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Teaching Strategies in the National Security Affairs Program: Sexual Assault and Sexual Harassment

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Teaching Strategies Sexual Assault and Sexual Harassment

Mary Raum, PhD

April 2023

Source: 115th Fighter Wing Website

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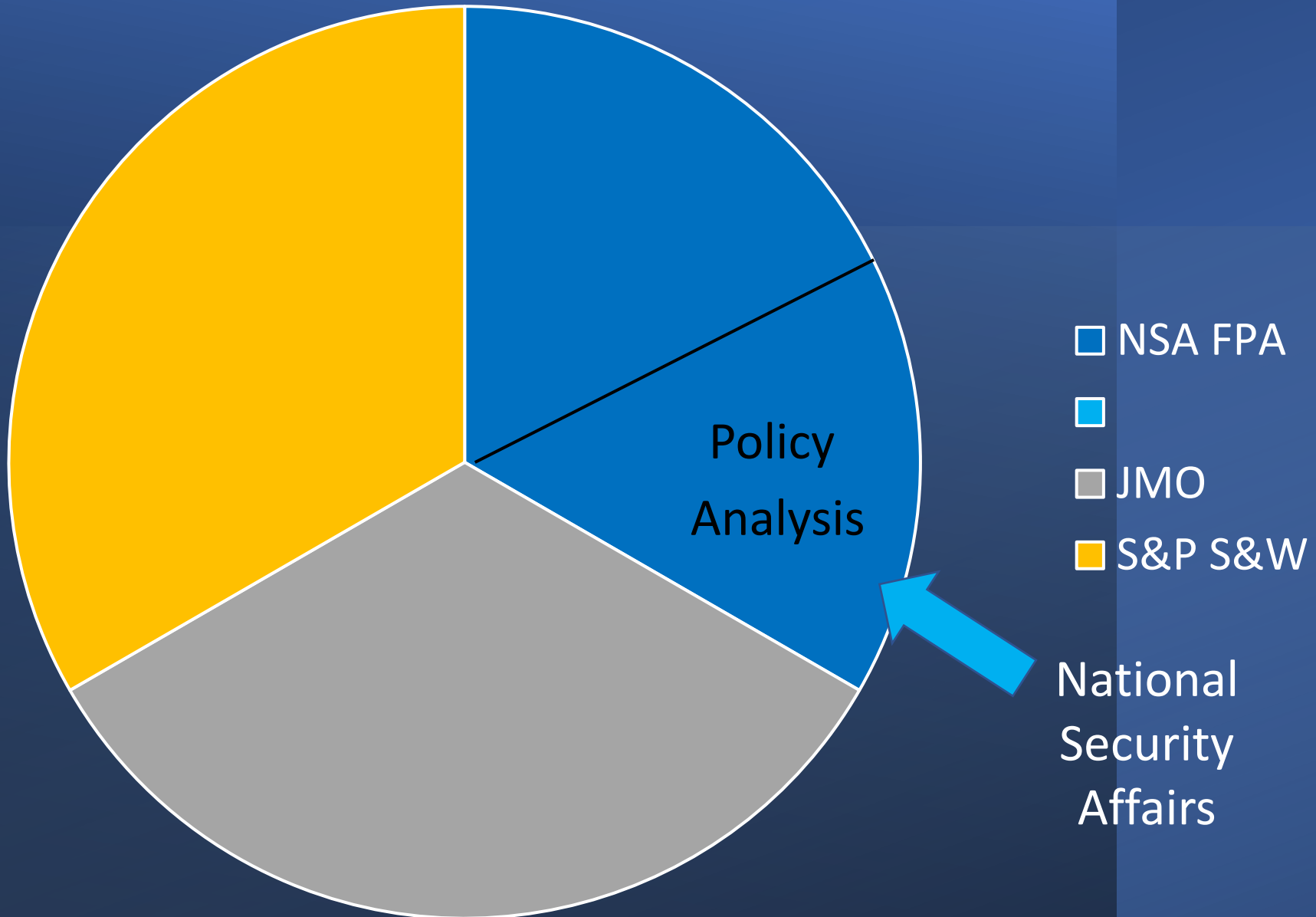
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The Situation

Stuck in the 1950s?

Source: Naval History and Heritage Command

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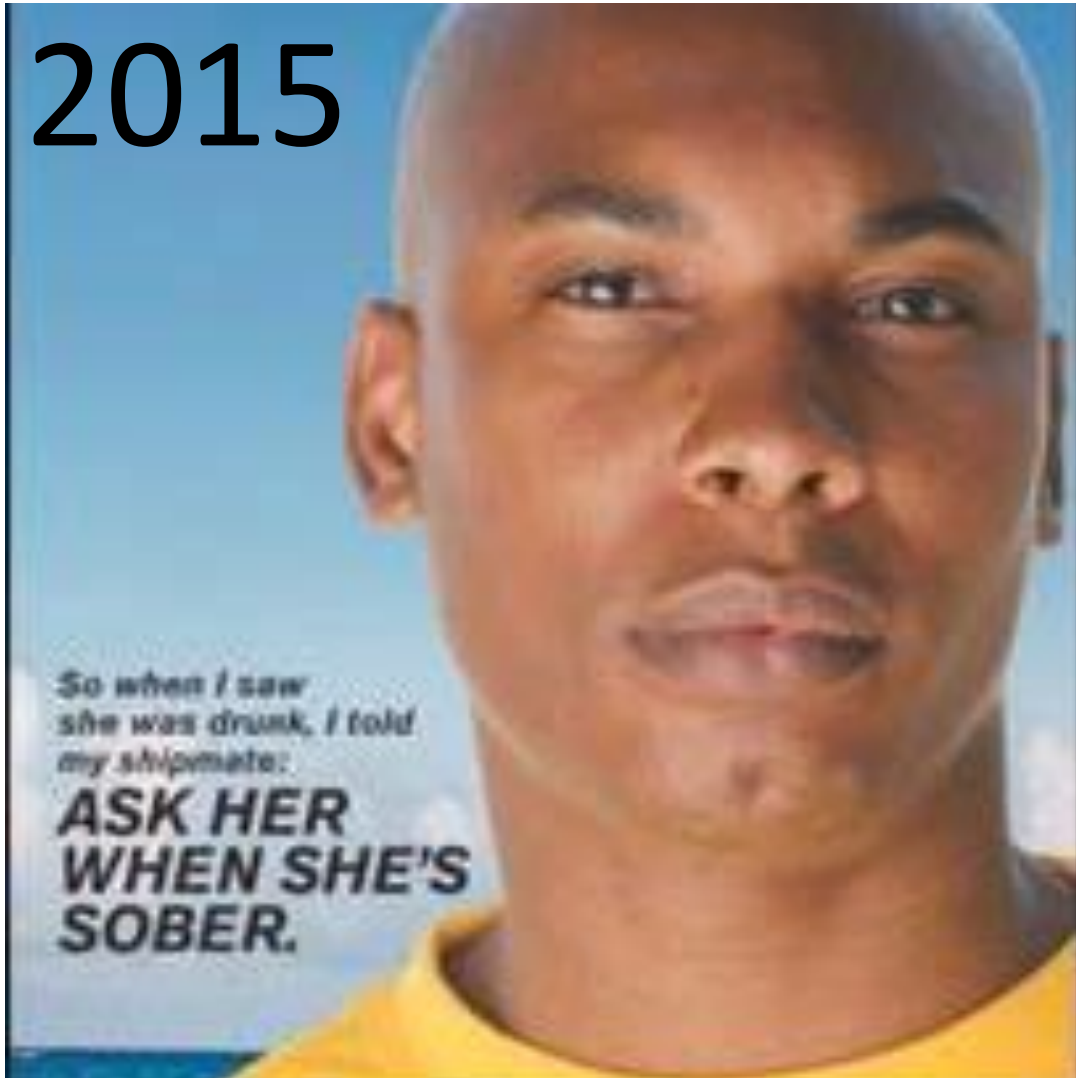
MY STRENGTH IS FOR DEFENDING.



