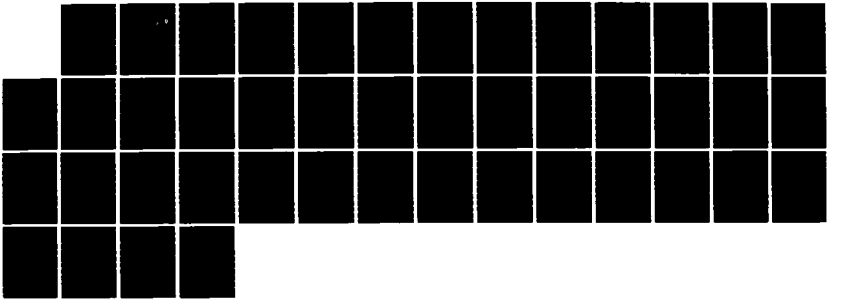
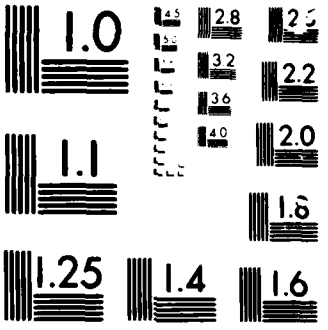
AD-A168 706 FRATERNIZATION - A MILITARY OFFENSE?(U) AIR COMMAND AND 1/1
STAFF COLL MAXWELL AFB AL C L THOMPSON APR 86
ACSC-86-2525

UNCLASSIFIED F/G 5/4 NL





MICROCOPY CHART

AD-A168 706

DTIC
ELECTE
JUN 13 1986
S D
D

AIR COMMAND AND STAFF COLLEGE

STUDENT REPORT

Fraternization -
A Military Offense?

Major Charles Thompson #86-2525

"insights into tomorrow"

DISTRIBUTION STATEMENT A
Approved for public release;
Distribution Unlimited

86 6

The views and [illegible] in this
document are [illegible]. They are
not intended and [illegible] to be
represent offic[illegible] of
policies of any [illegible] United States
Government. Th[illegible] a special
access to offici[illegible] and
has employed [illegible]
available to any [illegible].

This document is [illegible] and
States Governmen[illegible]
distribution to th[illegible] A loan
copy of the docum[illegible] from the
Air University In[illegible]
(AUL/LDEX, Maxwe[illegible] or the
Defense Technica[illegible] request
must include the [illegible] and
title of the [illegible].

This document may be [illegible] and
other research [illegible] purposes
contingent upon [illegible].

-- Reproduction [illegible] to
any copyright[illegible] contained
in the rese[illegible].

-- All [illegible] the
following [illegible]
permission [illegible]
College."

-- All [illegible]
name(s) of [illegible]

-- [illegible]
better [illegible]
be made [illegible]
does not [illegible]
materia[illegible]
accompa[illegible]
from Air [illegible]
___(name [illegible]
___(autho[illegible]

-- [illegible]
reprod[illegible]
docume[illegible].

REPORT NUMBER 86-2525

TITLE FRATERNIZATION - A MILITARY OFFENSE?

AUTHOR(S) MAJOR CHARLES L. THOMPSON JR., USAF

FACULTY ADVISOR MAJOR CHARLES F. HOLSEN, ACSC/EDCM

SPONSOR LT COL EDWARD MILLER, 21ST AIR FORCE/JA,
MCGUIRE AFB, N.J. 08641

Submitted to the faculty in partial fulfillment of requirements for graduation.

AIR COMMAND AND STAFF COLLEGE
AIR UNIVERSITY
MAXWELL AFB, AL 36112

UNCLASSIFIED
SECURITY CLASSIFICATION OF THIS PAGE

AD-A166 706

REPORT DOCUMENTATION PAGE

1a REPORT SECURITY CLASSIFICATION: UNCLASSIFIED	1b RESTRICTIVE MARKINGS
2a SECURITY CLASSIFICATION AUTHORITY	3 DISTRIBUTION/AVAILABILITY OF REPORT: STATEMENT A. Approved for public release; Distribution is unlimited.
2b DECLASSIFICATION/DOWNGRADING SCHEDULE	
4 PERFORMING ORGANIZATION REPORT NUMBER(S): 86-2525	5 MONITORING ORGANIZATION REPORT NUMBER(S)
6a NAME OF PERFORMING ORGANIZATION: AUSC/LSCC	6b OFFICE SYMBOL (If applicable) / 7a NAME OF MONITORING ORGANIZATION
6c ADDRESS (City, State and ZIP Code): Maxwell AFB AL 36112-5542	7b ADDRESS (City, State and ZIP Code)
8a NAME OF FUNDING/SPONSORING ORGANIZATION	8b OFFICE SYMBOL (If applicable) / 9 PROCUREMENT INSTRUMENT IDENTIFICATION NUMBER
8c ADDRESS (City, State and ZIP Code)	10 SOURCE OF FUNDING NOS: PROGRAM ELEMENT NO; PROJECT NO; TASK NO; WORK UNIT NO
11 TITLE (Include Security Classification): FRATERNIZATION - A MILITARY MISNOMER	
12 PERSONAL AUTHOR(S): Thompson, Charles L. Jr., Capt	
13a TYPE OF REPORT	13b TIME COVERED: FROM ... TO ... / 14 DATE OF REPORT (Yr, Mo, Day) / 15 PAGE COUNT: 34
16 SUPPLEMENTARY NOTATION	
17 COSATI CODES: FIELD; GROUP; SUB GR	18 SUBJECT TERMS (Continue on reverse if necessary and identify by block number)

19 ABSTRACT (Continue on reverse if necessary and identify by block number)

In the U. S. Courts of Appeals and the U.S. Court of Military Appeals, the prohibition against fraternization, specifically, the Air Force policy guidelines and instructions, and the limiting factors in the application of the policy are analyzed. Recent legislation, court decisions, and Department of Defense directives are discussed. Recommendations for clarification, which would enhance the policy's effectiveness, are specifically presented.

20 DISTRIBUTION/AVAILABILITY OF ABSTRACT: UNCLASSIFIED/UNLIMITED ... SAME AS ...

22a NAME OF RESPONSIBLE INDIVIDUAL: Major ... Maxwell

DD FORM 1473, 83 APR

... PAGE

PREFACE

In preparing this staff analysis report, the author had three main goals in mind. The first goal was to document the history of the military custom against fraternization, the social association of officer and enlisted personnel which becomes detrimental to good order and discipline. Secondly, the author wanted to document the fact that the Air Force had not adequately addressed the problem of fraternization, as demonstrated by numerous institutional practices currently existing which foster opportunities for fraternization. This failure to document policy in the form of written guidance or a regulation has made punishment or corrective action extremely difficult and has tended to discourage commanders from prosecuting violators. Through the third goal, the author intended to provide recommendations to reduce the fraternization problem within the Air Force and provide a draft regulation governing fraternization. If approved, the regulation could be published as an official Air Force regulation on the subject.

The author wishes to express his appreciation to his advisor, Major Charles Holsen of the ACSC staff, and to Major Al Passey, Leadership and Management Development Center, Maxwell AFB, Alabama, for his assistance in providing research material.

Accesion For
NTIS CRA&I ☑
DTIC TAB ☐
Unannounced ☐
Justification
By
Distribution /
Availability Codes
Dist | Avail and/or Special
A-1

QUALITY INSPECTED 3

ABOUT THE AUTHOR

Major Charles L. Thompson Jr. was born in Kingstree, South Carolina. He earned his commission and a Bachelor of Science degree in Mathematics from the University of South Carolina in 1971. Major Thompson spent his first eleven years in the Air Force in the administrative career field, with assignments at Columbus AFB, Mississippi, U-Tapao Airfield, Thailand, Wilford Hall USAF Medical Center, Lackland AFB, Texas, and Norton AFB, California. He was selected as the Air Force Systems Command Administration Officer of the Year, Staff Support, for 1982. In 1983 he retrained into the system acquisition career field and was assigned to the MILSTAR/Air Force Satellite Communications Joint Program Office at Space Division, Los Angeles AFS, California. During this assignment, he earned a Master's degree in Business Administration from Chapman College. Major Thompson completed Squadron Officer School by correspondence and in residence, Air Command and Staff College by correspondence, and National Security Management by correspondence prior to attending ACSC. He draws from his experience as a squadron commander in three different assignments, as well as his time working closely with enlisted personnel in administrative jobs, in preparing this staff analysis project on fraternization.

