WHAT MILITARY OFFICERS NEED TO KNOW ABOUT CIVIL-MILITARY RELATIONS

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Civil-military relations describe the interactions among the people of a state, the institutions of that state, and the military of the state. At the institutional level, there are "two hands on the sword."[1] The civil hand determines when to draw it from the scabbard and thence guides it in its use. This is the dominant hand of policy, the purpose for which the sword exists in the first place. The military's hand sharpens the sword for use and wields it in combat.[2]

From the time of the Revolution to the present, U.S. civil-military relations essentially have constituted a bargain among the aforementioned parties—the people, the civil government, and the military establishment—concerning the allocation of prerogatives and responsibilities between the government and the military, in answer to five questions:[3] Who controls the military instrument? What is the appropriate level of military influence on society? What is the role of the military? What pattern of civil-military relations best ensures military success? Who serves?[4]

From time to time throughout American history, certain circumstances—political, strategic, social, technological, etc.—have changed to such a degree that the terms of the existing civil-military bargains have become obsolete. The resulting disequilibrium and tension have led the parties to renegotiate the bargains in order to restore equilibrium.

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This is not to say that in the United States the parties to the bargain are equal. The American civil-military bargain is the outcome of an "unequal dialogue." It is "a dialogue, in that both [the civilian and military] sides expressed their views bluntly, indeed, sometimes offensively, and not once but repeatedly—and [an] unequal [one], in that the final authority of the civilian leader was unambiguous and unquestioned."[5] In the United States, the military, despite having a monopoly on coercive power, has generally accepted its position relative to the other parties.

As the idea of a periodic renegotiation of the civil-military bargain would suggest, there have been some fairly serious civil-military clashes over the past two decades. They primarily reflect changes in the security environment but also have been driven to some degree by changing social and political factors.

For example, a substantial renegotiation of the civil-military bargain took place with the end of the Cold War. The change in the security environment occasioned by the collapse of the Soviet Union led to a lack of consensus regarding what the military was expected to do in the new security environment. The result was a period of drift that had an impact on civil-military relations. During this period, some observers worried that the military had become more alienated from its civilian leadership than at any time in American history, that it had become politicized and partisan, that it had become resistant to civilian oversight, that officers had come to believe that they had the right to confront and resist civilian policy makers—to insist that civilian authorities heed their recommendations —and that the military was becoming too influential in inappropriate areas of American society.[6]

Arguably another renegotiation of the civil-military bargain began to take shape after the attacks of 9/11, as the military found itself fighting protracted irregular wars instead of the conventional wars it prefers. Illustrative of civil-military tensions were clashes between the uniformed services and President George W. Bush's first secretary of defense, Donald Rumsfeld, over efforts to "transform" the military from a Cold War force to one better able to respond to likely future contingencies, and the planning and conduct of U.S. military operations in Afghanistan and Iraq. These tensions peaked with the so-called revolt of the generals in the spring of 2006, which saw a number of retired Army and Marine Corps generals publicly and harshly criticize Secretary Rumsfeld.[7]

With Rumsfeld's departure and the apparent success of the "surge" in Iraq, some expressed hope that harmony might return to American civil-military relations. To be sure, Rumsfeld's successor as secretary of defense, Robert Gates, did a great deal to improve the civil-military climate. But subsequent events— including Gates's decision to fire two service secretaries and a service chief, to recommend against renominating the chairman of the Joint Chiefs of Staff for a second term, and to force the retirement of a combatant commander, as well as a

public disagreement on military strategy between President Barack Obama and the ground commander in Afghanistan, General Stanley McChrystal, and the latter's subsequent relief—make it clear that the state of U.S. civil-military relations remains contentious at best.[8]

The new secretary of defense, Leon Panetta, and chairman of the Joint Chiefs of Staff, General Martin Dempsey, as well as new service chiefs and combatant commanders, will be deeply involved in a likely renegotiation of the civil-military bargain as the country draws down from a decade of war just as it faces severe fiscal constraints. It is a given that the Defense Department will face substantial budget reductions, placing a great deal of stress on civil-military relations. Whether they realize it or not, military officers of all grades, not only the most senior commanders, will be deeply involved in the constant negotiating that shapes the U.S. civil-military bargain. Here's some of what they need to know.

CIVIL-MILITARY RELATIONS INCLUDE MORE THAN CIVILIAN CONTROL

Most of the debate over American civil-military relations since the 1990s has been dominated by concerns about civilian control of the military establishment. Indeed, some observers believe that the focus on civilian control has obscured other equally important elements of civil-military relations.[9] But as noted above, the domain of civil-military relations encompasses four questions in addition to control of the military.

The first additional question raises the issue of *what degree of military influence is appropriate* in a liberal society such as the United States. The extreme form of military influence in society is militarism, a state of affairs in which military values predominate and the military devours a disproportionate share of society's resources. What is the proper scope of military affairs? In today's environment, what constitutes military expertise? Does it go beyond what Samuel Huntington called in *The Soldier and the State,* his classic study of civil-military relations, the "management of violence"?[10] Should it?

For instance, to what extent should the military influence foreign policy? Has American foreign policy become "militarized"? Do combatant commanders exercise too much power? Have they become the new "viceroys" or "proconsuls"?[11] What is proper regarding the military and domestic politics? Should active-duty officers be writing op-eds in support of particular programs or policies? Should retired officers get involved in partisan politics? What is the military's proper role in influencing the allocation of resources?

Next, what is *the appropriate role of the military*? Is the military establishment's purpose to fight and win the nation's wars or to engage in constabulary actions? What kind of wars should the military prepare to fight? Should the focus of the

military be foreign or domestic? The United States has answered this question differently at different times and under different circumstances. For example, throughout most of its history the U.S. Army was a constabulary force. It permanently oriented itself toward large-scale conflicts against foreign enemies only in the 1930s. The end of the Cold War and the attacks of 9/11 have suggested new answers—for example, a focus on "irregular warfare" (counterinsurgency and counterterrorism), as well as an openness to the use of the military in domestic affairs, such as disaster relief in response to emergencies like Katrina, domestic law enforcement during the Los Angeles riots, or border security. What impact do such issues have on civil-military relations?