*So when I saw
she was drunk, I told
that Marine:*
**ASK HER
WHEN SHE'S
SOBER.**

**PREVENTING SEXUAL ASSAULT
IS PART OF MY DUTY.**

2015

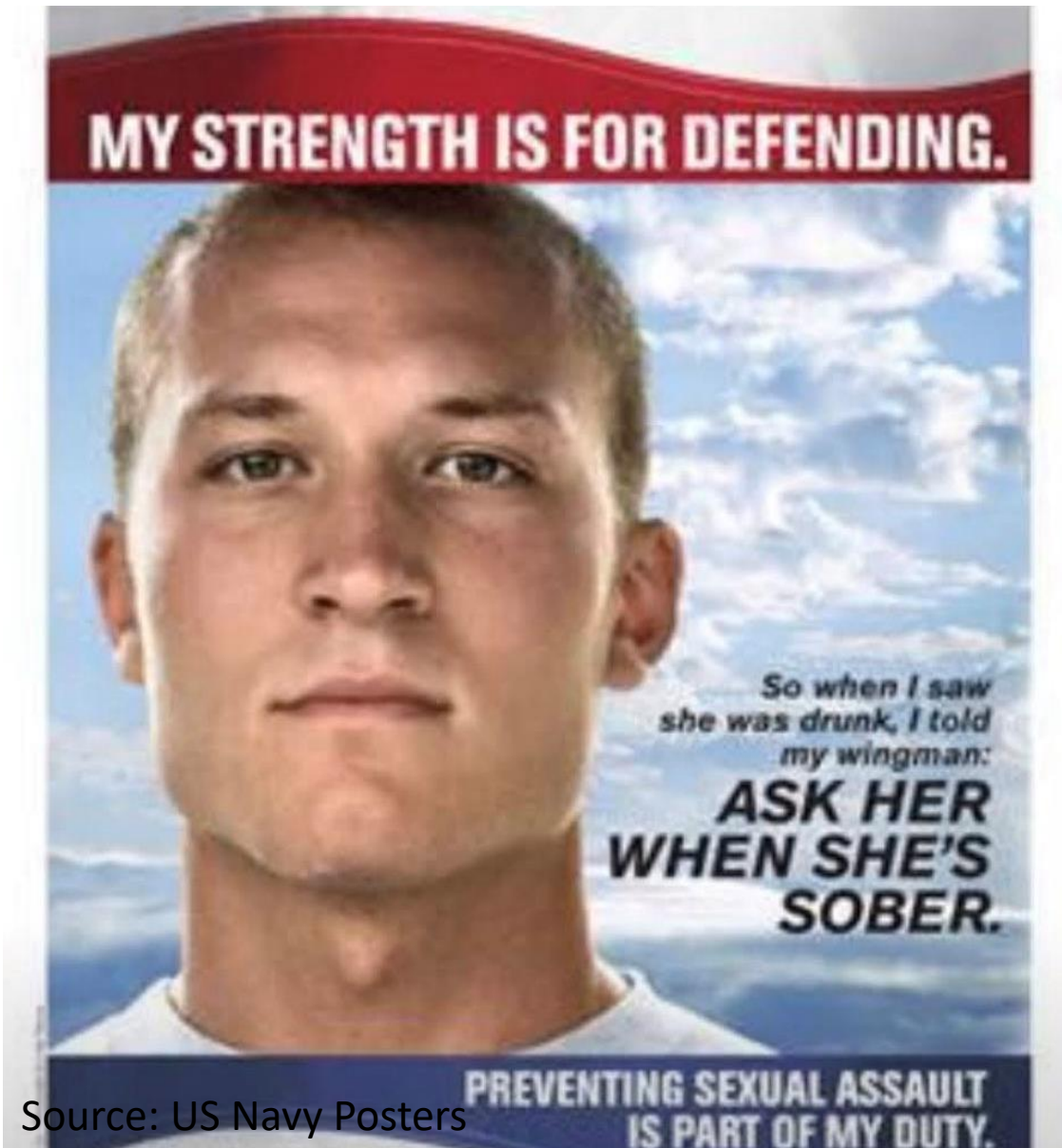


*So when I saw
she was drunk, I told
my shipmate:*
**ASK HER
WHEN SHE'S
SOBER.**

**PREVENTING SEXUAL ASSAULT
IS PART OF MY DUTY.**

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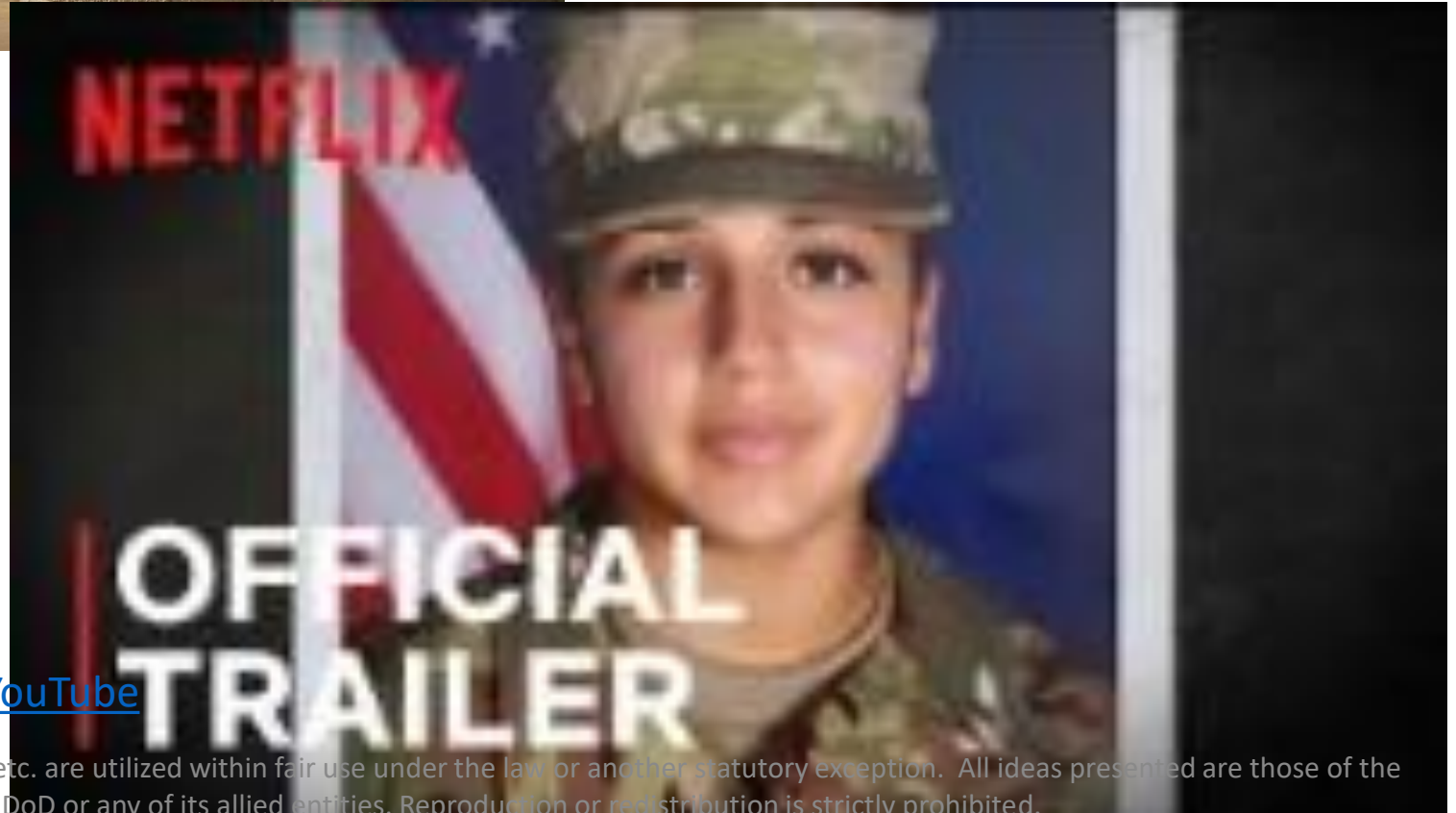
Source: US Navy Posters



Source: US Navy Posters



Legislative
Change,
Particularly a
Cultural One,
Often Requires
a Flash Point
for Activation
The Fort Hood
Dynamic



[I Am Vanessa Guillen | Official Trailer | Netflix - YouTube](#)



Sexual Assault

- One in 24
- 16%
- 12%
- 28%
- 20,000

Source MARK FELIX Credit
AFP/AFP via Getty Images

