, Deputy Minister of National Defence	2012
<i>Statement of Defence Ethics</i>	Director of the Defence Ethics Programme	August 2014

<i>RMC Policy on Harmful Behaviour</i>	Director of Plans and Strategy of RMC	December 2016
<i>Operation Order OP HONOUR</i>	Chief of Defence Staff	August 2015

The significance of these dates is that they are all within the new millennium and so should be relatively progressive. Sexual assault in the CAF was brought up as an important issue in the mid-1990s by *Maclean's* magazine and other sources after a nine-month investigation in the CAF (Mercier, Castonguay 2014) and so policies coming out after that should take this into account.

The policy responses I examined were clearer about who had participated in their creation. *The External Review into Sexual Misconduct and Sexual Harassment in the Canadian Armed Forces* was done by Marie DesChamps in 2015. It is unclear if DesChamps worked completely alone on this review or if anyone else participated. The *Gender Based Analysis Roundtable* was done in July 2016 and indicated a list of 17 participants. Of these participants all of them are white, three are members or retired members of the CAF, four are men and 13 are women. In the creation of all documents I have analyzed for this research, all creators are white, and the strong majority are men. The documents that did not come from white men were response documents that discussed changes that should be made in the CAF.

In my analysis of the policies and policy responses I found that not all documents could be coded for each theme I was looking for. This is not surprising due to the length of some of the policies. Further, the fact that themes like consent and various types of descriptive and substantive representation were not widely identified contributes to my argument that the discourse of these documents lends to a permissive environment for sexual harassment and sexual assault in the CAF.

Theme	Documents Coded In
Culture & Building Culture Top Down	<i>Operations Order Op HONOUR, External Review by DesChamps, DAOD 5012, QR&amp;O Chapter 4, Code of Values and Ethics, RMC Policy on HISB, Statement of Defence Ethics, Gender Based Analysis Roundtable</i>
Consent	<i>External Review by DesChamps, RMC Policy on HISB, Statement of Defence Ethics</i>
Limited Narratives	<i>Operations Order Op HONOUR, Code of Values and Ethics, External Review by DesChamps, Gender Based Analysis Roundtable, Statement of Defence Ethics</i>
Support for Victims and Victim Blaming	<i>External Review by DesChamps, RMC Policy on HISB, Statement of Defence Ethics, DAOD 5019</i>

In looking for indications of support for victims and the opposite, victim blaming, I found them both in the *External Review* by DesChamps and in policies of the CAF: the *RMC Policy on Harmful and Inappropriate Sexual Behaviour*, the *Statement of Defence Ethics*, and *DAOD 5019*. The implications of finding these relatively opposite ideas within the same policies indicates that the discourse of the policies is not sufficient to adequately limit the sexualized environment of the CAF (in developing the culture from the top down). Both of these topics may be addressed within the same document in a positive way by addressing the negative effects of victim blaming and rape culture<sup>12</sup> alongside the necessity of support for victims. Addressing victim blaming in this way is a better strategy than not addressing it at all. However, these topics may also be negatively combined, which is what I have found. Within the documents there is a call for support for victims, which is positive; however, it is combined with

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<sup>12</sup> Rape culture is a prevalent social attitude or norms that normalize sexually harassing behaviours and sexual assault.

language that is consistent with rape culture. Due to the fact that these topics are intimately related, in the form of how victims are treated after experiencing sexual assault, having them oppositely framed within the policy discourse negates the positive effect of framing the need of support that victims require. Even if there are official supports in place, having discourse that is consistent with rape culture positions both members and the official supports to have an attitude that inevitably questions the victims' experiences.

### **General Findings**

The policies of the CAF officially define sexual assault as an offence; however, they do not discriminate well between sexual assault and sexual harassment, and policy enactment allows for some permissiveness in definitions of sexual harassment and sexual assault. The vague language used to describe various offences leaves meaning unclear and contains limited narratives to describe victims and perpetrators. Furthermore, support for victims is not well advertised, victims are mostly unwilling to report occurrences, and when they are reported there are policies in place that lend to protecting the assailant rather than the victim. Although policy change is necessary, on its own it is unlikely to be effective as a complete solution to rates of sexual assault. Rather, there must also be broad cultural change throughout the CAF, as stated by DesChamps in her *External Review*. DesChamps recommends that the culture of the CAF needs to be changed, and I find there ought to be top-down culture change, where various levels of leadership commit to developing and perpetuating different attitudes regarding diversity, and sexual assault. As well, there needs to be bottom-up culture change where all individual members experience attitude changes that contribute to changes in the social norms

of the culture. *Operation HONOUR* consists of a series of four steps that introduces top-down change in the CAF.<sup>13</sup>

Many future officers and leaders within the CAF receive their initial training at The Royal Military College (RMC) of Canada. Although students must adhere to the same policies as all other CAF members, RMC also has their own policies for students. In my analysis I found that generally RMC has a more contemporary approach to the wording of their policies as well as how often they are updated: the current version of the RMC policy was done after DesChamps' report was released. However, in DesChamps' report she states "participants reported that sexual harassment is considered 'a passage obligé' and sexual assault an ever-present risk" (2015, 14). I do not find that there is necessarily a correlation present between the more progressive wording of RMC's policy with fewer instances or better reporting of sexual assault at the institution. RMC's policy specifically discusses what does and does not constitute consent (Royal Military College of Canada Policy on Harmful and Inappropriate Sexual Behaviour, 4): this is significant because DesChamps discusses how a lack of understanding of what consent means has negative effects in terms of sexual assault (DesChamps 2015, 46). The discourse of the policies may not have a direct effect on the rates of sexual assault that occur either at RMC or within the CAF generally. However, I demonstrate in this research that the policies contribute

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<sup>13</sup> The four phases of Operation HONOUR are: initiation, preparation, deployment/employment, and maintain and hold. The first phase is about creating a comprehensive strategy and developing a mandate. The second phase utilizes commanders to communicate the strategy down the chain of command, administer discipline, and educate members on harmful and inappropriate sexual behaviour. The third phase is where new policies are issued. The final phase is meant to be a point of full operational capacity and maintenance of values with regards to sexual assault.

to the development and maintenance of culture, which in turn would normalize or disturb societal norms consistent with rape culture.

In my analysis I separated my findings into themes; however, many of the themes can be considered part of a substantive representation of women in the CAF. I discuss representation generally and aspects of various policies that clearly did or did not indicate a descriptive or substantive representation of women. However, I also look at the way language is used in the policies and the limited narratives regarding victims and perpetrators. Through these themes I examine for the most part a lack of substantive representation, but in a specific way. Further, I look at the culture of the CAF as a hyper-masculine institution that generally does not substantively represent women, especially when other members have sexually assaulted them. As well, I examine the themes of consent, support for victims, and victim blaming. These again are all specific analyses of the substantive representation of victims of sexual assault in the policies of the CAF.

## **Representation**

In the actual coding of each document language that indicated a descriptive or substantive representation of gender, race, religion, sex, or sexual orientation were only indicated in the *External Review* by DesChamps, the *Gender Based Analysis Roundtable Report*, the *Operation HONOUR Ops Order*, *DAOD 5012*, and the *RMC Policy on Harmful and Inappropriate Behaviour*. This is not surprising as I expected the language of the policies to not be very straightforward in terms of representation of specific groups of people. There was more frequent mention of

gender, sex, and sexual orientation, which also is not surprising as I chose policies specifically in reference to sexual assault, which tends to be a gendered topic of discussion.

The RMC policy states that “members may experience harassment regardless of their sexual orientation, gender, gender identity, or relationship status” (*Royal Military College of Canada Policy on Harmful and Inappropriate Sexual Behaviour*, 9). This is inclusive because it does not provide a narrative of who the victims and perpetrators necessarily are. As well, it is inclusive of transgender members because it includes gender and gender identity. This is contrary to the *Ops Order for Operation HONOUR* which states that “members should not be devalued based on their sex, sexuality, or sexual orientation” (Ops Order Op HONOUR, 2). At first glance this appears inclusive: however, sex indicates biological sex; sexual orientation indicates heterosexuality, homosexuality, or bisexuality; and sexuality is a descriptor to indicate sexual preferences and kinks. This phrasing is exclusive of transgender members because it does not reference gender, which differs from sex. Although the definition of the phrasing used is exclusive there are likely many members who do not recognize the difference and exclusion in this wording and would likely not attend to the differences between sex and gender. Despite this, the phrasing used in policies should be accurate and inclusive because for the purposes of sexual assault they are meant to provide protection.