Next, *what pattern of civil-military relations best ensures the effectiveness* of the military instrument? All of the other questions mean little if the military instrument is unable to ensure the survival of the state. If there is no constitution, the question of constitutional balance doesn't matter. Does effectiveness require a military culture distinct in some ways from the society it serves? What impact does societal structure have on military effectiveness? What impact does political structure exert? What impact does the pattern of civil-military relations have on the effectiveness of strategic decision-making processes?

And finally, *who serves*? Is military service an obligation of citizenship, or something else? How are enlisted members recruited and retained? How should the U.S. military address issues of "diversity" in the force? What about reserves, racial and ethnic minorities, women, and homosexuals?

Obviously, questions regarding military service have been answered by Americans in various ways. Through most of its early history, the United States maintained a small regular peacetime establishment that mostly conducted limited constabulary operations. During wartime, the several states were responsible for raising soldiers for federal service, either as militia or volunteers.

While the United States resorted to a draft during the Civil War and again during World War I, conscription became the norm in the United States only from the eve of World War II until the 1970s. Today the U.S. military is a volunteer professional force. But even now the force continues to evolve, as debates over such issues as the role of the reserve components in the post-9/11 military force, women in combat, service by open homosexuals, and the recruitment of religious minorities, especially Muslims, make clear.

The question of *civilian control* is important, but a myopic focus on this issue means that other important questions are often ignored. In addition, the fact that liberal societies like the United States often take civilian control for granted raises several further questions: Does civilian control refer simply to the dominance of civilians within the executive branch—the president or the secretary of defense? What is the role of the legislative branch in controlling the military instrument?

Is the military establishment "unified," that is, does it speak with anything like a single voice vis-à-vis the civil government?

What is the nature of military advice? Should military leaders "insist" that their advice be heeded? What courses of action are available to military leaders who believe the civilian authorities are making bad decisions? In other words, is there something that might be called a "calculus of dissent" that military leaders can invoke in cases where they believe civilian decisions are dangerous to the health of the country? These issues, addressed below, are part and parcel of what officers need to know about civil-military relations.[12]

CIVILIAN CONTROL INVOLVES NOT ONLY THE EXECUTIVE BRANCH

It involves Congress as well. As the constitutional scholar Edward Corwin once famously observed, the Constitution is an "invitation to struggle for the privilege of directing American foreign policy" between Congress and the president.[13] But there is a similar tension at work with regard to civil-military relations. Those who neglect the congressional role in American civil-military relations are missing an important element.[14]

The military has *two* civilian masters, and this has implications for civil-military relations that officers must understand. For instance, while the president and secretary of defense control the military when it comes to the use of force, including strategy and rules of engagement, Congress controls the military directly with regard to force size, equipment, and organization, and indirectly regarding doctrine and personnel. Indeed, Congress is the "force planner" of last resort.

The U.S. military accepts civilian control by both Congress and the president but offers advice intended to maintain its own institutional and professional autonomy. On use of force, the military is usually granted a good deal of leeway regarding the terms and conditions for such use.

By not dissenting from executive-branch policy, American military officers implicitly agree to support presidential decisions on the budget and the use of force, but they also must recognize an obligation to provide their alternative personal views in response to Congress. However, officers must recognize that Congress exerts its control with less regard for military preferences than for the political considerations of its individual members and committees. Thus congressional control of the military is strongly influenced by political considerations, by what Samuel Huntington called "structural," or domestic, imperatives as opposed to strategic ones.

When the president and Congress are in agreement, the military complies. When the two branches are in disagreement, the military tends to side with the branch that most favors its own views, but never to the point of direct disobedience

to orders of the commander in chief. Military officers are obligated to share their views with Congress. Doing so should not be treated as an "end run" undermining civilian control of the military.[15]

THE ABSENCE OF A COUP
The absence of a coup does not indicate that civil-military relations are healthy or that civilian control has not eroded. All too often, officers seem to believe that if the United States does not face the prospect of a Latin American– or African-style military coup d'état, all is well in the realm of civil-military relations. But this is a straw man. A number of scholars, including Richard Kohn, Peter Feaver, the late Russell Weigley, Michael Desch, and Eliot Cohen, have argued that although there is no threat of a coup on the part of the military, American civil-military relations have nonetheless deteriorated over the past two decades.[16]

Their concern is that the American military "has grown in influence to the point of being able to impose its own perspective on many policies and decisions," which manifests itself in "repeated efforts on the part of the armed forces to frustrate or evade civilian authority when that opposition seems likely to preclude outcomes the military dislikes." The result is an unhealthy civil-military pattern that "could alter the character of American government and undermine national defense."[17]

In theory, Kohn argues, "civilians have the authority to issue virtually any order and organize the military in any fashion they choose."

> But in practice, the relationship is far more complex. Both sides frequently disagree among themselves. Further, the military can evade or circumscribe civilian authority by framing the alternatives or tailoring their advice or predicting nasty consequences; by leaking information or appealing to public opinion (through various indirect channels, like lobbying groups or retired generals and admirals); or by approaching friends in the Congress for support. They can even fail to implement decisions, or carry them out in such a way as to stymie their intent. . . . We are not talking about a coup here, or anything else demonstrably illegal; we are talking about who calls the tune in military affairs in the United States today.[18]

But this seems to support the contention that actual civil-military relations represent the outcome of constant bargaining.

