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14. ABSTRACT Throughout military history, civil-military relations have been good and bad and one of the main reasons military public affairs programs were designed was to improve these relations. For the last 40 years, military public affairs has drastically improved and has culminated for the first time in American history with a military public affairs officer appointed as the official spokesman for the civilian-led Department of Defense. It appears that by having a uniformed officer act as the Department of Defense spokesman that civil-military relations are the closest and most seamless ever, however, this position has set a dangerous precedent when considering the requirements and doctrine that military professionals and public affairs officers are bound to. As a result, joint public affairs doctrine should be changed to reflect this ultimate transparency of policy decisions from the civilian leadership directing the use of its military.					
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MASTER OF MILITARY STUDIES

Evolution of Military Public Affairs in the 21st Century

SUBMITTED IN PARTIAL FULFILLMENT
OF THE REQUIREMENTS FOR THE DEGREE OF
MASTER OF MILITARY STUDIES

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Executive Summary

Title: Evolution of Military Public Affairs in the 21st Century

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Thesis: Throughout military history, civil-military relations have been good and bad and one of the main reasons military public affairs programs were designed was to improve these relations. For the last 40 years, military public affairs has drastically improved and has culminated for the first time in American history with a military public affairs officer appointed as the official spokesman for the civilian-led Department of Defense. It appears that by having a uniformed officer act as the Department of Defense spokesman that civil-military relations are the closest and most seamless ever, however, this position has set a dangerous precedent when considering the requirements and doctrine that military professionals and public affairs officers are bound to. As a result, joint public affairs doctrine should be changed to reflect this ultimate transparency of policy decisions from the civilian leadership directing the use of its military.

Discussion: Since the Vietnam War, the role that military public affairs and military public affairs officers play in their commands and in the Department of Defense has grown more important and more relevant in the eyes of leadership and the American public. The United States military has an obligation to communicate not only with its members, but also Americans and the international community in order to inform them of the country's national, strategic and operational objectives. Through the understanding of the civilian leadership and military hierarchy outlined in the U.S. Constitution, the standards and ethics instilled in the professionalization of military personnel, and the roles of a public affairs officer, it is clear that there are many guidelines and responsibilities that military members especially PAOs, who are the conduits between the military and the public, must follow to remain loyal to their oath. For the first time in history, the department of defense's spokesman challenges the principles of a military professional as well as the traditional civil-military hierarchy defined in the Constitution by being an active duty officer. There are advantages and disadvantages to having a military officer serve as the Department of Defense spokesman but for the last 14 months this new dynamic has operated outside of joint public affairs doctrine and is not normal for civilian and military relations.

Conclusion: Over the last 14 months several critics, military and civilian alike, have expressed their concern that a uniform spokesperson, who is considered to be a credible agent, had crossed the line and was being used by the White House and department of defense officials to defend their policies. Even though the Secretary of Defense recently returned the press secretary's position to a civilian, a dangerous precedent has been set that may lead to a future military spokesman who may not demonstrate political restraint as well as the last uniformed spokesman did and as a result, civil-military relations could potentially be blurred and possibly degrade.

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I dedicate this to my girls, Grace and Charlotte, who make my life complete.

Since the Vietnam War, the role that military public affairs and military public affairs officers play in their commands and in the Department of Defense has grown more important and more relevant in the eyes of leadership and the American public. The United States military has an obligation to communicate not only with its members, but also Americans and the international community in order to inform them of the country's national, strategic and operational objectives. The military does this through its public affairs program and officers who release timely, accurate information and imagery about current operations. This information and imagery puts those operations in context and facilitate the development of informed perceptions about the military.¹ As stated in Joint Publication 3-61 *Public Affairs*, it is vital that the official information released is timely and accurate in order to strengthen and confirm U.S. national interests and policies and reverse any adverse effects from unofficial, misinformed or hostile information sources.² Military public affairs has not always been successful at providing correct information quickly during policy changes, basic operations, or war time, and has led the American public to at times be confused and express mistrust in military leaders and their operations. Fortunately for the last 40 years, public affairs has drastically improved and has culminated for the first time in American history with a military public affairs officer appointed as the official spokesman for the civilian-led Department of Defense. It appears that by having an uniformed officer act as the press secretary for the

Department of Defense that civil-military relations are the closest and most seamless ever, however, this position has set a dangerous precedent when considering the requirements and doctrine that military professionals and public affairs officers are bound to.