In DesChamps’ *External Review* she continues to come back to the idea that by integrating more women into the military and appointing more women to positions of senior leadership the CAF may eliminate the sexualized environment of the current CAF (DesChamps 2015, vii). This is a clear discussion of the potential for work done by descriptive representation. However, DesChamps also discusses that women at higher ranks in the CAF appear not to suffer

from the sexualized environment and concludes that this is because they have internalized it (DesChamps 2015, 16). In this way, the representation of women at higher levels in the military may be descriptive only and not do the work that DesChamps predicts better integration of women will provide, in that they will not substantively represent women. It is also important to note that there are significantly higher attrition rates for women in the CAF: three out of four women will leave within the first five to ten years of their career (Gender Based Analysis Roundtable, 3) and women are twice as likely as their male counterparts to leave the CAF (Tait 2014, 3). This difference could be attributed to many things, but it is likely that it is at least partially attributable to the significantly higher rates of sexual assault for women in the CAF, as well as attitudes towards those who report sexual assault. As well, it may be attributable to the generally unwelcome culture towards women and femininity and emphasis on hyper-masculinity in the CAF.

Although the policy substantively represents all groups, the follow-through on this policy is not necessarily equivalent. The *RMC Policy on Harmful and Inappropriate Sexual Behaviour* states “in the event that an incident of HISB does occur, this policy directs that those who have been found to have committed an act of HSIB will be held accountable for their actions” (*Royal Military College of Canada Policy on Harmful and Inappropriate Sexual Behaviour*, 8). This clear statement is good, and especially because it was preceded by an inclusive definition of harassment. It appears to be substantive representation of all victims, once the barriers of reporting and determining guilt have been crossed. The *RMC Policy* was updated after the *External Review* by DesChamps was released and appears to take into account her recommendations, which I will elaborate on throughout this analysis. However,

DesChamps' review shows that most members are afraid of reporting these types of incidents (DesChamps 2015, 28). Furthermore, the culture of the CAF, including RMC, is built to protect alleged assailants from potential false accusations rather than victims after actual occurrences. Members are discouraged from reporting by their peers and immediate supervisors and are regularly questioned in a negative manner by whomever they report to (DesChamps 2015, 59). So the wording of this policy is good, but without the underlying change in culture to address how individuals think about reports of sexual assaults, this is not effective. Although the wording of the policies in this case is good in terms of the definitions, it continues to contribute to the permissive environment for sexual assault found in the CAF through the emphasis on mitigating false accusations. This permissive environment is significant because sexual assaults in the military occur most often with the motivations of ascertaining power (Morris 1996, 723), so if this method continues to be the most permissive through the policy discourse, the culture and the environment will remain permissive. The representation for victims, who are statistically more likely to be women (DesChamps 2015, ii), must be clearer in the discourse in order to make the environment more constraining in terms of sexual assault.

The existence of *Operation HONOUR* is a policy change/operation that substantively represents women specifically because it acknowledges that the experience of many women (DesChamps 2015, 12) in the CAF is one of harassment and assault and is actively working to change that experience. The main effort of the operation is "leveraging leadership to stop wrong and harmful inappropriate sexual behaviour" and provide support (Ops Order Op HONOUR, 2). This substantively represents all victims of sexual assault: a group that statistically includes more women. This phrasing provides substantive representation because it

acknowledges a requirement to not only prevent the instances from occurring but to provide support after the fact. The fact that victims are more frequently women indicates that it is a systemic problem with regards to sex and thus there ought to be a requirement of policy creation and enactment to emphasize the protection of women.

Generally, however, the policies that govern the everyday behaviour of CAF members, namely the *Queens Regulations and Orders* and the *Defence Administration Orders and Directives*, do not provide good substantive representation of victims. This is because the policies are written in complex, vague language inefficient at addressing the systemic nature of sexual harassment. For example, in *DAOD 5012* harassment is defined as “Improper conduct by an individual that is directed at and offensive to another individual in the workplace including at any event or any location related to work” (DAOD 5012, 2). However this definition, with regards to location lacks clarity: does it include the mess<sup>14</sup> or a bar that is located close to a CAF base? Each of these locations are not spaces where work is conducted, but a mess exists within a base which is the location of members’ work. Furthermore, the definitions are not comprehensive enough to be representative of the types of experiences victims have. For example, “Sexual misconduct consists of one or more acts that: are either sexual in nature or committed with the intent to commit an act or acts that are sexual in nature” (DAOD 5019, 2). This definition is entirely unclear providing essentially no more detail than the title ‘sexual misconduct.’ Where DesChamps identifies a lack of education as a contributing factor to some sexual assault (DesChamps 2015, 60), this definition exemplifies this. I find that an

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<sup>14</sup> A mess is a bar on base where members may go after working hours to eat food and drink alcohol.

improvement on this would identify aspects of consent in sexual situations, as due to this definition as a sexual act that occurs within the CAF, whether consensual or not, it falls under the charge of sexual misconduct. The representation of victims in these policies is not adequate, and I find that for the most part these policies contribute to a permissive environment for sexual assault in the CAF.

### **Consent**

The concept of consent is very important in studies of sexual assault. In the *Criminal Code of Canada*, consent is “the voluntary agreement of the complainant to engage in the sexual activity in question” (*A Definition of Consent to Sexual Activity*). Further, the Criminal Code elaborates on situations where no consent exists: “when an agreement is expressed by (...) a person other than the complainant, if the complainant is incapable of consenting to the activity, where the accused induces the complainant to engage in the activity by abusing a position of trust, power or authority, where the complainant expresses a lack of agreement (...), or where the complainant having consented to engage (...) expresses (...) a lack of agreement to continue...” (*A Definition of Consent to Sexual Activity*). Consent is not simply the absence of no, but requires ongoing, voluntary agreement. Further, “it is not a defence (...) that the accused believed that the complainant consented to the activity,” (*A Definition of Consent to Sexual Activity*).

DesChamps notes in her report that there are many members of the CAF who have a poor understanding of what consent is and that it is generally poorly defined by the CAF (DesChamps 2015, 47). As the CAF is an institution of the Government of Canada, it uses the

same definition of consent used by the Supreme Court of Canada. CAF members must be held to the standards in the Criminal Code of Canada, where consent is determined with reference to the complainant's internal state of mind at the time of the event (A Definition of Consent to Sexual Activity). This means that silence cannot be interpreted to be consent, nor can lack of consciousness or significant intoxication. Similarly, it means that for rape to have occurred, a victim does not have to have physically fought back but rather just have not indicated that they wanted to continue (DesChamps 2015, 50). DesChamps found in her review of the CAF that members interviewed indicated a "perception that victims implicitly consented to or invited their own assault" (2015, 45). This indicates a poor understanding of what consent is, and a victim-blaming attitude.

This definition of consent is important because the DesChamps report notes a significant number of victims are women of low ranks, while their assailants are men of a higher rank who use coercion (DesChamps 2015, 50). She further notes that given an overall focus on obedience and conformity within the chain of command junior members may feel they have little choice but to go along with someone who may have an impact on their career progression (Deschamps 2015, 19). With this context in mind it is not unreasonable to expect that many victims will in fact not physically fight back against an assault.

The *RMC Policy* on consent is explicit and aligns with the definition put forward by the *Criminal Code of Canada*. Furthermore, the definition gives examples in order to provide the exact parameters of accepted behaviour. For example, it specifies that consent must be voluntary and given willingly and that the consent is for a mutually agreed activity. As well, it specifies that silence is not consent; being asleep or unconscious prevents a person from giving

consent; coercion is not consent; a mental disability prevents consent; consent in the past is not present time consent; consent must be ongoing; consent cannot be given on behalf of another person; abuse of power does not lead to consent; and that the initiator is responsible for ensuring the consent of the other party (*Royal Military College of Canada Policy on Harmful and Inappropriate Sexual Behaviour*). This is a good example of a specific policy that provides clear boundaries as well as examples (like being unconscious or silence not counting as consent).

It is important for members across the CAF to have a good working knowledge of what consent means, not only in official definitions for policies, but what it looks like in practical situations. Some of these practical situations are ones involving inebriation due to alcohol, coercion due to the rank structure, states of consciousness, and the difference between the absence of 'no' and the presence of 'yes.'

## **Culture**

In my analysis looking for indications of culture and top-down construction of culture I found that the CAF has put forward enough policies that culture should be shaped and influenced by them. The culture of a military is influenced by its policies. However, it is important to note that the tendency toward rape culture and a sexualized environment is not entirely learned within the CAF. Within Canadian culture there is already a pervasive, sexist culture and the CAF's reputation is such that those with these cultural tendencies would also be attracted to this profession. While cultural attitude consistent with rape culture already exist, the policies within the CAF work to maintain these cultural attitudes.