The Most Important Point is the Subject Matter is Primarily About a *Cultural Phenomenon*

- It takes about forty years or every two generations to realize a formal cultural shift
- The set of top influencing factors that trigger cultural change
 - Legislation
 - Leadership change
 - Technological developments and reporting mechanisms
 - Changes in overall demographics

Source: IDRInstitute



Legislation: So Far, A 15 Year Fight

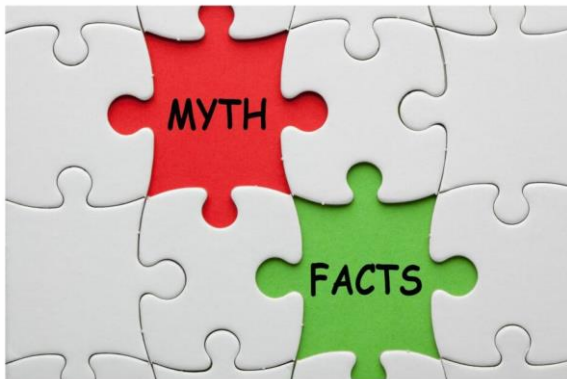
- S 1520 Military Justice Improvement and Increasing Prevention Act of 2021 Senator Gillibrand, D-NY
- Establish a position of Court-Martial Convening Authority to take on the powers of commanders and place them in the hands of independent prosecutors
- Now attempting to add more crimes to the list of cases
 - Part of the larger National Defense Authorization Act