TABLE OF CONTENTS

Preface.....iii
About the Author.....iv
Executive Summary.....vi

CHAPTER ONE -- INTRODUCTION
Background of the Problem.....1
Significance of the Problem.....3
Objectives of this Study.....3

CHAPTER TWO -- HISTORY OF FRATERNIZATION
Early Officer-Enlisted Relationships.....5
Military Necessity Prohibiting Fraternization...8
Leadership and Fraternization.....9
Review of Fraternization Court Cases.....11

CHAPTER THREE -- INSTITUTIONAL PRACTICES WHICH FOSTER FRATERNIZATION
Regulatory/Duty Related Practices.....14
Off Duty Activities.....16

CHAPTER FOUR
Summary.....19

CHAPTER FIVE
Definition.....21
Recommendations.....22

BIBLIOGRAPHY.....26

APPENDIX.....31

EXECUTIVE SUMMARY

Part of our College mission is distribution of the students' problem solving products to DoD sponsors and other interested agencies to enhance insight into contemporary, defense related issues. While the College has accepted this product as meeting academic requirements for graduation, the views and opinions expressed or implied are solely those of the author and should not be construed as carrying official sanction.

"insights into tomorrow"

REPORT NUMBER 86-2525

AUTHOR(S) MAJOR CHARLES L. THOMPSON JR., USAF

TITLE FRATERNIZATION - A MILITARY OFFENSE?

I. Purpose: To document the history of the military custom against fraternization, document the military necessity which gave birth and substance to the offense of fraternization, discuss those Air Force institutional practices which foster fraternization, and recommend solutions and a regulation to address the problem.

II. Problem: There has existed within the military a long standing custom which prohibits officers and enlisted personnel from engaging in social associations both on and off duty which can be detrimental to good order and discipline. Although the custom has continued unchanged, the demographics of the Air Force population has changed. But as has been the case throughout history, no adequate written guidance or regulation exists to govern the custom which discourages this social association, or fraternization as it is called. Until written guidance or a regulation is established, fraternization will remain an issue within the Air Force, and commanders will face restrictions when enforcing this custom.

III. Data: Throughout history there has always existed the separation of the officer and enlisted corps. Early history saw this as a class distinction, as officers were normally drawn from nobility and enlisted from the servant class.

CONTINUED

However, as time passed, this gap between the make-up of the officer and enlisted force narrowed significantly. Therefore, the opportunity for social contact between the two corps increased. Additionally, the increasing number of women in the military had a major impact on this custom.

In spite of these changes, the custom against fraternization remains. The military necessity which gave birth to this custom was the need for discipline. For an officer to order his/her troops into a life threatening situation during a crisis, he/she must have the respect and devotion of his/her subordinates, qualities which are prevalent in disciplined units. Fraternization, or undue familiarity, can severely damage this discipline.

The fraternization issue within the Air Force has been inadequately addressed throughout Air Force history. No accepted definition has existed, and no law or regulation has existed which prohibited duty oriented or social contact among Air Force officers and enlisted personnel. Actually the opposite has occurred, as many Air Force institutional practices foster fraternization. In spite of this, the Air Force has felt that its commanders had sufficient latitude through which to prosecute cases of fraternization. However, recent court rulings have limited the criminality of certain officer and enlisted relationships and generated a definite need for a firm written policy.

IV. Conclusions: The Air Force has not adequately defined fraternization and has not issued adequate policy guidance to its commanders upon which to base disciplinary or corrective action. The need for discipline within the Air Force is as essential today as it has been throughout history, and fraternization can undermine this discipline. If the Air Force leaders intend to continue enforcement of this custom against fraternization, then they must establish a firm policy, distribute it, and enforce it.

V. Recommendations: First, the Air Force must decide if the custom against fraternization should be enforced, i.e. make it a military offense and prosecute or correct violators. If so, then secondly, establish firm written guidance. Written guidance should include policy letters to commanders and a regulation governing fraternization. Thirdly, action must be taken to eliminate or limit those institutional practices which foster fraternization.

Chapter One

INTRODUCTION

BACKGROUND OF PROBLEM

> I will focus on a single issue which, if left unchecked can destroy the very core of our military structure -- the issue of fraternization--social contact between officers and enlisted personnel which results in undue familiarity.
>
> There is no law or Air Force regulation prohibiting social contact; however, there is a long standing custom in the military service that officers shall not fraternize or associate with enlisted personnel under circumstances which may prejudice the discipline and good order of the armed forces of the United States. This is not a social class issue in any sense. It is a bedrock traditional military value which has, at its heart, the maintenance of discipline in the force, not only for wartime operations, but for peacetime as well (14:2).

This statement by General Bennie L. Davis, former Commander, Strategic Air Command, in an address to the 1982 graduating class of the Air Force Academy demonstrates the continuing concern of senior Air Force leaders for the impact of fraternization on "the respect necessary for command" (14:2). However, a key element and a fact mentioned by General Davis above, is that this concern has not been translated into any established written policy guidance or regulation for commanders upon which they can base disciplinary or corrective actions against those violating this custom. In fact, throughout Air Force history no law or regulation has existed which specifically prohibited duty oriented or social contact among Air Force officers and enlisted personnel.

To compound the fact that no law or regulation exists, no specific accepted definition of the term fraternization exists today. Throughout the past, numerous definitions have surfaced; however, today we cannot find the term defined in Air Force regulations, the Air Force dictionary, or more importantly, the Uniform Code of Military Justice (UCMJ). If

we could put together all the definitions expounded today and develop a common definition, it might state that fraternization is a relationship between two individuals of different rank which has a detrimental effect on the authority of the senior individual. From this definition, we can infer officer-enlisted, officer-officer, and enlisted-enlisted relationships. However, in most cases and in this project, we concern ourselves with the ban against fraternization between officers and enlisted personnel only.

If we are going to enforce this custom, and this author believes we should, it is time now for the Air Force command echelon to squarely address the situation (and in a real sense it is a dilemma) and accept the fact that our commanders and supervisors need written guidance on the subject (9: 17). Times have changed. The demographics of our force has changed -- our enlisted force is better educated, more women are now on active duty, and more members now consider the service more like a civilian job than a military one with military rules and regulations. As stated in a recent Air Force Court of Military Review opinion, "... then 'custom of the service' offenses, by definition must cease their existence once the long and established and accepted practices upon which they have purportedly been based, change" (9:19). Our necessity for discipline, the basis for this ban against fraternization, has not changed. Therefore, we need to address the problem and take action to eliminate it.

The recent Air Force Court of Military Review (AFCMR) and United States Court of Military Appeals (COMA) decisions in the U.S. v. Johanns case cited the erosion of our policies concerning fraternization as a severe limitation on prosecuting cases involving officer and enlisted social associations. Until this ruling, the Air Force had felt that commanders had the legal latitude to deal with those personnel whose relationships were detrimental to good order and discipline. This erosion, coupled with the decision in the U.S. v. Johanns case, has made commanders more hesitant about prosecuting violators, adversely affecting our ability to enforce the custom which discourages fraternization.

Written guidance is a necessity for our commanders and supervisors. In 1971, the COMA recognized the fact that no written guidance on fraternization impacted the services. The court, at that time, commented, "While drafting of an appropriate regulation might be difficult, we recommend it to the responsible military services" (8:160). Fourteen years later in 1985, the COMA in its review of the U.S. v. Johanns case reenforced this comment when it wrote, "Apparently this suggestion was not heeded by the Air Force, for we have been cited no direction of that service which specifically deals with fraternization or with the type relationship in which Captain Johanns was involved" (8:160). From all this, we can ascertain the definite need for a written policy on fratern-

tion within the Air Force today.