There is a significant responsibility on members at the junior leadership level to deal with various problems that arise. This responsibility is furthered due to the fact that the policies of the CAF are quite vague, meaning the limits on behaviours of members are extensive. This responsibility on junior members means that culture may not be being built top-down as intended but rather bottom-up. The policies provide a very wide allowance of behaviours and if junior members do not find issue with behaviours and policies do not explicitly condemn them, then they are condoned. For example, DesChamps states in her report that, “experiences with sexual harassment begin as early as basic training, where inappropriate language used by trainers appears to go unpunished” (2015, 15). Sexually harassing language is commonplace and the policies of the CAF do not explicitly condemn it, meaning it is given wide allowance. In the wording of the policies, there are items, such as scandalous behaviour where a punishment is “dismissal from Her Majesty’s service or to less punishment” (*QR&O* 103, 7) and junior leadership may not bother to pass on a punishment at all. This is a broad range, though for sexual misconduct the specified punishment is administrative action, which typically ranges between written warnings to monetary fines. Frequently these punishments, if they occur, are weak and insignificant in a member’s career. In February 2015 a CAF officer was sexually assaulted by another officer, working as a physician (Former military officer says she was sexually assaulted by military physician). He was arrested in January 2016 and charged with one count of sexual assault and allowed to work but with conditions: initially a female attendant must be present for any appointments with female patients, and now Nordstrom may only see male patients, as well a sign must be present in his practice stating these restrictions (Former military officer says she was sexually assaulted by military physician). Though he has been

charged but not convicted, Nordstrom continues to practice without any suspension. Furthermore, one of his bail conditions was a ban on consumption of alcohol and when he breached this condition was only fined \$500 (Former military officer says she was sexually assaulted by military physician). This sexual assault charge has been ongoing for 19 months. This lengthy time being taken to come to a conclusion regarding a sexual assault charge is a problem because if correctly convicted the time between the charge and conviction leaves others vulnerable to victimization by the assailant. The policy regarding sexual misconduct states punishment to be administrative action, but has no specification for administrative actions before a conviction has been made. This is significant in this example specifically because physicians hold inherent trust in society due to their position and frequently interact with vulnerable populations.

DesChamps states that “organizational culture is the pattern of basic assumptions that a given group has invented, discovered, or developed in learning to cope with its problems of external adaptation and internal integration and that have worked well enough to be considered valid, and therefore to be taught to new members as the correct way to perceive, think, and feel, in relation to those problems” (2015, 12). This definition indicates that culture is not immediately created, and therefore cannot be immediately changed. As well, it involves all people within a cultural environment, no matter how large. This means that in order to adjust the culture of the military, each member must adjust their basic assumptions, thoughts, and feelings regarding any encountered problems and adjust to acknowledge certain instances as problems in the first place. Some members interviewed by DesChamps said that they feel that the sexualized culture is tied to the broader challenges women face integrating into the

organization (DesChamps 2015, 18). Her report further specifies an underlying sexualized culture that makes culture change key; policy change is not enough and leaders must pay direct and sustained attention to this problem (DesChamps 2015, iv). This is not to say that any policy change at all will not be effective. In fact, DesChamps states that the language of the policies relating to sexual assault and harassment must change to closer reflect the criminal code of Canada, and to specifically address the sexualized environment (DesChamps 2015, ix). However, unless the culture and individual attitudes of members are not also amended, the policy change will be less effective than it could be. The language of the *Ops Order* indicates that the CDS knows a culture change of this measure will require a long term effort; however, it still places deadlines such as 2019 for 'Full Operational Capacity'<sup>15</sup> (Ops Order Op HONOUR, 4), which means that there is still an expectation of (relatively) quick results that are likely not possible due to the complex nature of culture change.

DesChamps acknowledges both high and low level harassing events and recommends widespread cultural reform, arguing policy change will be ineffective without it (2015, ix). She notes doing this requires addressing serious incidents of sexual assault, but more than that the lower-level incidents, such as sexualized and demeaning language, must be addressed. I find that this ought to occur at the unit-level by the senior leadership (commanding or other officers), and then also by junior leadership (where the responsibility of punishing these instances frequently falls). I find that due to the culture and the ambiguous wording of the policies surrounding sexual harassment and sexual assault that junior leadership are unlikely to

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<sup>15</sup> Full Operational Capacity is phrasing that indicates a fully effective fighting force of the CAF. In this context it means that sexual assault and sexual harassment will no longer be a systemic problem within the CAF.

address these harassing incidents in a way that discourages the behaviour from occurring again. DesChamps recommends cultural change through all levels of the CAF and addressing both low and high-level incidents of sexual harassment and sexual assault but does not provide further detail for how this might be done. I presume that a top down approach could be effective where the senior leadership of units are leveraged (as stated in the *Operation Order*) (Ops Order Op HONOUR, 4) and junior leadership may mimic a new response to responding to these harassing events. An example of the culture is one interviewee's statement to DesChamps when he said "girls that come to the army know what to expect" (2015, 16). Those in the current cultural climate of the CAF believe that this normal is a good normal that everyone should learn to live with rather than one that is discriminatory (DesChamps 2015, 16). The identification of serious and less serious incidents is important to note because the language of the CAF's policies state a single example of a type of offence, such as scandalous conduct generally, and for these offences offer vague punishments. This means that in a spectrum ranging from sexual assault to thievery, the policy only states scandalous conduct as an offence and then further states the punishment to be "dismissal from Her Majesty's service or to less punishment" (QR&O CHAPTER 103, 7). Further, in *DAOD 5019* regarding sexual misconduct, it states it to be "acts that are either sexual in nature or committed with the intent to commit an act or acts that are sexual in nature, and constitutes an offence under the Criminal Code or Code of Service Discipline" (DAOD 5019, 2). The punishment for sexual misconduct is stated to be, "administrative action," which "may only be taken if there is clear and convincing evidence that the CAF member engaged in sexual misconduct" (DAOD 5019, 7). The phrasing administrative action is very vague however and the policy further states "as a general

principle, the appropriate administrative action is one that best reflects the degree of incompatibility between the CAF member's sexual misconduct and the CAF member's continued service in the CAF" (DAOD 5019, 8). This phrasing expresses that although for offences like scandalous conduct a member may be dismissed from the CAF, for sexual misconduct, including sexual assault, a member will likely only face some vague form of administrative action and will continue to serve. This is an issue because most assailants have multiple victims. Therefore, by allowing members convicted of sexual misconduct to continue serving, other members remain in danger due to repeat offenders. This sustains a culture of permissiveness toward sexual assault as offenders may feel enabled to assault again, and others may feel enabled to assault.

The lack of identification of the range of seriousness of incidents within the policies further contributes to the environment of systemic sexism as this thrives on the existence of small, unquestioned acts. Many less serious incidents, of any type of offence, are dealt with at a lower leadership level among NCMs and junior officers. DesChamps saw specific, disregarding behaviour of these less serious events when she conducted her interviews for her report (2015, v). Due to this, whatever culture currently exists among NCMs will be enacted through the punishments given. This makes it likely that demeaning language towards female members will not be acknowledged as a problem, because this language is considered normal within the military culture. As well, sexual harassment may be acknowledged but dealt with in a group setting where the most senior authority, who would still be a junior NCM, makes vague jokes about it not happening again (DesChamps 2015, v). The significance of this is that the policies, with their vague wording that only discusses the extreme end of offences and punishments,

contribute to a permissive environment for sexual assault because all offences that lead up to sexual assault are not adequately acknowledged and a range of reasonable punishments are not provided.

The language of the policies and policy responses of the CAF contribute to its culture. DesChamps states the CAF is a sexualized environment, and I have further determined it is not entirely welcoming to the integration of women. DesChamps states that the sexualized environment disproportionately targets women as victims (DesChamps 2015, 2). This is one example of how the culture of the CAF is not conducive to fully integrating women. Although the policies of the CAF state the inclusion of women in any and all positions, there is low descriptive representation of women, and further low substantive representation of women from both male and female members which is evidenced in the culture that uses language to denigrate female bodies and femininity. The sexualized environment that DesChamps has identified is a contributory factor to the ineffective integration of women. Furthermore, I found that the language of the policies lends to the permissive nature of the CAF in terms of sexual harassment and subsequently sexual assault. Policies are written in a way to mark the extreme extent of behaviours with regards to sexual assault as well as the extreme extent of possible punishments without any indication as to the range that could exist for either of these. This is a problem because sexually harassing and assaulting behaviours have a significant range in terms of seriousness and by only recognizing the most extreme leaves lack of clarity for what behaviours are or are not acceptable. These should be rectified in order to move towards a culture change and decrease in rates of sexual assault in the CAF.