Source Military.com



The Challenge in Practice





Source: Business Concept Stock Photo

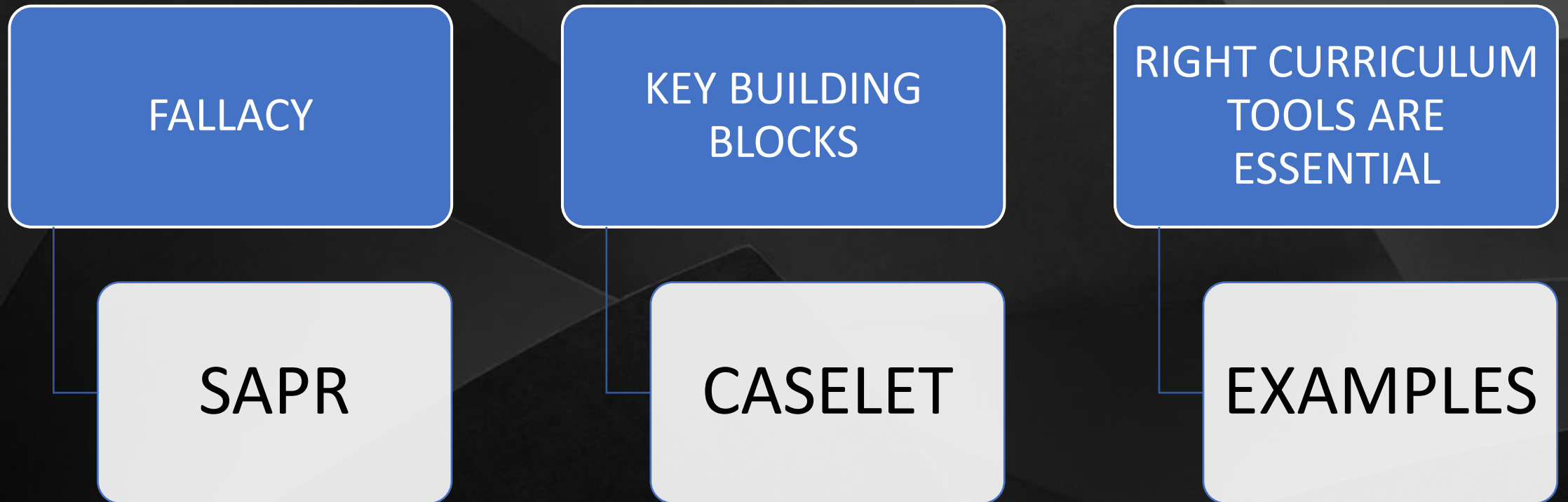
- Innuendo
- Misplacement
- Use of Data Only Approach
- Treating as a Fad Piece Within Curriculum

The First Key Step is to Professionalize the Topic




Source: iStock

Creating a Curriculum




Fallacies About Required Topical Expertise

Faculty are not experts in SAPR training or other allied legal, medical, or psychological programs for this topic, **nor should this be required**



Faculty are not sexual harassment and assault advocates nor are they interventionists



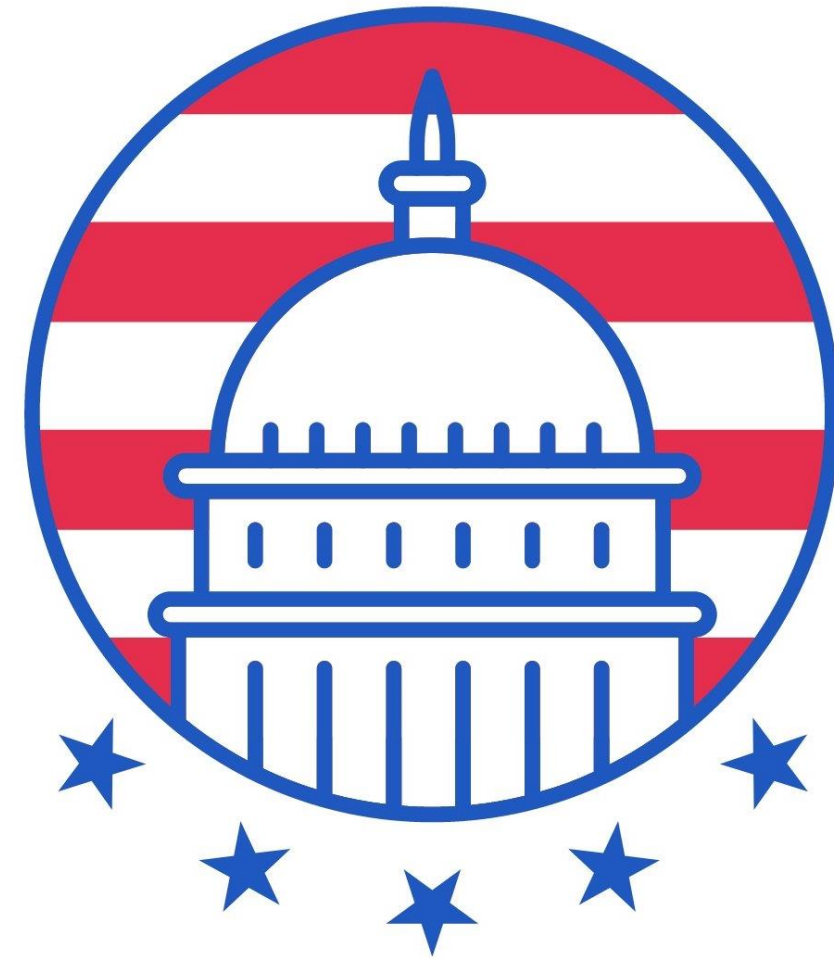
There are formal systems already established with these responsibilities

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Key Building Blocks





Curriculum Case Example

Source: Capital Building Clipart, US Navy PACOM

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Building Blocks

- Buy-in two directions
- Professionalize the field
- Collaborate
- Revert from advocating the topic toward integration of the topic