Kohn argues that balanced civil-military relations in the United States have traditionally rested on four foundations, which, he argues, have eroded: the rule of law and reverence for the Constitution; a small force in peacetime; reliance on the citizen-soldier; and the military's own internalization of military subordination to civilian control. Kohn cites Major General John J. Pershing's instructions to First Lieutenant George Patton in 1916: "You must remember that when we enter the army we do so with the full knowledge that our first duty is toward the

government, entirely regardless of our own views under any given circumstances. We are at liberty to express our personal views only when called upon to do so or else confidentially to our friends, but always confidentially and with the complete understanding that they are in no sense to govern our actions." Or in the words of Omar Bradley, the first chairman of the Joint Chiefs of Staff, "Thirty-two years in the peacetime army had taught me to do my job, hold my tongue, and keep my name out of the papers."[19]

While Kohn acknowledges that civil-military tensions are not new, he argues that current conditions are such that the threat of military insubordination is much greater than in the past. First, thanks to the Goldwater-Nichols Act of 1986, the military is united in an unprecedented way. Whereas in the past the armed services often were at odds over roles, missions, budgets, and weapons systems, today they can work together to shape, oppose, evade, or thwart the choices civilians make. Of course in view of the upcoming budgetary battles that can be expected over the next few years as resources for defense are substantially reduced, this unity may well deteriorate.

Second, many of the issues in play today reach far beyond the narrowly military, not only to the wider realm of national security but often to foreign relations more broadly. In certain cases military affairs even affect the character and values of American society itself. Kohn argues that this expanded role represents a significant encroachment on civilian control of the military. Third, military advice and advocacy are now much more public than they once were. Fourth, senior officers now lead a large, permanent peacetime military establishment that differs fundamentally from any of its predecessors. Kohn argues that this military is increasingly disconnected, even estranged, from civilian society, while at the same time it is becoming a recognizable interest group, "larger, more bureaucratically active, more political, more partisan, more purposeful, and more influential than anything similar in American history."[20]

According to Kohn, the erosion of civilian control gives rise to "toxic" civil-military relations, which, he argues, damage national security in at least three ways: by paralyzing national security policy; by obstructing or even sabotaging the ability of the United States to intervene in foreign crises or to exercise international leadership; and by undermining the confidence of the military as an institution in its own uniformed leadership.[21]

The military has "pushed back" against civilian leadership on numerous occasions during the last two decades. This pushback has manifested itself (to use Peter Feaver's formulation) in various forms of "shirking"—"foot dragging," "slow rolling," and leaks to the press designed to undercut policy or individual policy makers.[22] Such actions were rampant during the William Clinton presidency and during the tenure of Donald Rumsfeld as secretary of defense. Such pushback is

based on the claim that civilians are making decisions without paying sufficient attention to the military point of view. This leads to the next principle of civil-military relations: officers have an obligation to make their case as strongly as possible but do not have the right to "insist" that their advice be accepted. However, there must be a "calculus of dissent."

MILITARY ADVICE: PROFESSIONAL SUPREMACISTS VS. CIVILIAN SUPREMACISTS

During the 1990s, some military officers explicitly adopted the view that soldiers have the right to a voice in making *policy* regarding the use of the military instrument, that indeed they have the right to *insist* that their views be adopted. This assumption has been encouraged by a serious misreading of a very important book by H. R. McMaster, *Dereliction of Duty: Lyndon Johnson, Robert McNamara, the Joint Chiefs of Staff, and the Lies That Led to Vietnam.*[23]

The subject of *Dereliction of Duty* is the failure of the Joint Chiefs to challenge Defense Secretary Robert McNamara adequately during the Vietnam War. Many serving officers believe the book effectively makes the case that the Joint Chiefs of Staff should have more openly opposed the Lyndon Johnson administration's strategy of gradualism and then resigned rather than carry out the policy. But the book says no such thing. While McMaster convincingly argues that the chiefs failed to present their views frankly and forcefully to their civilian superiors, including members of Congress, he neither says nor implies that they should have obstructed President Johnson's orders and policies through leaks, public statements, or resignation.

This misreading of *Dereliction of Duty* has dangerously reinforced the increasingly widespread belief among officers that they should be advocates of particular policies rather than simply serving in their traditional advisory role. For instance, according to a survey of officer and civilian attitudes and opinions undertaken by Ole Holsti for the Triangle Institute for Security Studies (TISS) in 1998–99, "many officers believe that they have the duty to force their own views on civilian decision makers when the United States is contemplating committing American forces abroad."

Peter Feaver has called this view "McMasterism," in order to distinguish it from McMaster's own, more nuanced argument. McMasterism essentially argues that, first, civilians actively try to suppress the military's opinion; second, military opinion is right, or at least more right than civilian opinion; and third, the military should ensure not only that its voice is heard but also that it is *heeded.* McMasterism essentially blames the U.S. failures in Iraq that predated the surge on the generals, because, it claims, they went along with civilian preferences rather than blocking them.[24]

Two recent and widely disseminated examples of McMasterism are Army lieu-
tenant colonel Paul Yingling's "A Failure of Generalship" and Marine lieutenant
colonel Andrew Milburn's "Breaking Ranks." The former exhorts the generals to
"find their voices" and excoriates them for not making "their objections public."
The latter states that "there are circumstances under which a military officer is
not only justified but also obligated to disobey a legal order."[25]

Feaver argues that McMasterism reflects the viewpoint of what he calls the
"professional [military] supremacists," who argue that the primary civil-military-
relations problem during wartime is ensuring that the military can prevent the
civilians from micromanaging and mismanaging. But "civilian supremacists"
contend that this view of the role of military leaders is questionable and at odds
with the principles and practice of American civil-military relations.