## Language and Limited Narratives

The language used in the policies for the most part is vague and it is difficult to define boundaries of behaviour for members. DesChamps states “defining and addressing prohibited sexual conduct clearly in plain language is the foundation upon which the CAF will be able to reduce incidents of sexual assault and sexual harassment” (DesChamps 2015, 46). This is supported by her finding that members thought the policies were complex. Complexity may be necessary in order to encompass any potential negative situation. However, the complex and vague language means that it is neither understood by all members nor provides adequate boundaries. The DesChamps report recommended using plain language consistent with the *Criminal Code of Canada* (DesChamps 2015, 46). This means that instead of using terms like sexual misconduct, which are not entirely clear, to use terms like sexual assault, because it already has a clear, court-decided definition. *Defence Administration Order and Directive 5019-5, Sexual Misconduct and Sexual Disorders*, uses a definition of sexual misconduct that references the Criminal Code.<sup>16</sup> Although the use of the term sexual misconduct rather than sexual assault might indicate that it covers sexual harassment, it does not. Between *DAOD 5019-5*, which deals with the sexual misconduct, and *DAOD 5012*, which address harassment generally, sexual harassment is not covered. The definition of harassment can include sexual harassment, and the definition of sexual misconduct can be interpreted to include sexual assault. However, sexual harassment is not explicitly discussed, meaning it is apt to be

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<sup>16</sup> The definition of sexual misconduct from DAOD 5019 is, “sexual misconduct consists of one or more acts that: are either sexual in nature or committed with the intent to commit an act or acts that are sexual in nature, and constitutes an offence under the Criminal Code or Code of Service Discipline” (DAOD 5019 2008, 2).

neglected or overlooked should it be reported. The language of the policies must provide an adequate basis for acknowledging and dealing with all aspects of sexual assault and sexual harassment, especially because the military has a reputation as an unwelcoming place for women, who typically experience greater levels of these.

In the case of sexual harassment, the CAF definition “is overly complex and unduly narrow and fails to capture a broad range of inappropriate sexual conduct” (DesChamps 2015, iv). According to the *Defence Administration Order and Directive 5012*, each of these criteria must be met for harassment to have occurred:

Improper conduct by an individual, that is directed at and offensive to another individual in the workplace, including at any event or any location related to work and the individual know or ought reasonably to have known would cause offence or harm. It comprises objectionable act(s), comment(s), or display(s) that demean, belittle, or cause personal humiliation or embarrassment, and any act of intimidation or threat. It also includes harassment within the meaning of the *Canadian Human Rights Act* (i.e. based on race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability, pardoned conviction, and conviction for which a record suspension has been ordered). Harassment is normally a series of incidents but can be one severe incident which has a lasting impact on the individual (DAOD 5012, 2).

This definition is problematic for a few reasons. The term improper conduct is not defined and there is not a reference to another policy or piece of literature to provide a definition. Further,

an individual “knowing or ought reasonably to have known” (DOAD 5012, 2) seems like decent wording; however, DesChamps has indicated in her review that there are many individuals within the CAF who have internalized the misogynistic culture and do not see sexualized language as harassing or questionable. As well, this definition of harassment requires the ‘improper conduct’ to be directed at another individual; however, language or behaviour that is used generally to demean an entire group but not directed to an individual is just as harassing. The specifications that harassment must be a series of incidents or one severe incident is also problematic because specifying the necessity of an event as severe discourages members from reporting any series of slight incidences. As well, who defines when any number of events becomes a series, and must it always be directed toward the same person for a series to begin or can multiple victims be counted? Further, how do we define severe or lasting impact? This definition also does not take into account one victim who has experienced a number of harassing events from multiple perpetrators. The phrasing of this harassment definition undermines attempts to remedy the sexualized culture of the CAF because it discourages members from reporting many incidents. Thus, I argue this definition is not adequate and does not encompass enough types of incidents in order to adequately address the harassment that occurs in a sexualized environment like the CAF. This is a significant oversight because sexual harassment can be any number of unwanted inappropriate language or behaviours ranging from asking sexual questions or making jokes to following a person or touching them in any manner (*What is Sexual Harassment?*). If a written policy does not capture this broad range, especially when the policy is written for people who already exist in a sexualized environment, this builds a potential for harassment to occur without official means to stop it.

Despite the DesChamps report, however, the *Ops Order for Operation HONOUR* continued to use vague language without explicit definitions. In the *Operation Order for OP HONOUR*, the problem definition is relatively extensive; however, it continues to use vague language. For example, “indecent acts” is used but not defined. This is important because a term like this holds cultural connotations as to how it should be interpreted. It could mean specific sexual acts between consenting parties, but it also could mean any sexual act without consent. This is unclear because in *DAOD 5019* it states that fraternization between consenting parties is prohibited, but a definition of fraternization is not given (*DAOD 5019*, 3) and it is only through DesChamps’ review that we learn fraternization is with reference to parties from enemy groups (DesChamps 2015, 37). With this as a reference, it is unclear what norms should be used to interpret the wording.

The *Defence Administration Orders and Directives* and the *Queen’s Regulations and Orders* are both policy documents written with very vague language. This is significant because these are the documents that guide the allowed behaviours of members of the CAF and the ambiguous wording means that there are many behaviours that can slip through the cracks as acceptable. Similarly, the *Statement of Defence Ethics* is also written with vague language. It is written with the idea that there is a normalizing force in the CAF where everyone will understand what is right and what is wrong and what is meant by ethical behaviour. An example of this wording is when it states that members will “perform duties to the highest ethical standards” (*Statement of Defence Ethics*). The CAF as a military institution is a primary group that holds tight normalizing forces, meaning that most members have very similar behaviours. However, ethics is a grey area where there are many different ideas of what is and

is not acceptable. In order to have policies act as a top-down culture definition they need to be written in a more precise manner. The CAF's attitude toward sexual assault and harassment prevention ought to be one that is focused on the systemic nature of the offences. The differences in prevalence between the CAF and Canadian society generally may be attributed partially to the culture of the CAF: emphasizing aggression and violence and denigrating women and femininity. There ought to be cultural change that stems partially from language adjustments in policies. For example, the policies for the CAF generally should include definitions of consent, as is found in the RMC policy. Better definitions and clearer language will educate members about practical scenarios (such as sexual conduct when one or more partners are inebriated, or unconscious).

The document states that members will "help to create and maintain safe and healthy workplaces that are free from harassment and discrimination" (Statement of Defence Ethics). However, this is only effective wording if everyone holds the same definition of harassment. DesChamps discussed interviewing various members of the CAF and found some male members who did not think that the environment of the CAF was sexualized or harassing for female members but rather that it was normal behaviour (DesChamps 2015, 16). This runs contrary to some female members that DesChamps interviewed who said that they had experienced various types and levels of harassing language and behaviour in the CAF (DesChamps 2015, 16). Due to the fact that members do not have the same ideas of what is and is not harassment the vague language is not effective. The imprecise language of the policies and a lack of policies that explicitly condemn sexually harassing behaviour and a culture that

accepts this behaviour towards women as normal contributes to a permissive environment for sexual harassment and sexual assault.

The organization of the *Queens Regulations and Orders*, as a body of policies that govern the behaviours of all CAF members, is not necessarily all encompassing. *Chapter 103, Service Offences* has many sections but none that relate directly to sexual assault. One of the sections is about striking another member and another one is about false accusations, and there is a broad section regarding drunkenness. Each of these may be tangentially related to sexual assault and could be interpreted through the lens of sexual assault, though this relation is not made clear. A more specific example is *Chapter 103.25*, which states “every officer who behaves in a scandalous manner unbecoming an officer is guilty of an offense and on conviction shall suffer dismissal with disgrace from Her Majesty’s service or dismissal from Her Majesty’s service” (QR&O 103.25, 68). This appears to be a straightforward policy regarding the conduct of officers in the CAF; however, at no point in this section is ‘scandalous behaviour’ defined. This means that the definition of scandalous behaviour is at the discretion of any senior officer who may determine that another member is acting in a way they find scandalous. *Chapter 103.26* is similar to *103.25* but refers to cruel or disgraceful conduct, but again without a definition of what this means. *Chapter 103.28* references abuse of subordinates, stating “every person who strikes or otherwise ill-treats any person who by reason of rank or appointment is subordinate to him is guilty of an offence and on conviction is liable to imprisonment for less than two years or to less punishment” (QR&O 103.17, 47). This policy is more specific in that they specify striking or ill-treating; however, it is not clear how wide or narrow the definition of ill-treatment is. The use of derogatory language against an entire group based on their sex, or

sexual preference, could be considered ill-treatment, though this definition may only consider physical acts of harm. In that case, this policy would seemingly cover sexual assault, though not all sexual assaults are violent affairs but may be quiet abuses of power and coercion. These types of vague policy, without clear definitions, mean that the understanding of each is left to cultural norms. So, while for some groups a cultural norm could consider sexual harassment or sexual assault as scandalous behaviour, there are groups that would not agree. The cultural norms of the CAF do not reject demeaning language and harassing behaviour towards women, which opens up opportunity for sexual assault to occur without ramifications. Furthermore, without a clear definition of scandalous conduct, sexual harassment and assault could be interpreted to fall under this umbrella but it is not specified. The gap within *Chapter 103* between relatively specific policies against striking one another and drunkenness as well as vague policies against scandalous behaviour provides a permissive environment for sexual assault.

