Soldier of Fortune

The war against Edward Clayton

March 1, 1999 By Tonia Howick

Once dishonorably discharged for the unbecoming conduct of saving love letters written to him by a fellow serviceman, 39-year-old Edward Clayton is now vice president of a national gay veterans organization. But he still can't think of himself as an ex-Marine. "I hate that term," he says. "I'll always be a Marine. I'm just not on active duty."

No one was more shocked at the indictment of the 1987 Marine of the Year than his commanding officer. "He authorized the search of my room to put an end to a rumor that I was gay," Clayton says. "Or what he thought was a rumor." The investigation set up to clear his name landed this corporal in the brig in southern California, where he was beaten and raped by another inmate. After informing Clayton that his attacker was known to be HIV positive, prison officials turned the self-described "country boy" out onto the streets of Los Angeles; he slept in doorways during the day and kept moving at night. "I can't say what I was thinking at the time," he says, "because I don't really think I was."

Four days later, Clayton found himself at the LA branch of the Gay, Lesbian and Bisexual Veterans of America (GLBVA). There he got the name of a doctor and a ticket to Birmingham, Alabama, where his family lives.

But Clayton -- a decorated aircraft engineer who had just accepted a $42,500 bonus as part of a six-year re-enlistment package -- wasn't to be exiled so easily. "They fully assumed I would just be routed through discharge and sent on my way home," he says. "I had intended to spend 30 years in the Marine Corps, and my whole career had been laid to waste in 60 days."

The Marines leveled a series of charges against Clayton that included fraudulent enlistment and interfering with a military investigation. When he refused to give a commanding officer the names of any soldiers he knew to be gay or lesbian, he was also charged with disobeying a direct order. Next to the re-enrollment number on his discharge papers, a code he half-jokingly explains as "do not re-admit under any circumstances, even in the case of nuclear war," is a fragment of a sentence: " ... discovered involvement in homosexual activity." This will be seen by all prospective employers for the rest of Clayton's life. "Just one last jab," he says, "to make your life totally miserable."

Back in Alabama, he decided to file antigay discrimination charges against the Marine Corps. "I

feel they turned a blind eye while I was assaulted," he says, "and that assault led to my infection with HIV."

Unemployed and unable to find work, Clayton looked in vain for a pro bono lawyer to take his case, but the only people who seemed to pay any attention to his story were some local homophobes who tried to beat him up because he is gay. The five-foot-six-inch, 150-pound Clayton took on all comers, including some cousins and even his own grandfather, and sent four or five people to the hospital. He sustained minor injuries himself. No one on either side pressed charges.

Clayton says that he believes that the Marines threw him away without a second thought. "As far as they were concerned," he says, "I had AIDS and I was going to be dead soon anyway." But an examination of the case they brought against him suggests that they had another kind of annihilation in mind. They sued Clayton for every dollar he'd ever earned or acquired during military service -- from weekly expense checks to help defray costs while he served in Japan to his $42,500 re-enlistment bonus. They ruined his credit rating. And Marine officials twice seized the money in his checking account, leaving him each time with just $50 in the bank.

Once elected vice president of the GLBVA -- the organization that had rescued him from the streets of Los Angeles -- Clayton was finally able to take care of the financial aspect of his problems. In his new position he had the opportunity to meet with openly gay Richard Socarides, then a Clinton White House aide, and the assistant secretary of defense to discuss the military's "don't ask, don't tell" policy. "I mentioned it to them at the meeting," he said, "and they looked into it." While the debt has not been formally canceled -- "a gung-ho corporal could revive collection at any time" -- his new associates managed to clear his credit record.

After all this, does he feel that he has won? "Oh, no," Clayton is quick to answer. "The only thing that would feel like a victory to me would be a return to active duty." When asked how he could still want to be a part of an organization that has shown him such animosity, he says, "First and foremost, to serve my country. Second, to prove a point: 'All those years you told us we were no good, and I'm going to prove you wrong.'"

Since his discharge 10 years ago, Clayton has looked in vain for affordable health care. During that period, the Marines canceled Clayton's health insurance and declared him ineligible to receive any veterans' benefits. "Up until three years ago, I had little or no treatment for HIV," he says.

What do his current lab tests say? "I have no idea," Clayton says. He remembers that the last time tests were done -- nearly two years ago -- his CD4-cell count was 800 and his viral load was somewhere below 5,000.

On the last day of 1998, Clayton became eligible for basic health benefits through his current office job. Whether or not his group plan will cover meds is a concern, but Clayton would much rather talk about his nascent political career: If he's elected GLBVA's national president, he has promised constituents that the first thing he'll do is work with the Department of Defense to remove the words *discovered involvement in homosexual activity* from all military papers.

Perhaps the only people who won’t benefit from losing those five words are people whose papers never had them in the first place, like the former lover whose letters Clayton couldn’t bear to throw away: He was given an honorable discharge, and the Marines never brought any charges against him. “He was cooperative with his command,” Clayton says. “He named names. And they made it easy on him.”

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