Source: Unsplash free Images

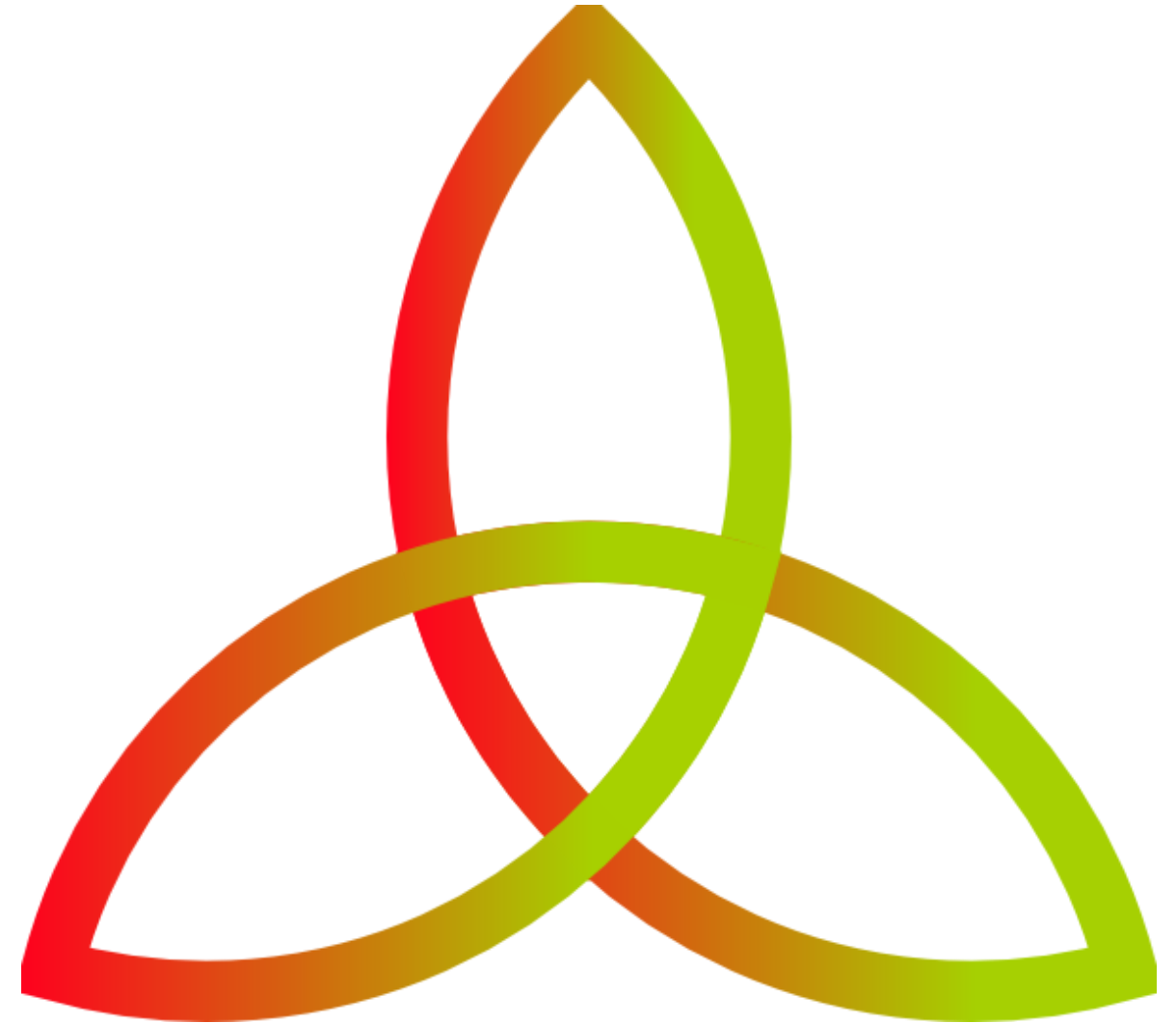


Building Blocks

- Set minimum educational competencies first
- Place wisely
- Ensure cut and pasting is not occurring without due consideration of purpose and overall fit into a program
- Encourage a working knowledge of the subject matter for faculty well prior to teaching the topic
- Use high-quality materials that interconnect Military-Culture-Congress
- Use the right curriculum tools
- Ask probing, thoughtful questions

Content Should Hit
Three Arenas
Cultural-
Congressional-
Military Triad

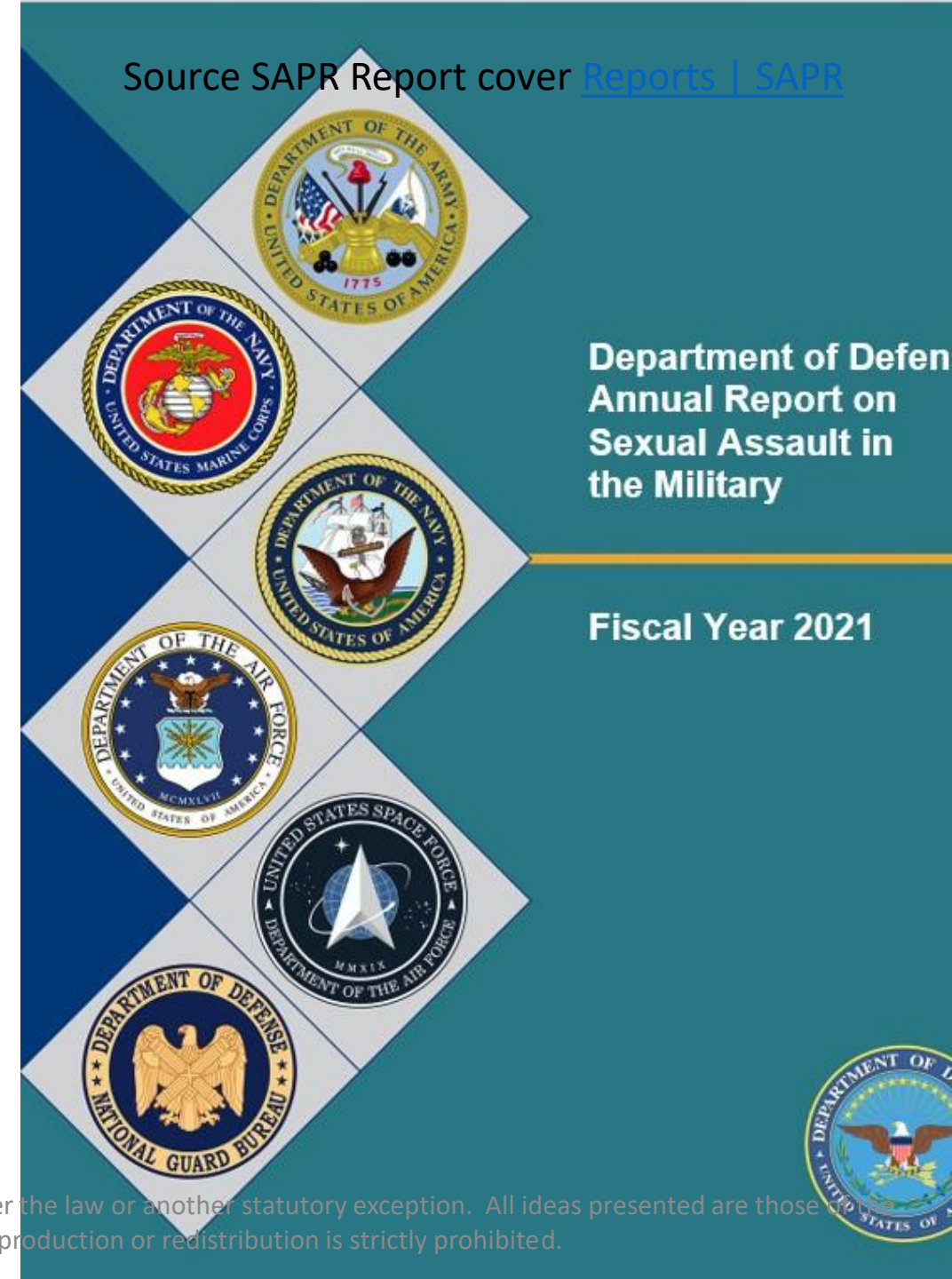
Source: Triquetra Free shapes and symbols icons. [Triquetra - Free shapes and symbols icons \(flaticon.com\)](https://flaticon.com)