SIGNIFICANCE OF PROBLEM

The significance of the fraternization problem within the Air Force today was best described by an Air Force senior noncommissioned officer (NCO) at the Senior NCO Academy when he wrote on a fraternization survey, "How can there be an issue with no defined policy?" (12:20). The opinions offered in the U.S. v. Johanns case demonstrate that the Air Force has failed to undertake any major efforts toward defining the term, addressing the significance of the problem, and recommending adequate solutions. In fact, no clear cut standard on fraternization exists within the Air Force today. In addition, we don't have an accepted definition as noted earlier. This leads us to the point that we cannot expect to enforce a policy on a subject we cannot even define.

We, the Air Force, have delegated the enforcement of fraternization standards to the commanders, thereby creating an environment in which policies, enforcement, and punishment, if any, differ. The fact remains that "no one really understands the fraternization policy. Everyone has different ideas" (12:16). Most find it easier to describe fraternization than to define it, but it still remains difficult to say who is fraternizing and identify specifically what's being done. This has placed an extreme burden on commanders and has resulted in a "policy biased toward a 'second chance' and 'keep it out of sight'" (12:7). Our commanders clearly need an enforceable, visible, and written policy.

However, in spite of these difficulties, the "Air Staff position is that the Air Force should not develop a formal legal position because of the complexity of the subject" (11:C-63). As late as September 1985, the Air Force Deputy Chief of Staff for Personnel wrote, "we have concluded that fraternization has been properly and sufficiently addressed and no further changes in policy are required" (17:1). But, irregardless of the Air Staff opinion, unless something is done -- a regulation is published or written guidance is distributed, commanders will continually face reference to the policy erosions mentioned in the U.S. v. Johanns case when trying to enforce prosecution for fraternization.

OBJECTIVE OF THIS STUDY

As we have seen from the previous discussion, "the Air Force policy on fraternization is not believed to be clearly defined or adequately described in current Air Force regulations, nor is it perceived to be fairly applied Air Force wide" (12:30). In light of this, there exists a widespread

need for a written policy. This staff analysis project will develop a meaningful definition of the term fraternization, offer possible solutions to alleviate the problem in the Air Force today, and offer a draft regulation for use Air Force wide.

To accomplish this purpose, we will begin by reviewing the history of fraternization. "History is replete with examples of leaders who established a unique relationship with their followers" (4:63), and only through the study of history can we appreciate how the custom against fraternization has evolved. Then we will examine many of the institutional practices which paradoxically may be fostering the fraternization the Air Force seeks to eliminate. If the Air Force intends to grasp the problem and get a firm handle on it, we have to identify these practices and take some action to control or eliminate those prejudicial to good order and discipline. Lastly, we will look at a definition of fraternization, recommend possible solutions to the problem, and offer a draft regulation for use by commanders today. In this way, we can "define it and enforce it" (12:11), an action that we need now.

Chapter Two

HISTORY OF FRATERNIZATION

EARLY OFFICER-ENLISTED RELATIONSHIPS

There has existed a long standing custom in the military service that officers shall not fraternize or associate with enlisted personnel. "Bans against close officer/soldier associations are traceable back through the Code of Articles of King Gustavus Adolphus of Sweden, dated 1621" (9:23). Today we see this custom emphasized in General Davis' speech to the Air Force Academy graduating class in 1982, and we see it quoted in court cases, letters to commanders, and memorandums which discuss fraternization. The key word is custom. "In its legal sense the word 'custom' imports something more than a method of procedure or a mode of conduct or behavior which is merely of frequent or usual occurrance. Custom arises out of long established practices which by common consent have attained the force of law in the military or other community affected by them" (8:159). To better understand this fraternization issue, we need to go back in history and review the development of the custom against fraternization.

In our review of history, we can find numerous examples of relationships which existed between leaders and their followers. Although such relationships have been founded on numerous themes -- fear, respect, love, hatred, and reverence -- the most enduring emotion has been one fostered by a true sense of comradeship (4:63). "Caesar, one of the most ruthless, yet compassionate, leaders in history, was genuinely admired by his men. Similarly, probably the single most important characteristic of Caesar's military success was his care and concern for his soldiers" (4:63). Yet the respect and discipline endured as his soldiers always responded to long, fatiguing marches. So even as far back as King Adolphus of Sweden and Caesar in the Roman Empire, we witness the need for a relationship between the leader and follower, but one not so close as to threaten proper discipline.

Going back in history, the social system separating officers and enlisted probably had its roots in European custom. "This custom was designed to maintain a class distinction between the officer and the peasant soldier" (19:2).

The early officers were gentlemen, usually from a good family who inherited or could afford to buy the officer's commission. Enlisted personnel were from the lower classes. The gentlemen did not socialize with the lower class. This separation due to family background remained throughout early England. Since then the prohibition against fraternization by officers with enlisted members has been based on preserving military discipline, not social equality (9:13).

This division of personnel within the armed forces survived the American Revolution and has continued ever since. George Washington's forces at Valley Forge were divided into officers and enlisted personnel, and interestingly enough, fraternization was the single greatest problem the general encountered upon assuming command of the Continental Forces (9:23). Likewise, the Civil War continued this practice. Again in World Wars I and II we see the class distinction between officers and enlisted personnel despite the large numbers of officers who came from the enlisted ranks, the infusion into the enlisted ranks of men from the upper socioeconomic levels, and the injection of women into the officer and enlisted ranks (1:73). During this time, "The Officer's Guide, which served as the military encyclopedia for officers, explained simply that:

> Officers and enlisted men have not generally associated together in mutual social activities. No officer could violate this ancient custom with one or two men of his command and convince the others of his unswerving impartiality. The soldier does not need or desire the social companionship of officers" (1:73).

We observe from this statement and review of history through the world wars the division of the officer and enlisted corps and the development of the custom against fraternization.

Senior U.S. military leaders' views have varied on this issue throughout history. General John J. Pershing, the Commander of the Allied Forces in World War I, commented on the subject, "In the social order in which one person is officially subordinated to another, the superior, if he is a gentleman, never thinks of it, and the subordinate, if he is a gentleman, never forgets it" (2:140). The incorporation of women into the military during World War II added a new dimension to the military custom. Suddenly we had fraternization of officer and enlisted personnel of the opposite sex. General Dwight D. Eisenhower, Commander of the Allied Forces during World War II, commented on this subject, "I want good sense to govern such things. Social contact between sexes on a basis that does not interfere with other officers or enlisted persons should have the rule of decency

and deportment -- not artificial barriers" (3:403). After World War II, the Air Force became a separate service, retaining many of the Army customs. However, the first Chief of Staff of the Air Force, General Spaatz, said of customs, "The only custom of the Air Force is to get the damn job done" (5:110). We can infer from these comments that the views of our senior officers remain the same in terms of recognizing the issue, but differ in their stand on the issue. General Eisenhower felt that the relationships can exist so long as good sense prevails, while General Spaatz emphasized that the mission of the Air Force came first and customs second. In the first chapter we saw that General Davis, a contemporary general, felt that fraternization should be discouraged and that it could severely impact the mission of the Air Force through its effect on discipline.

Following World War II, the issue of officer-enlisted relationships arose again, and Lt General James H. Doolittle chaired a six-man commission charged with studying the relationship issue. This commission contained an Army lieutenant general with enlisted experience, two other officers with enlisted experience, and two enlisted persons. Four of the recommendations of this commission were as follows:

> (1) That all military personnel be allowed, when off duty, to pursue normal social patterns comparable to our democratic way of life.
> (2) That the hand salute be abandoned off Army installations and off duty.
> (3) That all statutes, regulations, customs, and traditions, which discourage or forbid social association of soldiers of similiar likes and tastes because of military rank, be abolished.
> (4) That necessary steps be taken to eliminate the terms and concepts "enlisted men" and "officers" (5:110).