McMasterism is reflected in the TISS study cited above. When "asked whether
military leaders should be neutral, advise, advocate, or insist on having their way
in the decision" to use military force, 50 percent or more of the up-and-coming
active-duty officers who responded answered that leaders should "insist" regard-
ing the following issues: "setting rules of engagement, ensuring that clear political
and military goals exist, developing an 'exit strategy,'" and "deciding what kinds
of military units will be used to accomplish all tasks." In the context of the ques-
tionnaire, "insist" definitely implied that officers should try to compel acceptance
of the military's recommendations.[26] There is little to suggest that this view has
changed.

According to the civilian supremacists, the uniformed military in the Ameri-
can system does not possess a veto over policy. Indeed, civilians even have the
authority to make decisions in what would seem to be the realm of purely mili-
tary affairs. This school of thought holds that "the primary problem of [wartime
civil-military relations] is ensuring that well-informed civilian strategic guidance
is authoritatively directing key decisions, even when the military disagrees with
that direction."[27] They add that the record illustrates that the judgment of the
military is not necessarily superior to that of civilian decision makers.

Consider some historical examples. During the Civil War, Abraham Lincoln
constantly prodded George McClellan to take the offensive in Virginia in 1862.
McClellan just as constantly whined about insufficient forces. During World War
II, despite the image of civil-military comity, there were many differences be-
tween Franklin Roosevelt and his military advisers. George Marshall, the greatest
soldier-statesman since Washington, opposed arms shipments to Great Britain in
1940 and argued for a cross-channel invasion before the United States was ready.
History has vindicated Lincoln and Roosevelt.

Similarly, many observers, especially those in the uniformed military, have
been inclined to blame the U.S. defeat in Vietnam on the civilians. But the

American operational approach in Vietnam was the creature of the uniformed military. The consensus today is that the operational strategy of General William Westmoreland was counterproductive; it did not make sense to emphasize attrition of People's Army of Vietnam forces in a "war of the big battalions"—that is, one involving sweeps through remote jungle areas in an effort to fix and destroy the enemy with superior firepower. By the time Westmoreland's successor could adopt a more fruitful approach, it was too late.[28]

During the planning for Operation DESERT STORM in late 1990 and early 1991, General Norman Schwarzkopf, commander of U.S. Central Command (CENTCOM), presented a plan calling for a frontal assault against Iraqi positions in southern Kuwait followed by a drive toward Kuwait City. The problem was that this plan was unlikely to achieve the foremost military objective of the ground war—the destruction of the three divisions of Saddam's Republican Guard. The civilian leadership rejected the early war plan presented by CENTCOM and ordered a return to the drawing board. The revised plan was far more imaginative and effective, a further indication that in wartime the military does not always know best.[29]

This pattern persisted in Iraq. For instance, while Secretary of Defense Rumsfeld did not foresee the insurgency or the shift from conventional to guerilla war, neither did his critics in the uniformed services. In December 2004, Tom Ricks reported in the *Washington Post* that while many in the Army blamed "Defense Secretary Donald H. Rumsfeld and other top Pentagon civilians for the unexpectedly difficult occupation of Iraq," one close observer—U.S. Army major Isaiah Wilson III, an official historian of the campaign and later a war planner in Iraq—placed the blame squarely on the Army.[30] In an unpublished report, he concluded that senior Army commanders had failed to grasp the strategic situation in Iraq and therefore did not plan properly for victory, that Army planners suffered from "stunted learning and a reluctance to adapt," and that Army commanders in 2004 still misunderstood the strategic problem they faced and therefore were still pursuing a flawed approach.

Critics also charged that Rumsfeld's Pentagon shortchanged the troops in Iraq, in part by failing to provide them with armored "Humvees." Yet a review of Army budget submissions makes it clear that the Army did not immediately ask for the vehicles; its priority, as is usually the case with the uniformed services, was to acquire "big ticket" items. It was only after the insurgency began and the threat posed by "improvised explosive devices" became apparent that the Army began to push for supplemental spending to "up-armor" the utility vehicles.

While it is true that Rumsfeld downplayed the need to prepare for postconflict stability operations, it is also the case that in doing so he was merely ratifying the preferences of the uniformed military. Only recently has the uniformed military

begun to shed the "Weinberger Doctrine," a set of principles long internalized by the U.S. military that emphasize the requirement for an "exit strategy." But if generals are thinking about an exit strategy, they are not thinking about "war termination"—how to convert military success into political success, which is the purpose of postconflict planning and stability operations. This cultural aversion to stability operations is reflected in the fact that operational planning for Operation IRAQI FREEDOM took eighteen months, while planning for postwar stabilization began (halfheartedly) only a couple of months before the invasion.[31]

It should also be noted that the most frequently cited example of prescience on the part of the uniformed military—General Eric Shinseki's February 2003 statement before Congress suggesting that "several hundred thousand" troops might be necessary in postwar Iraq—was no such thing. As John Garofano has observed, "no extensive analysis has surfaced as supporting Shinseki's figures, which were dragged out of him by Senator Carl Levin only after repeated questioning." Garofano notes that in fact the figures were based on a "straight-line extrapolation from very different environments."[32] That is, the Army's Center of Military History based a figure of 470,000 troops for Iraq on the service's experiences in Bosnia and Kosovo, where the primary mission had been peacekeeping. This effort to estimate necessary troop strength was inept—critics called it naive, unrealistic, and "like a war college exercise" rather than serious planning.[33]

Finally, to the extent that Shinseki was correct, he was correct for the wrong reasons. His focus was on humanitarian concerns rather than on the critical society-building work that the U.S. military had to implement in Iraq.[34] Garofano concludes that the oft-made charge against Rumsfeld—that he punished Shinseki for "being right"—is not supported by the evidence. War planning "comes down, as it did in Vietnam, to analysis, getting it right, and providing clear alternatives that address or confront policy goals."[35] This the uniformed military in general and Shinseki in particular failed to do.