Primary Unique Attribute of the Topic in a Public Policy Curriculum

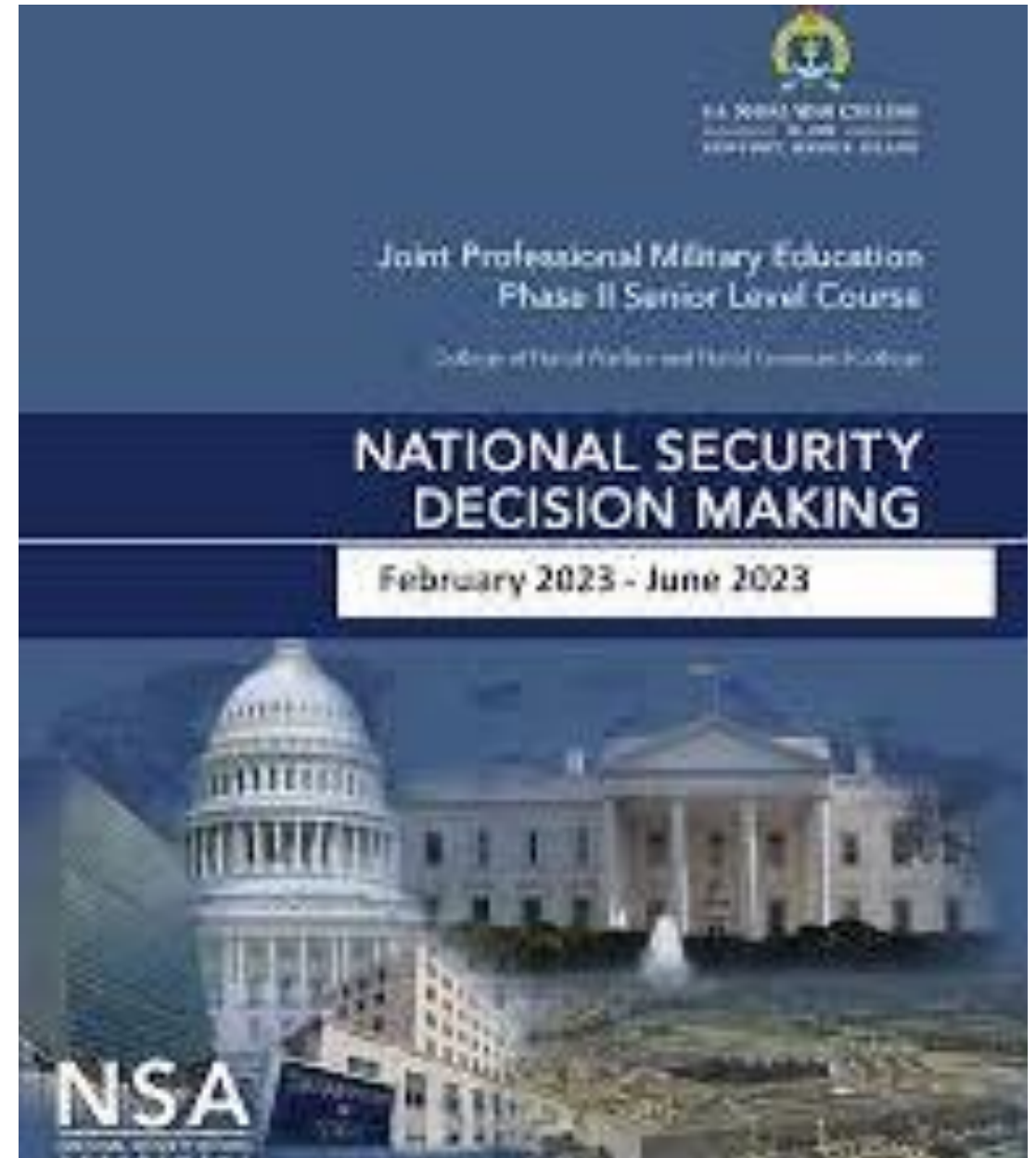
- The topic is being tied to a formally legislated agency that is attempting to modify the military culture
- Understand there are three types of cultural policies
 - Those that are rule-shifting, those that are culture-shifting, those that are a combination of both
- Therefore, the discussion should never be without some form of information that addresses both (1) rule and law-making and (2) military culture
- Goldich, Robert L. "American Military Culture from Colony to Empire." *Daedalus* 140, no. 3 (2011): 58–74. <http://www.jstor.org/stable/23047348>.

Source SAPR Report cover [Reports | SAPR](#)



Source: USNWC curriculum cover NSDM
Dept. [Core Curriculum \(usnwc.edu\)](https://www.usnwc.edu)

Placement is Key: Curriculum Materials & Pedagogy



Best and Problematic Question Sets

- Current Questions and Their Weaknesses
- Does Congress have a role in shaping the culture of the military and if so, what tools are available to do so?
- Why are Members of Congress interested in how the military investigates and prosecutes cases of sexual assault?
- Why do leaders in the DoD resist change in this instance?
- What other instances have you seen where tensions exist between Congress and the military regarding a policy outcome? How was it resolved?



Source Vector Clip Art

Potential Questions

- Which comes first, changing the culture or changing the law?
- What mandates does Congress have to intervene in the cultural environment of the security sector?
- What were some challenges between the Senate Armed Services Committee and Senator Gillibrand? Between the Congress and the Military?
- Why did Congress have to intervene in the military structure relative to sexual harassment and assault by creating legislative boundaries?
- What is the policy for sexual assault in the military?
 - [S.1495 - 116th Congress \(2019-2020\): Combating Military Sexual Assault Act | Congress.gov | Library of Congress](#)
 - 10 USC 920: Art. 120 Rape and sexual assault generally [10 USC 920: Art. 120. Rape and sexual assault generally \(house.gov\)](#) (as of March 20, 2023)