In so far as the custom against fraternization is concerned, the recommendations were allowed to die (5:110). Here again we see another example of reluctance on the part of our senior leaders to address the fraternization issue. If these recommendations had survived however, the enforcement of the custom against fraternization would have died. Once off duty, military personnel would have enjoyed the freedom to associate with whom they pleased on whatever basis they chose. Later wars saw more stringent action taken against violators.

The Korean and Vietnam Wars saw legal actions against fraternization come to the forefront. The specification in a Korean War fraternization case stated that officers shall not fraternize or associate with enlisted personnel on terms

of military equality (5:111). In this case, the court ruled that an officer should not drink intoxicating liquor with enlisted personnel or fraternize with them so that familiarity is induced and good order and discipline is affected (5:110). A Vietnam War case which involved an homosexual relationship resulted in a recommendation by the COMA, as mentioned earlier, that "the services publish a regulation on fraternization to provide guidelines by which officers could regulate their own conduct and judge that of others" (5:111). However, the respective services did not comply with the recommendation, and no regulations surfaced.

Throughout our review of the history of fraternization, the views of senior officers on the subject, and the court cases, we have seen that "maintaining the authoritarian character of military force within an aggressive democratic society has always been a problem for both parties" (5:113). It appears evident from the comments of our senior military leaders that we have taken the position that we don't want to deal with the issue of fraternization. The fraternization issue has been with us throughout history and will certainly remain with us unless we take some strong action to eliminate it. The changing mores of society, the injection of women into the military, and the lack of any substantial guidance have compounded the problem since its beginning in early history. This problem of fraternization can severely impact the good order and discipline within our military forces today. As we saw earlier, the early rationale for separating officers and enlisted personnel was a social issue, but since then the military necessity for discipline has given birth and substance to the offense of fraternization.

MILITARY NECESSITY PROHIBITING FRATERNIZATION

"The demands of good order and discipline dictate a concern on the part of the Air Force that the unofficial or social relationships between officers and enlisted personnel preserve a degree of authority, respect, discipline, and morale" (15:1). The key word here is discipline. The military necessity for discipline makes fraternization undesirable and a punishable offense. Discipline is considered the foundation of the military organization, and fraternization taken to the extreme can destroy this discipline.

Discipline is essential to morale and efficiency in an organization. In Major James Isenhower's article on cohesion in today's Army, he discusses how a well disciplined unit will have higher morale and espirit-de-corps, and will always perform with more efficiency than a less disciplined one. A well disciplined unit has leadership, direction, and motivation. Disciplined individuals can operate with minimal supervision and will react in a way that benefits the group's

mission; thus if everyone in a unit responds this way, we have a more efficient group. An undisciplined group requires more supervision. Moreover, each individual in the group will respond in a manner which best satisfies his/her personal needs, not those of the group. Therefore, without discipline, morale goes down and the efficiency suffers, two consequences the Air Force cannot allow.

Fraternization tends to work against the discipline in the unit. When a leader becomes too familiar with a subordinate, discipline suffers. In such a situation, a leader tends to overlook minor disciplinary infractions such as saluting, uniform violations, and tardiness. The leader soon becomes just "one of the guys." Subordinates may take advantage of this familiarity by becoming lax in their job and losing respect for their leader. And once one person begins getting away with violations, others begin to think they can also. As a result, this undue familiarity allowed by the leader has resulted in discipline problems throughout the unit, causing reduced morale and efficiency. As is always the case, this impacts mission accomplishment. The leader must in all cases insure that undue familiarity does not develop (9:16). This is especially important "in the military because of the gravity of its mission in national defense and the requirements for safety and precision in employment and maintenance of its weapon systems" (11:C-65). Therefore, when officer-enlisted relationships give the appearance of partiality, preferential treatment, or the improper use of rank or positions for personal gain, and are prejudicial to good order and discipline, action must be taken against those involved.

"The basic role and purpose of the military is not expected to change in the foreseeable future; the requirements for discipline, obedience, and objectivity will not diminish under the guise of technological advancement" (10:7). Our leaders must insure that their actions do not undermine the discipline with the unit. Fraternization damages this discipline and causes the personnel to lose respect of their superiors. All good leaders must recognize this fine line between knowing your people and fraternizing with them.

LEADERSHIP AND FRATERNIZATION

Throughout this review of fraternization in history and the military necessity for discipline which bans fraternization, we have mentioned the relationship between leaders and followers. We shouldn't leave this portion however, without discussing the relationship between leadership and fraternization. In his article entitled "Leadership and Fraternization", Lt Col John H. Admire emphasizes that "leadership and fraternization are not mutually exclusive, they are inherent-

ly interrelated, and any attempt to separate them may jeopardize their intricate synergistic effect on one another" (4:63). In other words, if we consider leadership as the art of getting things done through others, we begin to see how emotional relationships may arise. In order to get people to do things for us, we must gain their respect, and that means exhibiting a genuine concern for them and being sincere in all our actions, two accepted qualities of an effective leader. "In its simplicity, fraternization deals with emotional relationships that must exist between leader and follower" (4:63). Our leaders today must know and be aware of the difference.

The military promotes the building of unity in groups. Regardless of the service and the type of organization, the goal is to work together toward a common goal. "A sense of brotherhood between those who together pursue a common goal is an emotion to be shared openly. It is this emotion that binds units together, creates espirit, and raises commands above the common place" (4:64). Good leaders can build this bond, bad leaders tend to separate the bond. The concept of fraternization may cause us, as leaders, to hesitate in demonstrating concern and building this bond or brotherhood. However, on the other hand, we should not overdo it either. Too much closeness or too much concern, may breed favoritism or relaxation of standards causing dissention within the unit. Morale can be affected also if there is a perception warranted or unwarranted, among the troops that a certain amount of favoritism is present due to off duty socializing by officer and enlisted personnel. So in building this bond, a leader must attempt to maintain a precise balance between cordiality and authoritativeness.

There exists a thin line between this feeling of brotherhood and fraternization. Using the emotional bond to help someone versus using it for personal gain is the difference between brotherhood and fraternization. "As a father and mother express their emotions without compromising their position or sacrificing their parental authority, so must leaders" (4:66). The emotion must be spontaneous, not well thought-out, and exploited. Therefore, "although fraternal comaraderie can reflect a great strength in leadership, improperly practiced, it can destroy leadership" (4:66). Our leaders must know the difference because too much familiarity can result in situations which undermine the discipline within the unit. In leadership positions, individuals must be mindful of developing such emotional bonds with subordinates that might result in a compromise of their position or sacrifice of their authority. If situations such as these arise, we need the authority to correct them immediately.

REVIEW OF FRATERNIZATION COURT CASES

"Historically, the armed forces have concluded that some forms of association and expression of friendship between members of different rank, specifically those between officers and enlisted are punishable by court-martial" (13:22-27). This relationship, more commonly referred to as fraternization, has been discouraged. The first cases involving fraternization were based on a philosophy of social superiority, with officers being court-martialed for hunting, fishing, or drinking with enlisted personnel (13:22-27). However, recently the shift has been toward conduct which is detrimental to good order and discipline. Court cases which actually mention the term fraternization in the specifications are few and far between, although fraternization was added as an offense under Article 134 of the UCMJ in 1984.

Traditionally, the military has charged the offense of fraternization as a violation of either Article 133 or 134 of the UCMJ. These articles concern conduct unbecoming an officer and gentleman, and conduct prejudicial to good order and discipline and fraternization, respectively. However, in most cases, the military has found fraternization easier to describe than define. This, in turn, has caused trouble in the courts. Each case must be evaluated to determine whether the acts were in violation of Articles 133 or 134. As we will see, court cases have not only included officer-enlisted relationship, but also relationships between members of the same corps but of different ranks. Some examples of previous cases include:

(1) U.S. v. Livingston, 1952: Case involved officer and enlisted man involved in a homosexual relationship.
(2) U.S. v. Free, 1953: Officer convicted of sharing liquor with enlisted man in officer's quarters.
(3) U.S. v. Conn, 1979: Army lieutenant convicted of fraternization for smoking marijuana offpost with enlisted personnel.
(4) U.S. v. Cooper, 1980: Officer convicted of fraternizing with enlisted female not his wife by having sexual intercourse with her.
(5) U.S. v. Graham, 1980: Officer convicted of conduct unbecoming an officer for smoking marijuana with enlisted members of his ship's crew.
(6) U.S. v. King, 1981: Officer convicted of conduct unbecoming an officer and gentleman by engaging in sexual intercourse with female enlisted under his command.
(7) U.S. v. Jolley, 1982: Army chief warrant officer convicted of fraternization for having

> enlisted female in [illegible], lying nude next to her in bed, and trying to persuade her to engage in sexual intercourse (11:22-31).