THE "CALCULUS OF DISSENT"

This is not to suggest that the military has no option if military advice is not heeded. The minimalist position is articulated in *The Armed Forces Officer,* an official publication that lays out the moral-ethical aspects of officership and the question of military deference to civilian authority in very stark terms: "Having rendered their candid expert judgment, professionals are bound by oath to execute legal civilian decisions as effectively as possible—even those with which they fundamentally disagree—or they must request relief from their duties, or leave the service entirely, either by resignation or retirement."[36]

Many have argued that the choices provided by *The Armed Forces Officer* are too narrow. They contend that in terms of Albert Hirschman's classic study of

responses to decline in firms, organizations, and states, the publication offers officers only the choices of "loyalty" and "exit." But Hirschman argues that under certain circumstances, the institutionalization of greater "voice"—that is, dissent—can help stem massive exit.[37]

For instance, Leonard Wong and Douglas Lovelace write that there are alternatives "beyond blind obedience, resignation or retirement."[38] They propose a range of actions available to senior military leaders to achieve Hirschman's "voice" when confronted with decisions by civilian leaders that they believe are flawed. They identify two variables: the degree of civilian resistance to military advice and the seriousness of the threat to national security that the policy embodies.

When the degree of civilian resistance to military advice is low and the magnitude of the threat is low, the options for the military are acquiescence or compromise. When resistance to military advice is low but the threat is high, options involve frequent interaction between the uniformed military and the civilians, work to achieve consensus, and cooperative analysis.

When the degree of civilian resistance to military advice is high and the magnitude of the threat is low, the options for military officers include declining advancement or assignment, requesting relief, waiting the civilians out, or retiring. When both civilian resistance to military advice and the level of the threat are high, the authors suggest, options range from a public information campaign, writing articles, testifying before Congress, and joining efforts with others to resignation.[39]

Don Snider accepts the idea of broadening the choices available to uniformed officers when faced with what they believe to be flawed policy decisions by civilians but questions whether the two variables employed by Wong and Lovelace alone provide adequate guidance for a strategic leader of the American military profession who is considering dissent.[40] For Snider, the imperatives of military professionalism and the "trust" relationship between the military profession and other entities within American society and government also must play roles.

Snider suggests three trust relationships, to be rated along a continuum ranging from "fully trusted"—the ideal—to "not trustworthy." The three relationships are that between the military profession and the American people; that between the military profession and the people's elected representatives, in both the executive and legislative branches; and that between senior leaders of the military profession and their subordinate leaders.[41]

Following Huntington, Snider identifies three responsibilities of military leaders. The first is the "representative function," the professional requirement "to represent the claims of military security within the state machinery"—that is, to "express their expert point of view on any matter touching the creation, maintenance, use, or contemplated use of the armed forces." The second responsibility is

to exercise the "advisory function." This is the professional imperative "to analyze and to report on the implications of alternative courses of action from the military point of view," and to provide "candid professional military advice to elected and appointed civilian leaders, regardless of whether the advice was solicited or regardless of whether the advice is likely to be welcomed." Such advice does not include policy advocacy, which both Huntington and Snider consider beyond the legitimate role of military officers. The third responsibility is to exercise the "executive function." This requires the military professional "to implement state decisions with respect to state security even if it is a decision which runs violently counter to his military judgment."[42]

Having laid out the three trust relationships and the three responsibilities of professional military leaders, Snider addresses how the "other" in each trust relationship involving the military profession—respectively, the American people, civilian leaders, and junior leaders within the military profession itself—perceives and understands acts of dissent on the part of the military profession's senior leaders. Such a moral analysis, he argues, must address at least five considerations.

The first is the *gravity of the issue* to the nation and therefore to the clients of the military profession. The second is the *relevance of the strategic leader's expertise* with regard to the issue that might impel dissent. Does the issue at hand fall squarely within the scope of the dissenter's expertise as a military professional? The third consideration is the *degree of sacrifice on the part of the dissenter.* Is the dissent motivated solely by a disinterested desire to serve the nation, even in the face of personal sacrifice, or does it involve a self-serving subtext, such as the advancement of the dissenter's own professional or political ambitions? The fourth consideration is the *timing of the act of dissent.* Was it timed to undercut the actions or policy from which the officer wishes to dissent? Finally, is the act of dissent congruent with the prior, long-term character and beliefs of the dissenter? Does the dissent strike those who know the dissenter as uncharacteristic or atypical?[43] Snider goes on to argue that a complete assessment on the part of the dissenter would analyze the five considerations in the light of the three trust relationships.

Of course, in practice, argues Snider, some factors are more salient than others. Like Wong and Lovelace, he believes that the gravity of the issue with regard to national security is most important. "Logically, the higher the stakes, the greater the temptation and justification will be for dissenters to speak out."[44] This is the case because the only reason to have a military is to ensure national security. That is what the military profession is all about. Of course, to engage in dissent, no matter the stakes, seems to be in conflict with the inviolate principle of the subordination of the military to civilian authority. The interpretation of acts of dissent is complicated, argues Snider, by the deeply polarized nature of American politics

today and the perception on the part of some that the military as an institution has become too identified with the Republican Party.[45]

The moral calculus of dissent also requires that we consider the relevance of the expertise and knowledge of the dissenter. Why should we listen to the dissenter? "If the issue does not fit within the compass of the profession's expertise, or only marginally so, one would expect observers to dismiss dissenters as freelancers operating without standing, much as an Oscar-winning Hollywood actor who sets up shop as an authority on national defense."[46]

Part of the problem with this criterion is that the meaning of professional military expertise has changed since Huntington's time. Following Harold Lasswell, Huntington referred to the expertise of the professional military officer as the "management of violence." But today that description seems far too narrow. The fact is that today's military officer is really a "national security professional," whose expertise extends to the interconnected intellectual space of everything from strategic theory, strategic thinking, and strategy formation to diplomacy, nation building, and homeland defense.[47] Thus in practice it is sometimes difficult to differentiate between what military and civilian national security professionals do.[48] As historical examples cited earlier illustrate, even when it comes to purely military affairs the professional military officer is not necessarily more correct than the civilians.

