

Breaking the Silence

Can a new campaign persuade the Pentagon to reconsider its attitude?

By Jan Collins

Published October 19, 2013

The logo for The Economist, featuring the words "The Economist" in white serif font on a red rectangular background.

LAVENA JOHNSON was a bright 19-year-old from Missouri who joined the army in 2005 to earn money for college. She was posted to Iraq, where eight weeks later she was apparently raped and murdered.

Despite an autopsy report and photographs that revealed her to have suffered a broken nose, loose teeth, a black eye, burns on her genitals caused by lye and a gunshot wound that seemed inconsistent with suicide, the Department of Defence ruled that the young black soldier had killed herself. Petitions to Congress, a documentary film and an investigation by the Cold Case Investigative Research Institute have not persuaded the Pentagon to withdraw its controversial finding of suicide.

Now Nikky Finney, winner of the National Book Award for Poetry in 2011, has entered the fray. A black woman born and brought up in South Carolina during the civil-rights era, she was, she says, a “very young witness to good people raising their hands to join critical campaigns for social justice and fairness.” Her father, Ernest Finney junior, is a civil-rights lawyer who in 1994 became the first black chief justice of the South Carolina Supreme Court since Reconstruction.

At public lectures and other venues in her home state, where she now teaches at the University of South Carolina, Ms Finney reads a long poem-in-progress about LaVena Johnson. “There are no warning signs,/ nailed over recruitment doors,/ for 19-year-old Honours students/ who grow up loving the violin,” the poem runs. “The dotted line you signed, LaVena, should have included the report/ that your father didn’t know about.... With your hand over your heart/, Repeat after me:

Every woman/ entering these gates has a higher/ chance of being raped than being killed/ by enemy fire.”

Women in Congress know this statistic, and some are trying to force the armed forces to change the way they handle rape cases. (Sexual assault, as defined by the army’s Study Guide, includes heterosexual and homosexual rape, as well as non-consensual oral or anal sex, unwanted sexual contact or fondling, or attempts to commit these acts.) The DoD announced in May that reported incidents of sexual assault in all branches of the armed forces rose almost 6% in 2012, to 3,374 incidents. Based on responses to anonymous surveys, however, carried out by the DoD among all members of the services, it estimates there were 26,000 cases of sexual assault last year, up from an estimated 19,000 cases in 2010. Of the 3,374 incidents reported, just 302 went to trial, leading to 238 convictions.

Senator Kirsten Gillibrand, New York’s junior Democratic senator, has introduced legislation to remove sexual-assault cases from the army chain of command and place them in the hands of trained military prosecutors. A competing bill, introduced by Senator Claire McCaskill, Democrat of Missouri, would—despite the army’s bad record—keep the issue of sexual assault within the chain of command but require civilian review of cases that the top brass refuse to prosecute. Both bills are expected to be debated this autumn.

The portents are good; both President Barack Obama and Chuck Hagel, the secretary of defence, are also pushing for a change in the way the armed forces handle such cases. “Sexual harassment and sexual assault in the military,” Hagel said this spring, “are a profound betrayal... of sacred oaths and sacred trusts. This scourge must be stamped out.”

For both Ms Finney and for LaVena Johnson’s parents, reform would be a sort of justice. “I want to keep writing long into the night; I want to keep telling the truth as best I can,” Finney told an interviewer last year. “I think writing a good poem for LaVena is the least I can do for her.”