We can see from these examples that individuals charged with the same offense received different convictions. For example, in U.S. v. Conn and U.S. v. Graham both officers were charged with smoking marijuana with enlisted personnel. However, Conn was convicted of fraternizing and Graham was convicted of conduct unbecoming an officer. In those cases in which the individual was convicted of fraternization, the requirement existed to insure that sufficient facts existed to show that the relationship violated the long standing custom and was prejudicial to good order and discipline. This was made much easier if the case involved a supervisor-follower relationship; however, if the fraternization offense could be charged under another offense, it was recommended that it be done. From these examples we can see the difficulty which has arisen in prosecuting fraternization cases due to the lack of an accurate definition of and written guidance on fraternization.

The fraternization case which aroused a tremendous amount of interest in the Air Force and has severely impacted future prosecution of fraternization cases was the U.S. v. Johanns case in 1983-1985. This case involved an Air Force captain convicted of adultery and four specifications of conduct unbecoming an officer and gentleman by having sexual relations with three female enlisted members, and by sharing a bed with a married woman not his wife (9:1). The "conduct unbecoming specifications were couched in terms that the accused captain did fraternize with enlisted members" (9:1). However, the AFCMR and the [illegible]COMA reversed the fraternization conviction and upheld the "conduct unbecoming an officer and gentleman" conviction [illegible]ing sexual intercourse with a married woman. The [illegible]ding in this case, and the one having the most im[illegible]secuting cases in the Air Force today, was that:

> As a matter [illegible] law, the custom in the Air Force against [illegible]ion has become so eroded as to make [illegible] prosecution against an officer for engaging [illegible], private, non-deviate sexual [illegible] with an enlisted member, neither under [illegible] supervision, unavailable (8:1).

This ruling has [illegible] long over review of the fraternization issue [illegible] and a tightening of those practices [illegible] within the Air Force.

The Air Force continues to rely on a long standing custom which has become so eroded by time and by institutional practices which tend to breed fraternization. Unless we put some direction into our efforts to eliminate the problem, we will continually face an unsympathetic court system within which to prosecute violators.

Chapter Three

INSTITUTIONAL PRACTICES WHICH FOSTER FRATERNIZATION

REGULATORY/DUTY RELATED PRACTICES

Air Force regulations require "officers and supervisors to communicate freely with enlisted personnel concerning careers, assignments, performance ratings, nature of duties, and suggestions for improvement" (11:C-54). Leaders feel this type of communication enhances morale, improves the operational environment, and results in more effective, vital, and responsive military organizations. In addition, the Air Force encourages open membership and participation in base recreational activities, base intramurals, interservice athletic competition, religious activities, community welfare projects, and youth programs. As long as we allow these practices to exist without firm written guidance or a regulation on fraternization, opportunities for development of social associations between officers and enlisted personnel exist, and the problem will remain with us. The old view of "if in doubt, don't do it" may suffice for the old hands, but it is not realistic for our youngest airman (6:31). We need to identify these practices now and eliminate or control them.

Current regulatory and duty related practices provide the opportunity for officers and enlisted personnel to associate on an informal or social basis. The AFCMR in its review of the U.S. v. Johanns case cited Air Force regulations dealing with the assignment of [illegible] to enlisted members married to officers as one of the reasons for the erosion of the custom against fraternization. In addition to the housing regulation, the Air Force [illegible] regulation contributes to the fraternization problem. The new identity policies within the Strategic Air Command (SAC) and Military Airlift Command (MAC), as well as inspector general (IG) policies concerning [illegible] other opportunities for the development of fraternization.

Air Force housing [illegible] designated for officer and [illegible]; however, exceptions [illegible] First, any enlisted member [illegible] accepts a commission without [illegible] committed to

retain enlisted housing. In this case, we would have an officer living in enlisted housing among the same people he/she had known and associated with prior to being commissioned. Second, a commissioned officer who is separated and reenlists or who assumes an eligible enlisted grade is permitted to retain officer housing. The same rationale as above applies here except that we have an enlisted person now living in officer housing. Lastly, when an officer and enlisted person are married and reside at the same base, then either spouse is eligible for family housing. Although recent policy changes discourage this practice and encourage the individuals to reside off base, exceptions may occur. The basic Air Force housing policy clearly delineates between officer and enlisted housing, but as is always the case, the exceptions "muddy the water." In all the exceptions, we have officers and enlisted personnel associating in a social atmosphere that can lead to undue familiarity, or fraternization.

The Air Force open mess regulation allows the same social interaction between officers and enlisted personnel. In the case of an officer and enlisted marriage, each is allowed to join their respective club, and the noneligible member may use his/her spouse's mess only when accompanied by his/her sponsor. However, the Air Force emphasizes that the noneligible member should not be in uniform when using the spouse's club. Here again, we bring back the policy of "keep it out of sight." The fact that the regulation allows officers and enlisted personnel to socialize in the less structured atmosphere of open messes does nothing to solve the fraternization issue, but in fact, fosters it.

The fact that SAC and MAC crews, as well as IG teams, want to be identified on trips as teams on and off duty can give rise to the development of close relationships between the officers and enlisted personnel. The crews and teams travel together, train together, eat together, and normally stay in the same base quarters or off base accomodations. Flight crews need to be housed together or in close proximity of each other to insure the ability to react to short notice departures, exercises, or emergencies. Due to the large amount of work to be accomplished in a short amount of time, IG teams like to reside together to insure that they can work after hours to review the day's inspection and review assignments for the next day. These crews or teams, as a general rule, develop close relationships due to the importance of teamwork in the success of the mission and the great amount of time spent together on trips. The opportunity clearly presents itself for fraternizing, and personnel involved must understand the implications that undue familiarity has on the respect and discipline required in their crew and team missions.

In addition to Air [illegible] other activities have tended to "mi[illegible]onal officer-enlisted relationship" [illegible] related activities such as intramural sports [illegible] activities, and base sponsored youth programs [illegible] officers and enlisted personnel closer together in a social atmosphere. Officers and enlisted personnel now, more than ever, come into contact after duty hours. Changes in housing regulations, changes in financial status, and changes in educational goals now bring them closer together in the community. These activities tend to foster closer relationships and result in undue familiarity or fraternization. "Concededly, officers are held to a higher standard of conduct than enlisted personnel, and their conduct should be exemplary" (9: 12). These practices place a great deal of responsibility on the shoulders of officers to ensure that this undue familiarity does not develop.

The Air Force openly encourages open membership and participation in base sponsored activities. These activities include intramurals, base recreational activities, community welfare projects, youth programs, and interservice athletic competition. The Air Force Officer's Guide stresses, "it is also helpful if officers become members of the churches, societies, and clubs of the civilian community and participate fully in such social life as the neighborhood offers." Base newspapers, flyers, and daily bulletins contain information on a weekly basis about intramural sports programs, community projects, and recreational activities on base. Officers and enlisted personnel participate together in these programs. In all of these sports, both officers and enlisted personnel participate on the same teams with the same goal of winning for the [illegible] organization. Rank disappears on the [illegible] during [illegible] personal relationships on a first [illegible] enlisted personnel admit being more comfortable [illegible] with another officer or enlisted) by their first [illegible] their rank. This practice is [illegible] officers and enlisted personnel [illegible] enlisted persons feel threatened [illegible] relief by their rank on the [illegible] officer personnel sometimes [illegible] of questionable ability [illegible] others more capable and [illegible] to the officer and enlisted [illegible].