The sacrifice incurred by the dissenter and the timing of the dissent must be judged according to the standard of common sense. "For the true professional, a right understanding of one's loyalties always places loyalty to self dead last. Thus, absent personal sacrifice, such dissent quickly leads to the suspicion of and the search for ulterior motives."[49] The same applies to the timing of the dissent. "If something is worthy of an act of dissent, then it is worthy. Thus, as soon as that is discerned and decided by the strategic leader, the act should follow immediately." If there is a substantial delay, the other partners in the trust relationship, especially the subordinate leaders within the profession, may suspect a lack of moral agency on the part of the dissenter as well as the impact of ulterior motives on the act.

Finally, it is critical that the strategic leader contemplating dissent be an authentic leader of competence and moral integrity who has previously displayed a steadfastness of character. Subordinates who judge leaders to be cynical or lacking in integrity are unlikely to construe an act of dissent by such individuals as disinterested.

In principle, U.S. military officers accept civilian control and recognize the limits of dissent. But as the previous discussion illustrates, the actual practice of military subordination is complicated by a number of factors. The first of these is organizational and institutional—the separation of powers related to military

affairs between the executive and legislative branches. But even more important is the tension between the loyalty and obedience of military professionals, on the one hand, and their military judgment and moral beliefs, on the other. The civil-military tensions visible both before and since 9/11 are illustrative of these complications.

CIVIL-MILITARY RELATIONS AND SERVICE DOCTRINES

The combination of civil-military relations patterns and service doctrines affect military effectiveness. In essence, the ultimate test of a civil-military relations pattern is how well it contributes to the effectiveness of a state's military, especially at the level of strategic assessment and strategy making.[50] However, Richard Kohn has explicitly called into question the effectiveness of the American military in this realm, especially with regard to the planning and conduct of operations other than those associated with large-scale conventional war. "Nearly twenty years after the end of the Cold War, the American military, financed by more money than the entire rest of the world spends on its armed forces, failed to defeat insurgencies or fully suppress sectarian civil wars in two crucial countries, each with less than a tenth of the U.S. population, after overthrowing those nations' governments in a matter of weeks."[51]

He attributes this lack of effectiveness to a decline in the military's professional competence with regard to strategic planning. "In effect, in the most important area of professional expertise—the connecting of war to policy, of operations to achieving the objectives of the nation—the American military has been found wanting. The excellence of the American military in operations, logistics, tactics, weaponry, and battle has been manifest for a generation or more. Not so with strategy."[52]

This phenomenon manifests itself, he argues, in recent failure to adapt to a changing security environment in which the challenges to global stability are "less from massed armies than from terrorism; economic and particularly financial instability; failed states; resource scarcity (particularly oil and potable water); pandemic disease; climate change; and international crime in the form of piracy, smuggling, narcotics trafficking, and other forms of organized lawlessness." He observes that this decline in strategic competence has occurred during a time in which the U.S. military exercises enormous influence in the making of foreign and national security policies. He echoes the claim of Colin Gray: "All too often, there is a black hole where American strategy ought to reside."[53] Is there something inherent in current U.S. civil-military affairs that accounts for this failure of strategy?

The failure of American civil-military relations to generate strategy can be attributed to the confluence of three factors. The first of these is the continued

dominance within the American system of what Eliot Cohen has called the "normal" theory of civil-military relations, the belief that there is a clear line of demarcation between civilians who determine the goals of the war and the uniformed military who then conduct the actual fighting. Until President George W. Bush abandoned it when he overruled his commanders and embraced the "surge" in Iraq, the normal theory has been the default position of most presidents since the Vietnam War. Its longevity is based on the idea that the failure of Lyndon Johnson and Robert McNamara to defer to an autonomous military realm was the cause of American defeat in Vietnam.

The normal theory can be traced to Samuel Huntington's *The Soldier and the State,* in which he sought a solution to the dilemma that lies at the heart of civil-military relations—how to guarantee civilian control of the military while still ensuring the ability of the uniformed military to provide security. His solution was a mechanism for creating and maintaining a professional, apolitical military establishment, which he called "objective control." Such a professional military would focus on defending the United States but avoid threatening civilian control.[54]

But as Cohen has pointed out, the normal theory of civil-military relations often has not held in practice. Indeed, such storied democratic war leaders as Winston Churchill and Abraham Lincoln "trespassed" on the military's turf as a matter of course, influencing not only strategy and operations but also tactics. The reason that civilian leaders cannot simply leave the military to its own devices during war is that war is an iterative process involving the interplay of active wills. What appears to be the case at the outset of the war may change as the war continues, modifying the relationship between political goals and military means. The fact remains that wars are not fought for their own purposes but to achieve policy goals set by the political leadership of the state.

The second factor, strongly reinforced by the normal theory of civil-military relations, is the influence of the uniformed services' organizational cultures. Each military service is built around a "strategic concept" that, according to Samuel Huntington, constitutes "the fundamental element of a military service," the basic "statement of [its] role . . . or purpose in implementing national policy."[55] A clear strategic concept is critical to the ability of a service to organize and employ the resources that Congress allocates to it.

It also largely determines a service's organizational culture. Some years ago, the late Carl Builder of the RAND Corporation wrote *The Masks of War,* in which he demonstrated the importance of the organizational cultures of the various military services in creating their differing "personalities," identities, and behaviors. His point was that each service possesses a preferred way of fighting and that "the unique service identities . . . are likely to persist for a very long time."[56]

The organizational culture of a service, in turn, exerts a strong influence on civil-military relations, frequently constraining what civilian leaders can do and often constituting an obstacle to change and innovation. The critical question here is this: Who decides whether the military instrument is effective, the civilian policy makers or the military itself?