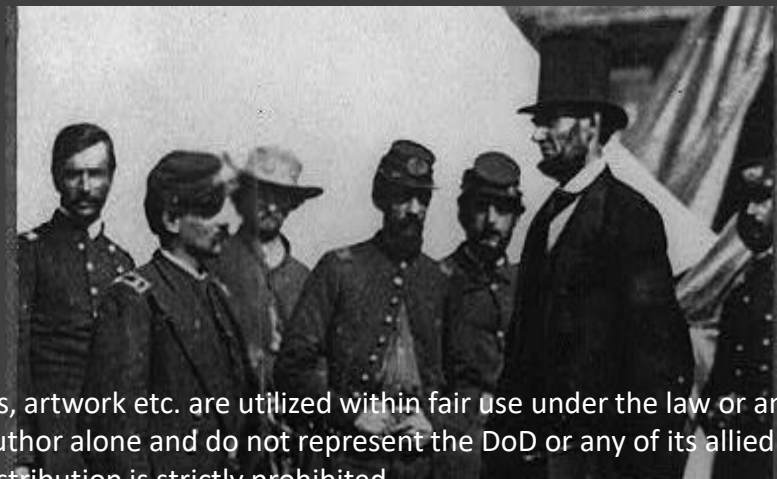
Source Vector Clip Art

Turning Over Curriculum to Better Meet the Cultural-Congressional-Military Triad

Correspondence Inhofe and the JCS requesting viewpoints and best military advice for the Military Justice Improvement and Increasing Prevention Act of 2021 with replies from Chair JCS, CoS USA, CoS USAF, CNO, Commandant USMC, Chief of Space

A Not Required Case Reader is both a timeline from 2004-2019 and is a reference source that includes links to a variety of topics including Secretary Austin, Fort Hood, Prevention Month, GAO oversight report, prosecutorial authority, Congressional responses, budget requests, Armed Services committee

Legislative Affairs and Congressional Military Relations, describes how to become educated on the more practical aspects of dealing with Congress on defense-related issues.



Use of History as a Guide and Point of Discussion

The premise: The US military has required interventions relative to in support of and in order to shift their cultural dynamic for two centuries

Sources [John Trumbull's 1819 painting, *Declaration of Independence*](#), depicting the [five-man drafting committee](#) presenting the Declaration of Independence to Congress; [History Why Harry Truman Ended Segregation in the US Military in 1948 \(history.com\)](#); [Franklin Roosevelt Presidential Library](#); [US Navy All Hands](#); [Library of Congress](#); [CNN News](#).

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An Essential Piece of Testimony by Senator Martha McSally

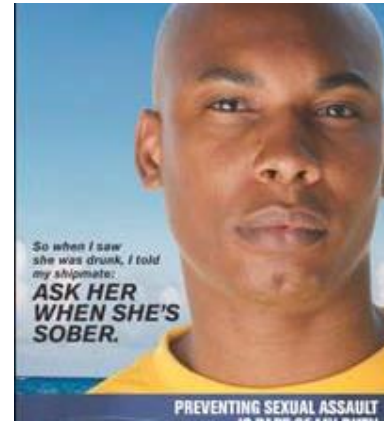


[Sen. McSally \(R-AZ\): "I was preyed upon and then raped by a superior officer." \(C-SPAN\) - YouTube](#)

Tell the Senator Gillibrand Legislative Story



[PBS NewsHour | Gillibrand: military sexual assault a worsening 'epidemic' | Season 2021 | PBS](#)





Teaching Strategies in the NSA Program: Sexual Assault and Sexual Harassment

Mary Raum, PhD

QUESTIONS?

Source 115th Fighter Wing website

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Resources if You Want to Dig Deeper



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Resources Highlighting the Gillibrand Senatorial Fight 2013-2021

- “Gillibrand, Ret. Generals, Survivors, Veterans Keep up Fight for Military Justice System (Full) [Gillibrand, Ret. Generals, Survivors, Veterans Keep up Fight for Military Justice System \(Full\) – YouTube](#) 59:23. 2013
- “Gillibrand brings victims’ voices to Senate floor in fight for military justice,” [Gillibrand brings victims' voices to Senate floor in fight for military justice – YouTube](#) 2014
- “Sen Gillibrand: sexual assault in the military an ‘epidemic’ that’s getting worse,” [Sen. Gillibrand: sexual assault in military an ‘epidemic’ that’s getting worse – YouTube](#) 2021
- Ellie Kaufman, “Bipartisan senators criticize defense bill, saying it does not go far enough to reform military justice for sexual assault survivors,” CNN Politics, Dec 8, 2021 [NDAA: Bipartisan senators criticize defense bill over sexual assault judicial provisions | CNN Politics](#)

Books and Film 2012-2022

- Kirby Dick, Director, *The Invisible War*, Distributor Docudrama Films, 2012, 1:30:7
- Cheryl Lawhorne-Scott, Don Philpott, Jeff Scott, *Sexual Assault in the Military*, Lanham: Rowman, Littlefield, 2014.
- Tim Baken, *The Cost of Loyalty: Dishonesty, Hubris, and Failure in the US Military*, Bloomsbury Publishing, 2020. Rosemarie Skaine. *Sexual Assault in the US Military: The Battle Within America's Armed Forces*, Praeger Security International, 2015.
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- “Discussing Social Change in the Modern US Navy,” lecture Edward J. Marolda, Georgetown University. NHHC Lunchtime Lecture Naval History and Heritage Command 1:09:21 [NHHC Lunchtime Lecture: Social Change in the Modern Navy – YouTube](#) 2016.
- Peter R. Mansoor and Williamson Murray, (Ed) *The Culture of Military Organizations*, Cambridge University Press, 2019.
- Christy Wegener, Director, Netflix *I am Vanessa Guillen*, 2022 1:36. Documentary Films