This same practice [illegible] competitions where [illegible] gether for competition [illegible] duals play for some time [illegible] same hotels [illegible]

after the event. These circumstances allow for close relationships to develop among officers and enlisted personnel. These relationships, although found acceptable in the athletic arena, become a cause for concern when they enter into on-the-job officer-enlisted relationships.

The same is true of base activities such as religious services, base youth programs, and base community projects. Officers and enlisted both attend the same religious services of their particular denomination and participate together in church activities. Youth programs bring the families together, often resulting in involvement as coaches, assistant coaches, or just spectators. Moreover, as the children get closer, so do the parents. Joint participation in base sponsored community projects tend to foster close relationships. Events such as clothes drives for the needy, clean-up campaigns, and rennovation projects solicit the support of the base community. These activities, although legitimate and very important to fostering community relationships, frequently bring about the kind of relationship between officers and enlisted personnel that breeds undue familiarity or fraternization.

Another activity which has become very popular throughout the Air Force is "bosses night", or some variation of this, at NCO clubs. This activity allows NCOs to bring their supervisor, normally officers, to the NCO club for drinks, dinner, and other activities. This allows the NCOs and their bosses to relax in the club atmosphere and discuss subjects of mutual interest with the intent of getting to know each other better. By removing the stuctured atmosphere of the office, NCOs are encouraged to speak with the superior, sometimes on subjects not normally discussed. This might include improvements in the office, or perhaps the personal preferences of the superior or other officers. Situations like this place a great demand on an officer to maintain the proper decorum and insure that his/her status as an officer and supervisor always remains known to those with whom he/she associates. Although these activities are great morale booster, the officer cannot allow them to result in a compromise of his/her authority.

Other factors affecting officer-enlisted associations need consideration, too. The Air Force has undergone many changes in its enlisted force which impact the custom against fraternization. For example, the majority of our enlisted personnel have high school degrees, their pay has increased significantly, and regulations now allow many more personnel to reside off base. These changes have resulted in the opportunity for our officers and enlisted personnel to associate in the civilian community more easily.

With more enlisted personnel having high school degrees, the numbers who desire to attend off duty college classes have increased. In addition, more are motivated and are

interested in taking courses to increase their Air Force job skills. This increases the opportunity for officers and enlisted personnel to attend the same college courses or other outside related courses such as cardiopulmonary resuscitation training or real estate sales. This can lead to joint study sessions, socializing after classes, and consistent contact after duty. A great responsibility lies with the officer to insure that improper relationships do not develop in these situations.

The increase in pay for our military personnel and the increase in the number of enlisted personnel allowed to reside off base enhances the opportunity for officers and enlisted to associate in a social atmosphere. Officers and enlisted now reside in the same residential areas or apartment complexes, oftentimes as neighbors. In addition, the increased numbers living off base creates a much greater opportunity for chance meetings at restaurants, lounges, and entertainment events than ever before. The fact that officers and enlisted meet more frequently in entertainment settings increases the opportunity for the development of closer relationships that could conceivably carry over to the job environment.

These practices then, coupled with the enlisted change in status brought on by increased education and pay, impact the custom against fraternization and have to a large extent proliferated the opportunity for abuses. The Air Force can no longer pay "lip service" to the practice of fraternization. Although we cannot legislate certain practices such as religious activities, community projects, and where people live in the civilian community, we need a firm policy established and made known to all officer and enlisted personnel. These practices will continue, but we need to educate our people about the consequences of fraternization in the Air Force. If commanders are to discourage fraternization, they need guidance now. This guidance must be written and enforceable, otherwise fraternization might as well be considered acceptable in [illegible] programs now and in the future that promote [illegible] enlisted interactions.

Chapter Four

SUMMARY

The existence of the custom in U.S. military service for officers not to fraternize or associate with enlisted personnel under circumstances which prejudice the good order and discipline can be traced throughout history. Since its establishment as a separate service, the Air Force has failed to establish firm policy on this custom against fraternization and stand behind it. This has resulted in "an adverse influence on our ability to prosecute certain aspects of cases involving fraternization" (18:1). The lack of an accepted definition, written guidance, and a regulation severely limit Air Force commanders' ability to enforce the custom.

This custom has a historical basis. The separation between officers and enlisted and the ban on association between the two have their roots in the early 17th century. We have seen the custom influenced by the incorporation of women into the forces, changes in officer corps, civilian court rulings on fraternization, and varied opinions of the senior leadership throughout history. The Air Force continued the custom from the Army after its separation and has always felt its commanders had sufficient latitude to enforce the ban on fraternization and prosecute individuals who had violated the custom. However, the U.S. v. Johanns case had some very important implications for Air Force policy concerning the traditional value of military customs associated with these officer-enlisted relations (18:1). The court in this case ruled that Air Force custom against fraternization, if it ever existed, was so eroded by management, housing, personnel, club policies that UCMJ action was not available against an officer for the conduct charged (9:5). Although fraternization was actually the issue, the conduct charged in this case was recreational sex with enlisted females. This case caused the Air Force to revisit its current policies and procedures to determine if action was necessary. However, no major action, such as written guidance or a regulation, was taken.

Nevertheless Air Force institutional practices, the changes in the financial and education status of our forces, and the lack of written guidance on the subject of fraternization provide an environment in the Air Force today that fosters fraternization. The Air Force must determine now

whether to ignore the custom or enforce it. If we elect to pursue enforcement, then steps must be taken to include defining the term and publishing written guidance and a regulation to enable commanders to discipline violators. The Johanns case will constantly "hang over our heads" unless something is done now. As one Air Force Senior NCO stated, "Let's get back to a real Air Force and real military. We have lost something over the years" (12:16).

Chapter Five

RECOMMENDATIONS

DEFINITION

The time has come for the Air Force to step up and address the fraternization issue and take action to control it. Throughout this staff analysis project we have discussed the need for an accepted definition, for control of those institutional practices which foster fraternization, and for written policy and a regulation to provide guidance to commanders and supervisors to deal with the problem. This chapter will discuss these areas in an effort to eliminate some of the "uncertainty that exists as to the proper parameters of social contacts between officers and enlisted persons" (16:2). Hopefully, by doing so, we will highlight and reaffirm the military custom against fraternization. First, we will develop a usable definition of fraternization.

Throughout our review of the history of fraternization and our review of earlier court cases, we have been exposed to many definitions of the term. As we discussed earlier, no definition of the term exists within the Air Force dictionary, the UCMJ, or any Air Force publication. In fact, in most cases, fraternization is described, not defined. But until we establish an acceptable definition of the term, we cannot expect to have established policy and uniform enforcement of this custom against fraternization.

Throughout the research, many descriptions of fraternization emerged but not many actual definitions. Lt Col John E. Admire in his article on "Leadership and Fraternization" defines the term as a relationship based upon real or perceived common interests or purposes among those who associate in a fraternal way. In an Army newspaper, fraternization was defined as social relationships between soldiers of unequal rank (7:2). Most other definitions specify the officer-enlisted relationship, not the relationships between male-female or individuals of different rank in the same corps. Three other definitions include: (1) personal relationships between officers and enlisted personnel; (2) undue familiarity between officers and enlisted men; and (3) social contact between officers and enlisted men. These definitions are extremely general in nature and leave much to the commander

to determine. [illegible] Is good order and discipline threatened. What about male-female relationships in the military? Do [illegible] of this type cause problems in the courts.

How can we define fraternization? Throughout history there has been this long standing custom against fraternization. "Custom can help define when relationships between officers and enlisted persons are improper" (8:159). However, customs differ among the services. For example, at one time the Navy allowed beards, while the Air Force now allows the use of umbrellas. So the difficulty lies in establishing a definition that is acceptable to all services. Webster's dictionary defines fraternization as "to associate or mingle as brothers or on [illegible] terms." We can expand upon this to develop a new definition of fraternization based upon military terms. Fraternization can be defined as a social relationship, "based upon real or perceived common interests or purposes" (4:[illegible]) established between two military members of different [illegible] detrimental to good order and discipline. This definition would include officer-officer, officer-enlisted, [illegible] enlisted, and male-female relationships, and also would not make any exception for persons not in the chain of command of the superior.