An illuminating illustration of this phenomenon at work has been the recent attempt to institutionalize counterinsurgency doctrine within the U.S. Army. This is a difficult task, given the service's focus on the "operational level of war," which manifests itself as a preference for fighting large-scale conventional war—despite the fact that throughout most of its existence, the conflicts in which the U.S. Army engaged were actually irregular wars. Beginning in the late 1970s, the Army embraced the idea of the operational level of war as its central organizing concept. This made sense in light of that service's major war-fighting concern of the time—defeating Warsaw Pact forces on the Central Front of Europe—but also, as Hew Strachan has observed, "the operational level of war appeals to armies: it functions in a politics-free zone and it puts primacy on professional skills."[57]

Herein lies the problem for civil-military relations: the disjunction between *operational excellence* in combat and *policy,* which determines the reasons for which a particular war is to be fought. The combination of the dominant position of the normal theory of civil-military relations in the United States and the military's focus on the nonpolitical operational level of war means that all too often the conduct of a war is disconnected from the goals of the war.

As an essay published by the U.S. Army War College's Strategic Studies Institute puts it, the operational level of war has become an "alien" that has devoured strategy.

> Rather than meeting its original purpose of contributing to the attainment of campaign objectives laid down by strategy, operational art—practiced as a "level of war"—assumed responsibility for campaign planning. This reduced political leadership to the role of "strategic sponsors," quite specifically widening the gap between politics and warfare. The result has been a well-demonstrated ability to win battles that have not always contributed to strategic success, producing "a way of battle" rather than a way of war.

> The political leadership of a country cannot simply set objectives for a war, provide the requisite materiel, then stand back and await victory. Nor should the nation or its military be seduced by this prospect. Politicians should be involved in the minute-to-minute conduct of war; as Clausewitz reminds us, political considerations are "influential in the planning of war, of the campaign, and often even of the battle."[58]

The task of strategy is to bring doctrine—concerned with fighting battles in support of campaigns—into line with national policy. But instead of strategy, we have Gray's "black hole."

The third factor contributing to the perseverance of the American strategic black hole is one that was, ironically, intended to improve U.S. strategic planning —the Goldwater-Nichols Department of Defense Reorganization Act of 1986. In passing Goldwater-Nichols, Congress sought to address two central concerns: the excessive power and influence of the separate services and the mismatch between the authority of the combatant commanders and their responsibilities. The act increased the authority of the chairman of the Joint Chiefs of Staff while reducing that of the Joint Chiefs themselves, and it increased the authority of the theater commanders. Congress expected that such reorganization would, among other things, improve the quality of military advice to policy makers.

The Joint Chiefs of Staff are responsible for integrating theater strategy and national policy. But if they are marginalized, as they were during much of the Bush administration, such integration does not occur. This is an institutional problem illustrated by the case of General Tommy Franks, the commander of U.S. Central Command, who, in directing the war in Afghanistan after 9/11 and the first phase of the war in Iraq, was able to bypass the Joint Staff. His justification is found in his memoirs, *American Soldier:* "Operation Enduring Freedom in Afghanistan had been nitpicked by the Service Chiefs and the Joint Staff, and I did not intend to see a recurrence of such divisiveness in Iraq." He essentially sent a message to the chairman, the service chiefs, and the Joint Staff: "Keep Washington focused on policy and strategy. Leave me the hell alone to run the war."[59]

Of course, such an attitude is a dysfunctional consequence of the well-intentioned institutional arrangement created by Goldwater-Nichols, reinforcing as it does the idea that there is an autonomous realm of military action within which civilians have no role. The result of such a disjunction between the military and political realms is that war plans may not be integrated with national policy and that strategy, despite lip service to its importance, in practice becomes an orphan. In the absence of strategy, other factors rush to fill the void, resulting in strategic drift.

The current civil-military framework fails to provide strategic guidance for integrating the operational level of war and national policy. Rectifying this situation requires that both parties to the civil-military bargain adjust the way they do business.

U.S. civil-military relations since 9/11 raise a number of issues. How informed are civilian leaders when they choose to commit the military instrument? How well does the prevailing pattern of civil-military relations enable the integration

of divergent and even contradictory views? Does this pattern ensure a practical military strategy that properly serves the ends of national policy?

The state of post-9/11 American civil-military relations also points to the issue of *trust*—the mutual respect and understanding between civilian and military leaders and the exchange of candid views and perspectives between the two parties as part of the decision-making process.

Establishing trust requires that both parties to the civil-military bargain re-examine their mutual relationship. On the one hand, the military must recover its voice in the making of strategy, while realizing that politics permeates the conduct of war and that civilians have the final say, not only concerning the goals of the war but also how it is conducted. On the other, civilians must understand that implementing effective policy and strategy requires the proper military instrument and therefore must insist that soldiers present their views frankly and forcefully throughout the strategy-making and implementation process. This is the key to healthy civil-military relations.

NOTES

1. Vincent Brooks et al., *Two Hands on the Sword: A Study of Political-Military Relations in National Security Policy* (Carlisle, Pa.: U.S. Army War College, 1999).

2. Frank G. Hoffman, "Dereliction of Duty *Redux*? Post-Iraq American Civil-Military Relations," *Orbis* 52, no. 2 (Spring 2008), pp. 217–35.

3. I am indebted to Andrew Bacevich for the formulation (as a "bargain") of the problem in a comment on an early version of my proposal for a book tentatively titled *Sword of Republican Empire: A History of U.S. Civil-Military Relations.*

4. I have addressed these questions in depth in Mackubin Thomas Owens, *US Civil-Military Relations after 9/11: Renegotiating the Civil-Military Bargain* (New York: Continuum, 2011).