Policy language is important because it attempts to express some of the intentions of those who created the policies to those who must abide by them. This is mostly so in terms of the general conduct of members of the CAF, rather than in terms of the culture. Speculation on the intentions of authors is difficult, though to some extent, the policies indicate their objective of how members act. Further, policy language defines the boundaries of accepted behaviour and if the language is unclear then this means the boundaries are unclear. Furthermore, the language in *DesChamps' External Review*, and any other response, is important because this is a guiding document the Chief of Defence Staff uses to conduct change from within the CAF.

The language within the DesChamps report places women as victims. DesChamps states that the sexualized culture is hostile to women and LGBTQ members and that the strong majority of victims of sexual assault in the CAF are women and assailants are men, and thus chooses to use pronouns that reflect this (DesChamps 2015, 2). DesChamps does mention that there are male victims of sexual assault but implies that the perpetrators of this are other men (DesChamps 2015, 19). This continues the exclusive narrative of men as perpetrators of this crime and refuses to acknowledge that women as well may be assailants. This is significant with regards to both male and female victims as if their understanding of who may be an assailant is limited to men only, then it is likely that they will suffer more and be less likely to report the offensive conduct if it was perpetrated by a woman. The other limited narrative that DesChamps perpetuated is that the victims are lower-ranking women and higher-ranking men are assailants. This type of narrative isolates male victims and dismisses women as perpetrators. The implications of this are that male victims will be less likely to report being victims of sexual assault, as victims state their reluctance to report stems from distrust in the system (DesChamps 2015, 29), which would be exacerbated by a dismissal of their experience. Although this statement is statistically true, DesChamps' report would have benefitted from a statement that includes other victims. As well, if members have a current misunderstanding of what constitutes consent and sexual assault, perpetuating limited narratives of who are or are not assailants and victims further maintains this.

The *Queen's Regulations and Orders Chapter 103.29* is entirely about making false accusations (QR&O 103.29, 72). Though this is not specifically with regards to sexual assault, it could be interpreted to include this. This is problematic because there now exists a large

incentive not to be found falsely accusing someone of sexual assault and even though the *Criminal Code of Canada* is clear with regards to non-consensual sexual touching, there remains a perception, especially in military culture, that victims may have invited their assault. The significance of this is that if the chain of command has determined that a victim's report is not sexual assault then they may in turn be charged with falsely accusing, which acts as a disincentive for victims. Similarly, *QR&O Chapter 103.30* is about drunkenness and the wording indicates that being intoxicated at all may lead to being charged. This policy is a disincentive for victims who were assaulted while under the influence to report because they could, technically, subsequently be charged with drunkenness. These policies are disincentives to report not only because they may not receive the support they need but may receive charges themselves

The fear of false allegations is supported generally in the culture where members, usually women, who report are subject to isolation in the community (DesChamps 2015, 17), and in the policies that protect alleged assailants. The *Defence Administration Orders and Directives 5019* point 4.9 states "Before determining appropriate administrative action, the approval authority shall consider all the evidence surrounding the sexual misconduct. In weighing that evidence, the approval authority is required to consider the following: (a) a CAF member's entire period of service, taking into account the CAF member's rank, military occupation, experience, and position" (DAOD 5019, 8). This aspect of the policy is problematic in that the member's position and time does not affect whether or not they have committed sexual assault, or will have made them more or less likely to commit assault. In fact, DesChamps reports that more perpetrators tend to be members of higher rank (DesChamps 2015, ii). This is evidenced by situations such as ex-Colonel Russell Williams who commanded Canadian Forces

Base Trenton before being found guilty of sexual assault and murder, among other charges (Col. Russell Williams Pleads Guilty 2010). The rank and position of a member does not preclude them from committing crimes and the policy that states consideration of this is problematic because it is not true evidentiary support of whether or not a crime was committed.

DesChamps also found that the chain of command appears mostly to be interested in protecting itself from the negative effects of complaints and protecting the reputation of leaders, and is less concerned with protecting the well-being of any complainants (DesChamps 2015, 21). In the CAF there appears to be an emphasis on reducing false reports rather than with dealing with any reports that come through. However, most victims do not report due to fear of negative consequences on their career, fear of collateral charges, and a deep skepticism that the chain of command will respond sensitively and appropriately (DesChamps 2015, 21). In the CAF over a period of 12 months, 960 members anonymously reported being victims of sexual assault, but the *Canadian Forces Military Police report* states 130 initiated investigations regarding sexual assault for the year, indicating that only 13.5% of sexual assaults are reported. This means that victims of sexual assault are statistically unlikely to report when sexual assault does occur. As well, a ten-year study of false allegations of sexual assault at a major Northeastern University finds that the prevalence of false allegations is between two and ten percent (Lisak, Gardinier, Nicksa 2010, 1318). So, while it is an issue, what remains a greater issue, especially in an environment where harassment is considered normal behaviour, is significant underreporting (DesChamps 2015, 33). Likely contributors to this attitude regarding false reporting are the existence of policies that discuss false reporting as well as the internalization of a misogynistic culture that does not perceive behaviours as harassing, but

rather as a normal part of life in the CAF (DesChamps 2015, 16; QR&O 103.29, 72). If members expect that sexual harassment and even sexual assault are experiences of many members, then the motivation to report may decrease as this is no longer an isolated incident but a systemic experience.

*Defence Administration Order and Directive 5019-5, Sexual Misconduct and Sexual Disorders*, states that administrative action may only be taken if there is clear and convincing evidence that the CAF member engaged in sexual misconduct (DAOD 5019, 7). However, clear and convincing evidence does not have a global understanding. This is especially problematic with a culture focused on protecting from false allegations and protecting the reputation of members and the institution, as well as focused on finding resolutions at the lowest-level. This policy further states the facts of the case must be considered, along with the victim and the victim's circumstances, the CAF member's relationship to the victim, and the degree to which the act was intrusive or violent (DAOD 5019, 7). Firstly, the emphasis on both the victim and the alleged perpetrator's circumstances means that if the alleged perpetrator is of a higher rank (which DesChamps indicates is a frequent situation (DesChamps 2015, 16)), then, according to this policy, less weight will be given to the victim's testimony. However, an assailant's position does not preclude them from assaulting another member. Secondly, the language of this policy indicates that an assault that ended up violent is worse than an assault that occurred through coercion or from an unconscious victim (DAOD 5019, 7). This language has elements of victim-blaming in that it indicates that victims should 'fight off' their attacker in order to be taken more seriously. This creates a false ranking system of how serious various kinds of sexual

assault are and discourages members from reporting. Furthermore, it comes from an uneducated perspective regarding victim behaviour in sexual assault.<sup>17</sup>

The language used by the CAF in their policy documents is imprecise, meaning there are a variety of interpretations that members may use when using the documents to either inform their behaviour or to inform an assessment of other member's behaviour. The omission of a specific discussion regarding sexual harassment is significant. This means there is no clear directive regarding what is and is not sexual harassment as well as how it should be dealt with. Further, the inclusion of a section regarding false allegations is also significant. Finally, the lack of specific lenient or tough punishments for sexual assault, but instead the general administrative action and the phrasing that specifically indicates various evidence must be reviewed, is all indicative of the priorities of the top leadership of the CAF, which do not prevent or sufficiently react to sexual assault. Instead, these policies provide a permissive environment for sexual harassment and sexual assault to occur.