The lack of an accepted definition of fraternization makes the enforcement of the custom extremely difficult. Numerous definitions have existed throughout history, but none have adequately addressed the subject. Although the term can be easily described, the real difficulty lies in defining it to the commanders and troops. Therefore, we need a definition, and we hopefully have presented a valid and useful one above. Now that we have a definition, we can begin to offer some solutions.

RECOMMENDATIONS

Colonel Franklin Flatt's article on "Fraternization" offers the following statement about the enforcement of the custom against fraternization: "If the custom is not supported by regulations or [illegible] practices, what would be the basis for formal or informal action except the personal preference of the one taking the action?" The courts have chastised us for the erosion of the custom due to the institutional practices which have led to its [illegible] and the lack of written guidance. The longer we procrastinate, the harder the problem will be to handle. Leaving the enforcement up to commanders will result in inconsistent policies and punishment for violations. We [illegible] that we want to just ignore the custom. If [illegible] so, then do something to solve the problem.

Ignoring the custom within the Air Force is not a legitimate avenue for solving the problem. The impact on discipline in the Air Force makes this unrealistic. If we went this way, we would return to the recommendations offered by the Doolittle commission after World War II, which basically deleted the salutes off duty and the terms "officer" and "enlisted", and sought to allow military personnel to do and associate as they pleased on off duty time. Officers and enlisted would be free, in this case, to associate socially off duty with whom they desired, leading possibly to undue familiarity and intense personal relationships. Such conditions would place greater demands on commanders and supervisors in enforcing discipline within the unit. Being realistic, it would be extremely hard to order an individual with whom a close relationship had developed to do an unpleasant or dangerous task. As we discussed earlier, the foundation of the military organization is discipline, and this lessening of discipline would be "viewed by many as another step in the long march toward being just another amorphous government agency which cannot fulfill its reason for existence" (5: 115). Ignoring the custom does not solve the problem, but only exacerbates it.

If the Air Force chooses not to ignore the problem, then it must meet this custom "head-on" and act to enforce it. To do this, a written policy must be established, a regulation must be published and distributed, and control over those institutional practices which foster fraternization must be established. This will require the commitment on the part of all levels of command from the Chief of Staff downward.

The first step entails establishing written policy and publishing it. This can be in the form of policy letters from the Chief of Staff or Major Command commanders. This written policy will establish the basis upon which commanders can inform personnel of the Air Force concern and make decisions on the proper enforcement of the custom. These policy letters should become a part of the curriculum at the various professional military education courses for both officers and enlisted, officer training school, basic military training, the Air Force Academy, and the Reserve Officer Training Corps programs at universities. In this manner, all Air Force personnel will know the Air Force position on the issue and will be well aware that they face disciplinary action should they violate the custom. Indiviuals tend to react to written guidance much better than guidance spread by word of mouth.

Written guidance should also be in the form of an Air Force regulation. Military personnel are required to comply with the intent stated in regulations, and violations of regulations constitute grounds for corrective or disciplinary action. The regulation should spell out the definition of fraternization, the custom against fraternization, the need

for discipline, and those actions considered a violation of the ban against fraternization. Consequently, military personnel would know whether their actions had or were violating the regulation, and commanders would have the latitude to correct them. A proposed regulation is contained in the appendix. This regulation was adapted directly from Air Training Command Regulation 30-4 and Army Regulation 600-20. It clearly defines the term fraternization and delineates those actions on the part of officer and enlisted personnel which violate the custom against fraternization. A written regulation will enhance our ability to control this issue within the Air Force today.

The written policy directives and establishment of a regulation governing fraternization will help eliminate some of the institutional practices which foster fraternization. We must identify those practices and institute policies which reduce the potential for development of close relationships. Earlier, we had discussed the open mess and housing policies and some off duty practices which enhanced the opportunities for development of closer relationships which could be carried over to the job. Let's now look at these practices and discuss some possible solutions.

First, make the open mess and housing policies more explicit and specific to address the problems mentioned earlier. One initiative that could solve the open mess problem and a part of the housing problem would require one of the partners in an officer enlisted marriage to separate. The Air Force, up to now, allows both members to remain on active duty, requiring different solutions. In open messes, the partners in an officer-enlisted marriage should not be allowed to use the other's club unless it is an essential eating facility or the base has an "all ranks" club. These should be the only cases where a spouse could attend a club which he/she is not eligible to join. However, they would still retain the privilege of sponsoring their own respective club. In the housing policy, both partners in an officer-enlisted marriage, should not be eligible for base housing under any circumstances. [illegible] policy stands for military members married to [illegible] both partners would be authorized single [illegible] quarters (BAQ) when residing off base. [illegible] officer housing who are separated and [illegible] required to vacate officer housing [illegible] housing. The same procedure would [illegible] is commissioned. These policies [illegible] and enforce, would go a long way [illegible] of close officer-enlisted relationships. [illegible] type should be incorporated in [illegible] separation, [illegible]

Secondly, fraternization [illegible] institutional practices [illegible]

controlled. Although legislation impeding military personnel from associating at such places as religious services, community events, athletic events, residential areas, or college classes, is not possible, firm written policies can certainly influence the behavior of individuals coming in contact at these events. For example, the practice of calling personnel participating in athletic events by their first name, or listing individuals without rank in the sports section of the base newspaper needs change. Individuals must address their superiors by their appropriate grade at athletic events. Likewise, base newspapers must be required to print rank along with the names. This author has participated in athletic events with superior officers but has never found calling them by their rank to be a detriment to the overall game. This policy would not damage the intent of intramural sports, or interservice athletic events. It would only serve to eliminate the potential for development of close relationships which could carry over to the duty section.

Finally, activities at the clubs such as "bosses night" should be discouraged. Officers should only attend official functions at enlisted clubs, such as commander's calls or dining ins/outs. They should not attend purely social functions which may unintentionally lead to undue familiarity between the officers and enlisted personnel. These have the potential to lead to associations which may influence the work environment.

Firmly written and published fraternization policies which all military personnel are required to obey, not only influences their actions on base, but also their actions off base. Most individuals recognize and accept that their responsibilities as officers and NCOs or airmen do not end at the base gate. If we can inspire our personnel to follow these policies while on base, they should take them into their homes and social life off base. If not, and the Commander becomes aware of violations, he/she should take action. We currently take action against individuals for offenses off base such as driving while intoxicated, theft, and drug involvement. We have firm regulations governing these violations, our personnel know it, and we enforce it. We can do the same for fraternization.

The elimination or control of these institutional practices must occur if we are to control the fraternization problem in the Air Force today. Regulatory policies involving open messes and housing, and nonregulatory practices involving athletics, community projects, and off base social contacts, foster fraternization and pose a problem for resolution. We need to formulate written guidance in the form of policy letters to the commanders and a regulation, and distribute them to the field. Commanders need this guidance <u>now</u> so that they have a basis upon which to establish action to control fraternization and discipline violators.

BIBLIOGRAPHY

A. [illegible]

Books

1. Holm, Jeanne. Women in the Military. Novato: Presidio Press, 1982.

2. Marrs, Texe W. You and the Armed Forces. New York: Arco Publishing, Inc., 1963.

3. Treadwell, Mattie E. The Women's Army Corps. Washington: U.S. Government Printing Office, 1953.

Articles and [illegible]

4. Admire, Lt Col John H. "[illegible] Fraternization." Marine Corps Gazette, [illegible] pp. 64-66.

5. Flatten, Colonel Stanley [illegible] Station." Reporter, August [illegible]

6. Hollister, Major W[illegible] Marine Corps [illegible]

7. Roland, Neil [illegible] Fraternization." Army [illegible] 24 [illegible] 8 10.

8. West's Military [illegible] [illegible] [illegible]

CONTINUED

Unpublished Materials

10. Arnemann, Frank B., Major, USAF. "Straight Talk About Officer-Enlisted Fraternization." Research study prepared at the Air Command and Staff College, Air University, Maxwell Air Force Base, Alabama, 1984.