5. Eliot Cohen, *Supreme Command: Soldiers, Statesmen, and Leadership in Wartime* (New York: Anchor Books, 2002), p. 247.

6. See Mackubin Thomas Owens, "Understanding Civil-Military Relations during the Clinton-Bush Era," in *Inside Defense: Understanding the 21st Century Military,* ed. Derek

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7. See Mackubin Thomas Owens, "Renegotiating the Civil-Military Bargain after 9/11," in *Lessons for a Long War: How America Can Win on New Battlefields,* ed. Tom Donnelly and Frederick W. Kagan (Washington, D.C.: American Enterprise Institute, 2010).

8. See Mackubin Thomas Owens, "The War on Terror and the Revolt of the Generals," *Wall Street Journal,* 1 October 2010, p. A19.

9. See Mackubin Thomas Owens, "Civil-Military Relations and the Strategy Deficit," E-Note, *Foreign Policy Research Institute,* February 2010, www.fpri.org/; and Hoffman, "Dereliction of Duty *Redux*?"

10. Samuel Huntington, *The Soldier and the State: The Theory and Politics of Civil-Military Relations* (Cambridge, Mass.: Belknap of Harvard Univ. Press, 1957).

11. Cf. Derek Reveron, ed., *America's Viceroys: The Military and U.S. Foreign Policy* (New York: Palgrave Macmillan, 2004).

12. On the various domains of civil-military relations, see Owens, *Civil-Military Relations after 9/11.*

13. Edward S. Corwin et al., *The President: Office and Powers 1787–1984,* 5th rev. ed. (New York: New York Univ. Press, 1984), p. 201.

14. Samuel Huntington, *The Common Defense: Strategic Programs in National Politics* (New York: Columbia Univ. Press, 1961); Charles A. Stevenson, *Warriors and Politicians: US Civil-Military Relations under Stress* (New York: Routledge, 2006). Cf. Mackubin Thomas Owens, "Strategy and the Strategic Way of Thinking," *Naval War College Review* 60, no. 4 (Autumn 2007), pp. 111–24.

15. Stevenson, *Warriors and Politicians,* pp. 207–208.

16. Richard Kohn, "The Erosion of Civilian Control of the Military in the United States Today," *Naval War College Review* 55, no. 3 (Summer 2002), pp. 9–59; "Out of Control: The Crisis in Civil-Military Relations," *National Interest,* no. 35 (Spring 1994); *The Forgotten Fundamentals of Civilian Control of the Military in Democratic Government,* Project on U.S. Post–Cold War Civil-Military Relations Working Paper 13 (Cambridge, Mass.: Harvard Univ., John M. Olin Institute for Strategic Studies, June 1997); "Coming Soon: A Crisis in Civil-Military Relations," *World Affairs* (Winter 2008). Peter Feaver, *Armed Servants: Agency, Oversight, and Civil-Military Relations* (Cambridge, Mass.: Harvard Univ. Press, 2003). Michael Desch, *Civilian Control of the Military: The Changing Security Environment* (Baltimore: Johns Hopkins Univ. Press, 1999). Russell Weigley, "The American Military and the Principle of Civilian Control from McClellan to Powell," *Journal of Military History* (October 1993). Cohen, *Supreme Command.*

17. Kohn, "Erosion of Civilian Control," p. 9.

18. Ibid., p. 16.

19. Ibid., p. 23.

20. Ibid., pp. 21–22.

21. Ibid., p. 12.

22. See Feaver, *Armed Servants.*

23. H. R. McMaster, *Dereliction of Duty: Lyndon Johnson, Robert McNamara, the Joint Chiefs of Staff, and the Lies That Led to Vietnam* (New York: HarperCollins, 1997).

24. Peter Feaver, "The Right to Be Right: Civil-Military Relations and the Iraq Surge Decision," *International Security* (Spring 2011), p. 94.

25. Paul Yingling, "A Failure of Generalship," *Armed Forces Journal* (May 2007); Andrew Milburn, "Commentary: Breaking Ranks—Dissent and the Military Professional," *Joint Force Quarterly,* no. 59 (4th Quarter 2010), pp. 101–107.

26. Ole Holsti, "Of Chasms and Convergences: Attitudes and Beliefs of Civilians and Military Elites at the Start of a New Millennium," in *Soldiers and Civilians: The Civil-Military Gap and American National Security,* ed. Peter D. Feaver and Richard H. Kohn (Cambridge, Mass.: MIT Press, 2001), pp. 84, 489, and tables 1.27, 1.28.

27. Feaver, "Right to Be Right," pp. 89–90.

28. See Lewis Sorley, *A Better War: The Unexamined Victories and Final Tragedy of America's Last Years in Vietnam* (New York: HBJ / Harvest Books, 2000).

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30. Thomas E. Ricks, "Army Historian Cites Lack of Postwar Plan: Major Calls Effort in Iraq 'Mediocre,'" *Washington Post,* 25 December 2004, p. A01. Passage from Wilson's report quoted here is from Ricks's *Washington Post* article.

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32. John Garofano, "Effective Advice in Decisions for War: Beyond Objective Control," *Orbis* 52, no. 2 (Spring 2008), p. 253.

33. Ricks, *Fiasco,* pp. 79–80.

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35. Garofano, "Effective Advice in Decisions for War," p. 254.

36. U.S. Defense Dept., *The Armed Forces Officer* (Washington, D.C.: 2006).

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39. Ibid., pp. 284–87.

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41. Ibid., p. 266.

42. Ibid., pp. 267–68. Cf. Huntington, *Soldier and the State,* p. 72.

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44. Ibid.

45. Andrew Bacevich and Richard Kohn, "Grand Army of the Republicans: Has the U.S. Military Become a Partisan Force?," *New Republic,* 8 December 1997, pp. 22–25.

46. Snider, "Dissent and Strategic Leadership of the Military Profession," p. 271.

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