### **Support for Victims**

Between the policies I analyzed for this research there are differing emphases on support for victims and language that comes across as victim-blaming. There are a number of programs and services that exist to offer support to victims; however, access to them by most members is inadequate. Some of the services, like Chaplains, are only available during certain times and members must get permission from their chain of command, which is a deterrent if their

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<sup>17</sup> There is a documented phenomenon of 'freezing up' called tonic immobility where a victim does not fight in the midst of a sexual assault but instead experiences involuntary immobility (Moller, Sondergaard, Helstrom, 2017).

immediate supervisor is not supportive (DesChamps 2015, 75). Further, nurses and social workers are helpful, but their role is limited because they are only involved once a person is referred for medical care (DesChamps 2015, 3). As well, DesChamps notes in her report that most participants she interviewed were unaware of what programs and services are available to victims because they are not informed properly after reporting (DesChamps 2015, v).

Mechanisms have been put in place to support victims; however, there needs to be a flow chart put in place such that whomever a victim goes to is able to direct them to the information and resources they need in a logical and consistent manner.

Another aspect of the policies that does not provide support for victims is the emphasis on lowest-level resolution, which requires victims to confront their harassers (DesChamps 2015, 29). This is problematic because victims, especially if they are of a lower rank than their attackers, will likely be discouraged from confronting their attackers due to the hierarchical system of the military. In the *Ops Order* it is indicated that now everyone is responsible for reporting harassment and misdemeanours rather than only the victim (*Ops Order Op HONOUR*). This is a good change because it invokes the team atmosphere of the military and provides better support for victims. There is significant under-reporting of sexual assaults from the victims themselves due to fear of negative repercussions in their career (DesChamps 2015, 15). Compelling all members to be responsible for reporting sexual assault works towards adjusting the team attitude from one of protecting the perpetrator to one of protecting the victim. It changes the perspective of the situation from a victim reporting a sexual assault going against the team to one of a perpetrator betraying the team by sexually assaulting another member. The changes being made in the CAF through *Operation HONOUR* are positive changes

that show better support for victims; however, the policies that continue to govern the CAF must be adjusted as well.

The policies of the CAF should work to prevent and adequately react to sexual assault. While there is a current push through *Operation HONOUR* to do both of these things, the language found in the policies does not do so. Although official support services exist for members, their visibility is not great for those who need them. Through cultural change in the military there will be better support for victims of sexual assault.

## **Conclusion**

The language of these policies from the CAF is complex, and members reported it as difficult to understand (DesChamps 2015, 63). Further, it did not provide adequate boundaries for behaviours, nor did it provide adequate definitions for various offences, or name offences such as sexual harassment at all. Some policies do better than others with regards to dismantling the hyper-masculine nature of the military, providing support for victims, and not limiting the narratives of victims and assailants. The RMC policy was the most inclusive policy with clear language. This is likely because it is reviewed frequently with input from every department at the school. Furthermore, RMC has recently been acknowledging their shortcomings with regards to sexual harassment and sexual assault occurring at the school. The two policies that were written to guide the behaviours of all CAF members, the QR&Os and the DAODs, were the least inclusive. The *Ops Order for Operation HONOUR* is generally a positive document that signals significant changes in the CAF. However, some problems with its language include using vague terms like 'indecent acts' without defining them (Ops Order Op HONOUR, 2).

Furthermore, the *Statement of Defence Ethics* is a necessary document but because the language used in it is vague it is ineffective at defining clear boundaries of ethical behaviour. Through my analysis I conclude that the policies of the CAF contribute to a permissive environment for sexual harassment and sexual assault through the vague language used that fails to define clear boundaries for these kinds of behaviours. While the general culture of the CAF contributes as well, the leadership of the CAF emphasizes that culture is developed top-down through policy. As such, I argue that these policies must be amended in order to restrict the environment with regards to the occurrence of sexual harassment and sexual assault.

## **Chapter 5: Conclusion**

Sexual assault is still a prevalent problem in the CAF that affects a significant number of members, mostly women, each year (DesChamps 2015, 2). This problem of sexual assault is influenced by the policies and the culture of the military and how these two factors interact. The culture of the CAF is a sexualized environment (DesChamps 2015, 13). The culture of the military is informed by its policies and together the culture and the policies of the CAF are permissive of an environment where sexual harassment and sexual assault occur, regularly, without significant ramifications. Members are deterred from reporting through the chain of command because, statistically, their supervisor is their attacker as well as the fact that reporting a sexual assault is likely to affect their career (Deschamps 2015, 29). Members who report are moved out of their units or taken off their regular duties (DesChamps 2015, 29): this response appears to punish the victims for reporting.

In my analysis of the political discourse put forward from the CAF I have found that members may also feel deterred from reporting because the language of the policies is written to protect rather than to punish those who commit sexual assault. The language of the policies states the punishment to be administrative action, without any further clarification of what severity is appropriate. This may be compared to committing an offence such as drunkenness where the punishment is stated to be between 90 days and less of two years imprisonment (QR&O Chapter 103, 74). Similarly, striking a superior officer may be punished by a lifetime prison sentence (QR&O 103, 47). The incompatibility of the punishments of these policies indicates an unwillingness to accept and punish perpetrators of sexual violence. Furthermore, in *DAOD 5019*, the policy regarding sexual assault, there is an entire section that discusses the

level of evidence required in order to receive a conviction, whereas this section is not included in other policies, including: striking a superior officer, drunkenness, or scandalous conduct. As well, the evidence that may be submitted includes the alleged assailant's military record, although this provides no true evidentiary support of an innocence plea.

The policies of the CAF make it difficult to find or punish assailants because victims are generally unwilling to report and there is no clarity in the policies' definition of the offensive behaviour. The reaction of the CAF to these crimes is important, but of equal importance is the environment the CAF has developed where sexual assault occurs with such frequency. The culture of the military is hyper-masculine with incomplete gender integration and inadequate representation of women. This contributes to the permissive environment for sexual assault. Although an increase in the descriptive representation of women may not affect the culture, an increase in the substantive representation of women likely will. This would equate to a cultural shift in the military away from equating women and femininity with weakness. The CAF has been built on traits such as aggression, violence, strength, and power. However, it is unnecessary to develop the military as an opposition to women and femininity. Rather, a military can be strong and also inclusive of women. Group cohesion in the military has been determined necessary for operational effectiveness; however, the hyper-masculinity of the military is not. Women and femininity should not be separated as an opposite to masculine strength. This attitude promotes a lack of substantive representation of women that is prevalent within the CAF.

Due to the fact that the military is a primary group, members from within the primary group will definitively affect the attitudes and "the bases of the individual's personality or self"

(Morris 1996, 692), which will in turn perpetuate the attitudes that define the culture of that primary group. In the military context we see this in terms of sexual assault. “Even while the military services institute policies of ‘zero tolerance’ of sexual harassment and assault and provide formal training pursuant to those policies, informal socialization continues to perpetuate group norms that are inconsistent with those formal policies and goals” (Morris 1996, 720). However, the policies of the institution do influence the culture. The emphasis in CAF policy language on the most serious offences and punishments translates to members in leadership positions who do not take seriously the complaints about lower-level harassment (DesChamps 2015, 21).

An increase in descriptive representation of women is not necessarily the compelling factor to decrease rates of sexual assault, though it is more likely that an increase in substantive representation will. A majority of sexual assaults are motivated by desire for power (Morris 1996, 723). Increasing the substantive representation of women – not equating femininity to weakness – negates the sexual assault of women to take advantage of a perceived power imbalance. This substantive representation ought to occur first through the political discourse of the CAF, which informs the culture. Further, this substantive representation ought to be performed by all levels of leadership in order to affect the culture at all the level of individual members. This concept appears to have been instigated through *Operation HONOUR*: “My intent is to eliminate harmful and inappropriate sexual behaviour within the CAF by leveraging the unequivocal support of my Commanders and all leaders in the CAF” (Ops Order Op HONOUR, 2). A further improvement in the discourse of Operation HONOUR, such as clarity in wording, will aid in this effort.

Although the CAF is looking to change its reputation as an institution rife with sexual assault, this has been impeded by a culture resistant to change, as well as policies that have not been updated accordingly. Although new documentation, like *Operation HONOUR*, has been put forward by the CAF, the basic policies that guide members' behaviours (the QR&Os and the DAODs) require a more contemporary update. This update would provide the inclusion of a policy specific to sexual harassment, as well as changes in language surrounding sexual assault, and clarity in unacceptable behaviours and the corresponding range of punishments.