11. ATC Commander's Conference. Minutes of conference, 24-25 May 1982.

12. Canter, Carl W., Lt Col, USAF. "Fraternization: A Perceptual Analysis." Research study prepared at the Air War College, Air University, Maxwell Air Force Base, Alabama, 1984.

13. Criminal Law Division, TJAGSA. "Criminal Law, Crimes and Defense." Research product prepared at The Judge Advocate General's School, U.S. Army, Charlottesville, Virginia, January 1983.

14. Davis, Bennie L., General, USAF. "Fraternization." Speech given at the USAF Academy, Colorado Springs, Colorado, 12 April 1982.

Other Sources

15. U.S. Department of the Air Force: United States Air Force (JAC). "Air Force Standards," letter. Washington, DC, 22 April 1983.

16. U.S. Department of the Air Force: United States Air Force (JACM). "Fraternization," letter. Washington, DC, 25 July 1985.

17. U.S. Department of the Air Force: United States Air Force (MP). "Fraternization and Professional Relationships," letter. Washington, DC, 10 September 1985.

18. U.S. Department of the Air Force: United States Air Force (MPX). "Fraternization and Professional Relationships," letter. Washington, DC, 3 September 1985.

19. U.S. Department of the Army, Deputy Chief of Staff for Personnel, Army (DAPE-HRL(M)). "Fraternization and Regulatory Policy Regarding Fraternization Between Persons of Different Ranks." Letter, [illegible] November 1984.

Kinney, Maj Gen A.J. and Maj. Gen. John H., III. The Air Force Officer's Guide. Stackpole Books, 1983.

Articles and Periodicals

Burgess, Tom. "CNO Okays Guidelines on Fraternization Policy." Navy Times, [illegible], p. 8.

-----. "Some in N.Y. Support Ban on Fraternization, Cases." [illegible], pp. 4 & 37.

Collins, Brian A. [illegible] Business Review, September [illegible]

Isenberg, Major [illegible] Policy." Military [illegible]

Loerch, [illegible] Check,

Mare [illegible]

McDonnell, [illegible] the [illegible]

Mc[illegible]

CONTINUED

Milton, Gen (Ret) T.R. "Discipline Means Survival." Air Force Times, Times Magazine Supplement, April 1981, p. 84.

Official Documents

Headquarters Air Training Command. ATC Regulation 30-4: Personnel, Professional Conduct and Relationships. Randolph AFB, TX: HQ ATC/DPAT, 30 August 1984.

Headquarters Department of the Army. AR 600-20: Army Command Policy and Procedures. Washington, DC: MILPERCEN, 15 October 1980.

Headquarters US Air Force. AFP 35-49: Military Personnel, Air Force Leadership. Washington, DC: HQ USAF/MPXHL, 1 September 1985.

Headquarters US Air Force. AFR 30-1: Personnel, Air Force Standards. Washington, DC: HQ USAF/MPCYCP, 4 May 1983.

Headquarters US Air Force. AFR 36-20: Officer Personnel, Officer Assignments. Washington, DC: HQ AFMPC/MPCRPP, 25 October 1985.

Headquarters US Air Force. AFR 90-1: Housing, Assignment of Family Housing. Washington, DC: HQ USAF/PREN, 19 December 1977.

Headquarters US Air Force. AFR 215-11: Morale, Welfare, and Recreation, Air Force Open Mess Program. Washington, DC: HQ AFMPC/MPCSM, 20 June 1985.

Unpublished Materials

U.S. Department of the Air Force: United States Air Force (MPXHL). "USAF Fraternization Policy," talking paper. Washington, DC, 9 September 1985.

U.S. Department of the [illegible] Base Wing (SAC)
(JA). "View from [illegible]
Base, Nebraska, [illegible]

U.S. Department of the Air [illegible] United States Air Force
(JAC). "Air Force [illegible] Washington, DC,
22 April 1985.

U.S. Department of the [illegible] Air Force
(JAG). "Flight [illegible]
Washington, DC, [illegible]

U.S. Department of the [illegible] Air Force
(JACM). "Professional [illegible]
Washington, DC, [illegible]

U.S. Department of the Air Force
(JAJM). "Congress[illegible]
(JAJ 85-2)," [illegible] 1985.

U.S. Department of [illegible] USDR-
HRL-L). "Trial [illegible]
Nebraska," [illegible]
DC, 29 Nov[illegible]

APPENDIX

PROPOSED

DEPARTMENT OF THE AIR FORCE [illegible] REGULATION 35-XX
Headquarters US Air Force
Washington DC 20330

Military [illegible]

[illegible]

This regulation applies to [illegible] Air Force, United States Air Force Reserve [illegible] National Guard (ANG) members, and all [illegible] Air Force installations while in the course of [illegible]ment, except Department of Defense (DAF) civilian [illegible]. Personnel who violate the specific prohibitions and requirements of this regulation may be prosecuted under the Uniform Code of Military Justice.

1. Policy. A long standing [illegible] has existed within the military which prohibits officers and enlisted personnel from engaging in social associations [illegible] on and off duty which can be detrimental to good order and discipline. The term which refers to this social association or relationship is fraternization. Professional relationships are essential today in fulfilling the Air Force mission. The conduct of Air Force military personnel, both on and off duty, must uphold these professional standards to ensure mission success. Officers and enlisted members must ensure that their personal relationships with persons whom they supervise or are in a position to influence do not result in acts of favoritism, preferential treatment, impropriety, or give the appearance of such.

2. Philosophy. Military discipline is individual and group training that develops a member's attitude resulting in proper conduct and automatic obedience to lawful orders under all conditions. It is founded on respect and loyalty to properly constituted authority. Discipline must be taken to the extreme and destroy discipline if officers and enlisted personnel [illegible] relationships do not [illegible].

3. Terms explained. [illegible] the following:

a. Fraternization. [illegible], based upon real or perceived [illegible]

between two military members of different rank which is detrimental to good order and discipline. In fraternizing, an officer relinquishes his officer status and meets the enlisted person, male or female, on equal status.

b. Officer. A commissioned officer.

c. Enlisted. A military member who does not hold rank either by commission or warrant; personnel in the grade of airman basic thru chief master sergeant.

d. Commander. An officer who occupies a position of command; anyone who commands and leads.

e. On duty. The hours a person is actually at work as required by assignment.

f. Off duty. Pertaining to the period of time away from duty.

4. Prohibitions. Fraternization will not be condoned between officers and enlisted members within the Air Force. The prohibitions specifically include but are not limited to the following:

a. Officers. Except when authorized by their commander, no officer will directly, indirectly, personally, or through other persons:

(1) Establish a common household, i.e. share an apartment, house, or other dwelling, with an enlisted person.

(2) Establish a business partnership with an enlisted person.

(3) Act as agent or intermediary in any gift, financial, or barter transactions between an enlisted person and any other person, corporation, firm, or agency.

(4) Attempt to develop a personal relationship:

(a) Socially date an enlisted person.

(b) Use rank or position, threats, pressure, or promise of return favors or favorable treatment in an attempt to gain sexual favors from an enlisted person.

(c) Make sexual advances toward, seek, or accept advances from enlisted persons.

b. Enlisted. Except when authorized by their commander, no enlisted person will directly, indirectly, personally, or through other persons:

(1) Establish a common household, i.e. share an apartment, house, or other dwelling, with an officer.

(2) Establish a business partnership with an officer.

(3) Act as agent or intermediary in any gift, financial, or barter transactions between an officer and any other person, corporation, firm, or agency.

(4) Attempt to develop a personal relationship:

(a) Socially date an officer.

(b) Use rank or position, threats, pressure, or promise of return favors or favorable treatment in an attempt to gain sexual favors from an officer.

(c) Make sexual advances toward, seek, or accept advances from officers.

5. Notification. Commanders will ensure:

a. All personnel are informed of the requirements of this regulation.

b. All personnel are briefed annually on the requirements of this regulation.

c. A copy of this regulation be posted on all unit bulletin boards.

END

DTIC

7-86