Articles 1994-2022

- Karen O. Dunivin, “Military Culture: Change and Continuity,” *Armed Forces & Society* [Vol. 20, No. 4 \(Summer 1994\)](#), pp. 531-547 (17 pages).
- Regina F Titunik, “The First Wave: Gender Integration and Military Culture.” *Armed Forces & Society* 26, no. 2 (2000): 229–57. <http://www.jstor.org/stable/45346363>.
- Amy Ziering, “Sexual Assault: A Stain On the U.S. Military.” *Journal of International Affairs* 67, no. 1 (2013): 211–16. <http://www.jstor.org/stable/24461681>.
- Elisabeth Jean Wood, and Nathaniel Toppelberg. “The Persistence of Sexual Assault within the US Military.” *Journal of Peace Research* 54, no. 5 (2017): 620–33. <https://www.jstor.org/stable/48590491>.
- Julian E. Zelizer, “How Congress blew its chance to curtail sexual harassment,” *The Atlantic*, Nov 29, 2017, [Julian E. Zelizer, Congress Needs Rules and Regulations to Stop Sexual Harassment - The Atlantic](#)
- MJ Lee, Sunlen Serfaty, Juana Summers, “Congress paid out 17 million in settlements here’s why we know so little about that money, CNN Nov 16, 2017, [Congress paid \\$17 million in settlements. Why we know so little about that money. | CNN Politics](#)
- “The Two Men Blocking Military Sexual Assault Reform,” *NYT*, Opinion Editorial Board, June 19, 2021.
- Susan Davis, Claudia Grisales, Ximena Bustillo 13 mins. NPR Politics Podcast. Dec 13, 2022 [Military Sexual Assault Prosecution Reform Likely To Pass Congress : The NPR Politics Podcast : NPR](#)
- “After Failures to Curb Sexual Assault, A Move Toward a Major Shift in Military Law, *NYT*, Aug 3, 2021. [“After Failures to Curb Sexual Assault, a Move Toward a Major Shift in Military Law - The New York Times \(nytimes.com\)](#)

C-SPAN.org Hearings

- Senator Martha McSally R AZ Testimony USAF Fighter Squadron Command [Sen. McSally \(R-AZ\): "I was preyed upon and then raped by a superior officer." \(C-SPAN\) - YouTube](#)
- Oversight Hearing on Sexual Assault in the Military Contempt for DoD-SAPR Office Michael Dominguez, Numerous C SPAN Forums. Principal Deputy Undersecretary of Defense, Subcommittee Chair Tierney, and Full Committee Chairman Waxman. Sexual Assault and Harassment in the Military [Hearing on Sexual Assault in the Military - Contempt for DOD – YouTube](#)
- Public comments [Sexual Assault in the Military, Public Comments | C-SPAN.org](#)
- Former military judges discuss their views before an advisory committee on the state of the military justice system on the handling of sexual assault cases [Sexual Assault in the Military, Former Military Judges Panel | C-SPAN.org](#)
- Sexual Assault in the Military Victim Panel Defense Advisory Committee [Sexual Assault in the Military, Victim Panel | C-SPAN.org](#)

Government Reviews and Documents 1970s-2021

- Defense Advisory Committee on Investigation, Prosecution, and Defense of Sexual Assault in the Amed Forces. The meeting was held under the provisions of [chapter 10 of title 5 of the United States Code](#) (U.S.C.) (formerly the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C. App.)), the Government in the Sunshine Act of 1976 ([5 U.S.C. 552b](#), as amended), and [41 CFR 102-3.140](#) and [102-3.150](#). [FACA \(facadatabase.gov\)](#)
- Peter Lee, “The Man’s Military Masculine Culture’s Role in Sexual Violence,” The Drew Papers, Air Force Research Institute, Air University Press, 2016 [This Man’s Military: Masculine Culture’s Role in Sexual Violence \(defense.gov\)](#)
- DoD Annual Reports on Sexual Harassment And Violence in the Military [Annual Report on Sexual Harassment and Violence at the Military Service Academies, Academic Program Year 2021-2022](#)
[Media Roundtable > U.S. Department of Defense > Transcript](#)
- RAND Literature Reviews & Reports [Research Examining Sexual Assault and Sexual Harassment in the U.S. Military | RAND](#) [Countering Sexual Assault and Sexual Harassment in the U.S. Military: Lessons from RAND Research | RAND](#)
- Women’s Congressional Policy Institute Website House Subcommittee [House Subcommittee Discusses Sexual Assault in the Military - Women's Congressional Policy Institute \(wcpinst.org\)](#)

Government Reviews and Documents 2013-2019

- [Military Sexual Assault: Chronology of Activity in Congress and Related Resources](#)
Barbara Salazar Torreon, CRS 2013
- CRS Document. The timeframe is from January 23, 2013, House Armed Services Committee hearing on sexual misconduct at Lackland AFB through July 24, 2013, HR 2397 DoD Appropriations Act of 2014. A total of 40 events including House and Senate bills/acts, hearings, letter writing examples, amendment of codes
- DTIC Document. 2019 covers a chronology from 2013-2019. Three sections DOD and Obama Administration Actions, congressional actions, and legislation of 113th and 114th Congresses.
- [Military Sexual Assault: Chronology of Activity in the 113th-114th Congresses and Related Resources \(dtic.mil\)](#) [Military Sexual Assault: Chronology of Activity in the 113th-114th Congresses and Related Resources \(dtic.mil\)](#) CRS Report Updated 2019

Government Reviews and Documents 2019-2021

- S. 1495 Combating Military Sexual Assault Act (2019-2020) This bill addresses the prevention, investigation, and prosecution of sexual assault and related offenses in the Armed Forces. [S.1495 - 116th Congress \(2019-2020\): Combating Military Sexual Assault Act | Congress.gov | Library of Congress](#)
- CRS Military Sexual Assault: A Framework for Congressional Oversight [Military Sexual Assault: A Framework for Congressional Oversight \(fas.org\)](#)
- Sexual Assaults will no longer be prosecuted by commanders. [Sexual Assaults Will No Longer Be Prosecuted by Commanders > U.S. Department of Defense > Defense Department News](#)
- GAO 21 463 T “Sexual Assault in the Military: Continued Congressional Oversight and Additional DoD Focus on Prevention Could Aid DoD’s Efforts, fast facts what GAO found. Full report <https://www.gao.gov/assets/gao-21-463t.pdf> 28pp.
- Military Sexual Assault: A Framework for Congressional Oversight. Updated Feb 26, 2021, [Military Sexual Assault: A Framework for Congressional Oversight](#) Congressional Research Service <https://crsreports.congress.gov> R44944

Government Reviews and Documents 2021

- Presidential level decision-making [Statement of President Joe Biden on the Results of the Independent Review Commission on Military Sexual Assault | The White House](#)
- [To receive testimony on sexual assault in the military \(senate.gov\)](#)
Stenographic transcript before the Committee on Armed Services United States Senate to Receive Testimony on Sexual Assault in the Military Wed Mar 24, 2021, Washington DC
- CSPAN [Sexual Assault in the Military | C-SPAN.org](#) Sexual Assault in the Military 2:31:25
- Military Sexual Assault a Framework for Congressional Oversight Updated Feb 26, 2021, [Military Sexual Assault: A Framework for Congressional Oversight \(fas.org\)](#)