The future directions for this research could be a follow-up regarding the effectiveness of *Operation HONOUR* as an instigator to cultural change within the CAF. This may be done through interviews with serving members or through a political discourse analysis, on the assumption the CAF policies are updated. As well, this research could be furthered with a temporal study examining the policies from the 1980s and 1990s and comparing them to present policies. This type of study would indicate whether there has or has not been a cultural shift within the CAF towards better substantive representation of women and adjustments surrounding preventing and reacting to sexual assault.

## Works Cited

- Allen, Mary. "Police-reported crime statistics in Canada, 2015." *Statistics Canada*. Canadian Centre for Justice Statistics, 10 June 2016.  
<http://www.statcan.gc.ca/pub/85-002-x/2016001/article/14642-eng.pdf>
- Bethune, Brian. *MacLeans*. "Canada's first female infantry officer breaks silence on abuse." April 18 2017. <http://www.macleans.ca/culture/books/canadas-first-female-infantry-officer-breaks-silence-on-abuse/>
- Bird, Florence. "Chapter 7-10." *Report of the Royal Commission on the Status of Women*, 1970.  
<http://epe.lac-bac.gc.ca/100/200/301/pco-bcp/commissions-ef/bird1970-eng/bird1970-part3-eng.pdf>
- "Biography: Russell Williams." *CBC News Canada*. Dec 10 2010. Available online:  
<http://www.cbc.ca/news/canada/biography-russell-williams-1.903318>
- Blais, Mike CD. "Mission Team Self." *Canadian Veterans Advocacy*. Sept 25 2011. Available online: <http://www.canadianveteransadvocacy.com/blog/?p=475>
- Carroll, Susan J. "Representing Women: Congresswomen's Perceptions of their Representational Roles" *Presentation at Women Transforming Congress: Gender Analyses of Institutional Life*, Carl Albert Congressional Research and Studies Center, University of Oklahoma, 1-13, April 13-15 2000.
- "Canadian Armed Forces Dress Instructions." *National Defence*. 2016 September
- Canada: Justice Laws Website*. "Sexual Assault," July 12 2017.  
<http://laws-lois.justice.gc.ca/eng/acts/C-46/section-271.html>
- "Canadian Armed Forces Dress Instructions." *National Defence*. June 19<sup>th</sup> 2016. Available online: [http://www.cmp-cpm.forces.gc.ca/dhh-dhp/pub/ins-265/dhh\\_dress\\_instr\\_adh265000\\_ag001-19Sep16-eng.pdf](http://www.cmp-cpm.forces.gc.ca/dhh-dhp/pub/ins-265/dhh_dress_instr_adh265000_ag001-19Sep16-eng.pdf)
- Canada: Department of Justice. "A Definition of Consent to Sexual Activity," January 7<sup>th</sup> 2015.  
<http://www.justice.gc.ca/eng/cj-jp/victims-victimes/def.html>
- Campion-Smith, Bruce. "Canada's military suffers 'sexualized culture,' report says," *The Toronto Star*, 30 April 2015. <https://www.thestar.com/news/canada/2015/04/30/canadas-military-suffers-sexualized-culture-report-says.html>
- Capt (N) Jung, Hans. "Can the Canadian Forces Reflect Canadian Society?" *Canadian Military Journal*, 27-38, 2007.

“Chief of Defence Staff Operation Order: Operation HONOUR.” *National Defence and the Canadian Armed Forces*. August 2015.

“Col Russell Williams pleads guilty to all 88 charges.” *CBC News*. October 21 2010.  
<http://www.cbc.ca/news/canada/col-russell-williams-pleads-guilty-to-all-88-charges-1.872289>

Cotter, Adam. “Sexual Misconduct in the Canadian Armed Forces, 2016”. *Statistics Canada*. 28 November 2016.

Crenshaw, Kimberle. “Mapping the Margins: Intersectionality, Identity Politics, and Violence Against Women of Colour.” vol. 43, no. 6, *Stanford Law Review*, 1241-1299, 1991.

Davis, Karen D. “Sex, Gender, and Cultural Intelligence in the Canadian Forces,” *Commonwealth and Comparative Politics*, vol 47, no. 4, 430-455, November 2009.

Davis, Karen D. *Women and Leadership in the Canadian Forces*. Canadian Defence Academy Press, 2007.

Davis, Karen D. “Organizational Environment and Turnover: Understanding Women’s Exit from the Canadian Forces”, Unpublished Thesis submitted in partial fulfillment of Master of Arts (Sociology), McGill University, July 1994.

DesChamps, Marie C.C., “External Review into Sexual Misconduct and Sexual Harassment in the Canadian Armed Forces.” National Defence and the Canadian Armed Forces. March 27 2015.

*Duties and Responsibilities of Non-Commissioned Members*. “Queen’s Regulations and Orders 5.0” August 1 2015.

*Duties and Responsibilities of Officers*. “Queen’s Regulations and Orders 4.0” August 1 2015.

Eichler, Maya. “Add Female Veterans and Stir? A Feminist Perspective on Gendering Veterans Research.” *Armed Forces & Society*, 2016.

Enloe, Cynthia. “Wielding Masculinity inside Abu Ghraib: Making Feminist Sense of an American Military Scandal.” *Asian Journal of Women’s Studies* vol 10 no. 3, 89-102, 2004.

“Former military officer says she was sexually assaulted by military physician.” *CTV News*. July 13 2017. <http://www.ctvnews.ca/canada/former-military-officer-says-she-was-sexually-assaulted-by-military-physician-1.3500640>

“Gender Based Analysis Plus Roundtable Discussion.” *Defence Policy Review 2016*. July 19 2016.

- Gill, Ritu; Febraro, Angela. "Experiences and Perceptions of Sexual Harassment in the Canadian Forces Combat Arms" *Violence Against Women*, vol 19, no. 2, 269-287, Sage Publications, 2013.
- Goldie, Janis L. "Fighting Change: Representing the Canadian Forces in the 2006-2008 Fight Recruitment Campaign," *Canadian Journal of Communication*, vol 39, 413-430, 2014.
- Gouliquer, Lynn. "How and Why Gender Counts in the Canadian Armed Forces" PhD Dissertation. McGill University Press, 2011.
- Government of Canada. "Sexual Harassment," September 28 2016.  
<https://www.canada.ca/en/employment-social-development/programs/employment-standards/federal-standards/sexual-harrassment.html>
- Hansen, Lene. *Security as Practice: Discourse Analysis and the Bosnian War*. Routledge. 2006
- Heeg Maruska, Jennifer. *Gender and International Security: Feminist Perspectives*. "When are States Hypermasculine?" Edited by Laura Sjoberg. 235-255, Routledge, Taylor and Francis Group, London and New York, 2009.
- Harassment Prevention and Resolution*. "Defence Administrative Orders and Directives 5012" December 20 2000.
- Hilary Janks. "Critical Discourse Analysis as a Research Tool," *Discourse: Studies in the Cultural Politics of Education*, vol 18, no. 3, 329-342, 1997.
- Hillman, Elizabeth Lutes. "The Good Soldier Defence: Character Evidence and military Rank at Court Martial," *The Yale Law Journal*, vol 108, no. 4, The Yale Law Journal Company, 879-911, Jan 1999.
- Honours and History, National Defence and the Canadian Armed Forces*. 2015.  
<http://www.forces.gc.ca/en/honours-history.page>
- Johnson, Holly. "Limits of a criminal justice response: Trends in police and court proceedings of sexual assault." *Sexual Assault in Canada: Law, Legal Practice, and Women's Activism*. University of Ottawa Press, 613-634. September 2012.
- Littlewood, Roland. "Military Rape," *Anthropology Today*, Royal Anthropological Institute of Great Britain and Ireland, vol 13, no. 2, 7-16, April 1997.
- Lisak, David; Gardinier, Lori; Nicksa, Sarah; Cote, Ashley M. "False Allegations of Sexual Assault: An Analysis of Ten Years of Reported Cases," *Violence Against Women*, vol 16, no. 12, 1318-1334, December 16 2010.

Loken, Meredith. "Rethinking Rape: The Role of Women in Wartime Violence," *Security Studies*, vol 26, no. 1, 60-92, 2017.

Loken, Meredith. *Political Violence at a Glance*. "Will Integrating Women into Armed Groups Present Rape," January 24 2017. <http://politicalviolenceataglance.org/2017/01/24/will-integrating-women-into-armed-groups-prevent-rape/>

Lt Col Hope, Diana. "Women in the Canadian Forces: Past, Present, and Future," <https://www.cfmws.com/en/AboutUs/PSP/DFIT/Documents/Publications%20and%20Reports/Women%20in%20the%20CF%20Past%20Present%20and%20Future.pdf>

MacKenzie, Megan. *Band of Brothers*. Cambridge University Press, 2012.

Mansbridge, Jane. "Should Blacks Represent Blacks and Women Represent Women? A Contingent 'Yes'". *The Journal of Politics*, vol 61, no 3, 628-657. 1999.

Mercier, Noemi; Castonguay, Alec, "Our Military's Disgrace." *MacLean's*. May 16 2014. Available online: <http://www.macleans.ca/news/canada/our-militarys-disgrace/>

Morris, Madeline. "By Force of Arms: Rape, War, and Military Culture," *Duke Law Journal*, vol 45 no. 4, 652-786, Feb 1996.

Moller, Anna; Sondergaard, Hans Peter; Helstrom, Lotti. "Tonic immobility during sexual assault – a common reaction predicting post-traumatic stress disorder and severe depression," *Act Obstet Gynecol Scand*, vol 96, no. 8, 932-938. August 2017.

National Defence and the Canadian Armed Forces. "Restoring the Historic Designations of the Royal Canadian Navy, the Canadian Army, and the Royal Canadian Air Force", 7 Nov 2013. <http://www.forces.gc.ca/en/news/article.page?doc=restoring-the-historic-designations-of-the-royal-canadian-navy-the-canadian-army-and-the-royal-canadian-air-force/hnps1vdb>

*National Defence and the Canadian Armed Forces*, "Women in the Canadian Armed Forces", 28 Sept 2016; available online: <http://www.forces.gc.ca/en/news/article.page?doc=women-in-the-canadian-armed-forces/hie8w7rm>

Okros, Alan. "Rethinking Diversity and Security," *Commonwealth and Comparative Politics*, vol 47, no. 4, 346-373, November 2009

"On the road to greater representation of women in the CAF." *The Maple Leaf*. March 13<sup>th</sup> 2017. Available online: <http://ml-fd.caf-fac.ca/en/2017/03/3672>

Park, Jungwee. "A Profile of the Canadian Forces," *Perspectives on Labour and Income*, vol 20,

- no 3, Statistics Canada, 2008.
- Phillips, Anne. "Representation and Inclusion." *Politics and Gender*, vol 8 no 4. 512-518. 2012.
- Phillips, Anne. "More on Culture and Representation," *Social and Legal Studies*, SAGE publications, vol 17, no. 4, 555-558, 2008.
- Pitkin, Hanna. "The Concept of Representation." Berkeley: University of California Press. 1967.
- "Population by year, by province and territory (Number)." *Statistics Canada*. 28 September 2016. <http://www.statcan.gc.ca/tables-tableaux/sum-som/l01/cst01/demo02a-eng.htm>
- Poulin, Carmen; Gouliquer, Lynn. "Clandestine Existences and Secret Research: Eliminating Official Discrimination in the Canadian Military and Going Public in Academia," *Journal of Lesbian Studies*, vol 16, no. 1, 54-64, 2012.
- Progress Report Addressing Inappropriate Sexual Behaviour." Canadian Armed Forces, Statistics Canada, February 2016.
- Royal Military College of Canada Policy on Harmful and Inappropriate Sexual Behaviour*. 5 December 2016.
- Sasson-Levy, Orna. "Constructing Identities at the Margins: Masculinities and Citizenship in the Israeli Army." *The Sociological Quarterly*, 357-383, 2002.
- Scoppio, Grazio. "Diversity Best Practices in Military Organizations in Canada, Australia, the UK, and the US," *Canadian Military Journal*, vol 9, no. 3, 17-30, 2009.
- Shepherd, Laura. "Sex, Security, and Superhero(in)es: From 1325 to 1820 and Beyond." *International Feminist Journal of Politics*, vol 13, no. 4, 504-521, 2011.
- Service Offences*. "Queen's Regulations and Orders 103." January 1 2006.
- Sexual Misconduct and Sexual Disorders. "Defence Administrative Orders and Directives 5019-5" September 26 2008.
- Stachowitsch, Saski. "Professional Soldier, Weak Victim, Patriotic Heroine," *International Feminist Journal of Politics*, vol 15, no. 2, 157-176, 2013.
- Strain, Megan; Martens, Amanda; Saucier, Donald. "Rape Is the New Black: Humour's Potential for Reinforcing and Subverting Rape Culture," *Translational Issues in Psychological Sciences*, vol 2, no. 1, 86-95, March 2016.
- "Statistics about Sexual Assault for Canada." <http://www.sexassault.ca/statistics.htm>

“Statement of Defence Ethics.” *National Defence and the Canadian Armed Forces*. August 11 2014.

Tolley, Erin. “Do Women ‘Do Better’ in Municipal Politics? Electoral Representation Across Three Levels of Government.” *Canadian Journal of Political Science*. vol 44, no. 3, 573-594, 2011.

“The Code of Service Discipline and Me: A Guide to the military justice system for Canadian Forces members.” *National Defence*. March 2 2015. Available online: <http://www.forces.gc.ca/en/about-reports-pubs-military-law/code-of-service-discipline.page>

“The DND and CF Code of Values and Ethics.” *National Defence and the Canadian Armed Forces*. June 13 2012.

United Nations. “What is Sexual Harassment,” <http://www.un.org/wo1menwatch/osagi/pdf/whatish.pdf>

Watkins, Kimberly; Bennett, Rachel; Richer, Isabelle; Zamorski, Mark. “Sexual Assault in the Canadian Armed Forces: Prevalence, Circumstances, Correlates, and Mental Health Associations.” Defence Research and Development Canada, 2016.

Wathen, Nadine. “Health Impacts of Violent Victimization on Women and their Children.” *Department of Justice Canada*. 2012. Available online: [http://www.justice.gc.ca/eng/rp-pr/cj-jp/fv-vf/rr12\\_12/rr12\\_12.pdf](http://www.justice.gc.ca/eng/rp-pr/cj-jp/fv-vf/rr12_12/rr12_12.pdf)

Young, Iris Marion. “Gender as Seriality: Thinking about Women as a Social Collective.” *Signs*, vol 19, no 3, The University of Chicago Press, 1994.

Lorincz, Tamara. “Canada’s Invisible War: Violence against Women in the Canadian Armed Forces.” *Canadian Voice of Women for Peace*. March 2013.

## Appendix A: Coding Definitions

**Consent:** In the language of the document there is indication that not only victims are not being blamed, but that consent is an issue that is being considered (in terms of teaching and understanding). Enthusiastic consent, verbal consent, no consent etc.

**Culture:** The culture of the CAF is referenced with regards to sexual assault.

**Language:** The language of the document indicates that language usage is important. This could be in the context of developing culture or in other contexts. Language usage specifically in written policies or oral language usage.

**Limited Narratives:** In the language of the document there will be indication that the narratives used to inform the policy are limited in that they only consider a certain experience. This might be that it's clear that only women as victims and men as perpetrators are considered.

**Representation>Descriptive:** In the creation of the documents or in the language of the documents there will be an indication that more than just white men are present. Ideally there will be women and more ideally there will be more than just white women. Even a single woman is descriptive representation.

**Representation> Gender:** Representation either in the creation of the document or in the language of the document that indicates that there was consideration of gender. It cannot just be the word gender (if it means sex), it has to be gender as a social construct.

**Representation>Intersectionality:** In the language of the document there is indication that intersectionality of individuals has been considered across sex, sexuality, religion, race, and gender. It will consider that women are not all white or that men are not all white (as an example).

**Representation>Race:** Either in the creation of the document or in the language of the document there is representation that refers to differences in race/acknowledges potential differences in race.

**Representation>Religion:** In the creation of the document or in the language of the document there is reference made to differences in religion/potential differences due to religion.

**Representation>Sex:** There is representation either in the creation of the document or in the language of the document that indicates that there is representation/consideration of both men and women.

**Representation>Sexual Orientation:** Either in the creation of the document or in the language of the document there is representation of various sexual orientations. There should be consideration of at least homosexuality.

Representation>Substantive: Doesn't necessarily include women in the creation of the document but in the language of the document there will be active consideration of women. Where it's not only that they are present but there is concern for the paradigm that women engage with (and how it generally rejects them). There will be concern for the interests and concerns of women - which may look like a number of things.

Support for Victims: The language in a document indicates support for victims (opposite of victim blaming). Putting the onus on the would-be perpetrators to not do this, or the onus on observers to support victims.

Top Down Building: The language of the document indicates that the policies of the CAF develop the culture of the CAF. The formal policies develop the behaviour of the individual members.

Victim Blaming: In the language of the documents there will be indication that the victim of sexual harassment or sexual assault is somehow to blame - for being alone, for being inebriated, for dressing in a certain way, for being part of the culture etc.