As a public affairs officer (PAO) in the military, there are several duties that they are responsible for carrying out. A PAO must provide trusted counsel to leaders to advise them on anticipated impacts that operations and activities will have on the public. They must improve command morale and readiness and execute the command's vision by keeping the personnel assigned to the command and their families informed on programs, policies and operations that affect them. PAOs must also foster public trust and support so the public will understand the value of a strong national defense and the military's contribution to the nation's security. Lastly, they need to create a global understanding of U.S. military operations outside the United States borders and will assist combatant commanders in disseminating information and imagery that will inform the enemy on possible U.S. or coalition countermeasures.³

Along with the specific roles that a PAO must execute, he must also maintain his professional values and ethics as a military officer subordinate to civilian control under the Secretary of Defense and President of the United States. Morris Janowitz acknowledged in his *The Professional Soldier: A Social and Political Portrait* that traditionally the military professional is "above politics" which means they do not associate themselves publicly to a political party or "overtly display partisanship," and is held to this standard through regulations.⁴ The military is responsible for defending the Constitutional rights of Americans, even though its own members' rights are limited in free speech when it comes to political interests of the armed

forces. Regulations to include the Uniform Code of Military Justice and traditions ensure that military members remain neutral in domestic and foreign politics even as over time the military has become more representative of society and their political views. In the current information age environment and with the appointment of a military PAO as the Department of Defense spokesmen, the lines between civilian control of the military and the military are blurred and joint public affairs doctrine should be changed to reflect this ultimate transparency of policy decisions from the civilian leadership directing the use of its military.

The civil military divide in the United States is frequently discussed and written about and some argue that the divide was its widest a few years ago due to the public's frustration of the last decade of fighting in both Iraq and Afghanistan.⁵ The U.S. military is one of the most financially and emotionally supported national institutions and the relationship between the military and civilian leaders has its roots in the beginning of the United States of America's history. The founding fathers of America and writers of the United States Constitution wanted to make sure that the relationship between its military and the people was clearly defined. The framers ensured that the responsibilities of the military were divided under the civilian control of the President and of Congress. Article I, Section 8 of the Constitution states that Congress has the power to declare war, to raise and support armies, provide and maintain a Navy, and organize and arm the Militia.⁶ Article II, Section 2 says the President is the Commander in Chief of the Army and Navy and of the Militia when called in service.⁷ These two articles clearly demonstrate the civilian control of the military and the divided powers between Congress and the

President so no one office can have complete control. Military officers today swear an oath to “support and defend the Constitution of the United States,”⁸ and while of course allowed the option to vote in local and national elections, are restrained from publicly touting one party’s preference over another. Military members are expected to remain apolitical and follow orders of civilian leadership regardless of the political party in charge at the time. The roots and boundaries of the relationship between the military and civilian leadership can be found in the Constitution but over time it can be shown that the politics and military strategy have been mixed.

Samuel Huntington, author of *The Soldier and the State*, said it is “extremely difficult to draw the line between the soldier giving professional advice to Congress as what the country needs for its defense and the soldier lobbying with Congress for the administration.”⁹ In some cases, officers who determine the administration is not siding with their strategy, seek out congressional support to push their ideas, other times the administration or executive branch seeks out officers to “lend an air of professional respectability”¹⁰ to their cause. Huntington cites many examples of this as well as the effects on personnel appointments. During the Civil War, Congress formed a Committee on the Conduct of the War which ultimately used “its power to undermine General George B. McClellan and force his withdrawal from command.”¹¹ Huntington also mentions how the committee “actively tried to advance its favorite generals and get rid of those who opposed its policies.”¹² Congress and the President have sometimes tried “to maximize their own influence by securing the appointment of officers generally sympathetic to

their views on military affairs.”¹³ The fact that there is an active duty officer acting as the spokesman for the Department of Defense is a direct example of this “mixing of politics and strategy.”¹⁴

The mixing of politics and strategy reflects Janowitz’s argument that “every professional soldier, like every businessman or government official, represents his establishment and must work to enhance the prestige of his profession,” and as a result like in the case of having a military spokesman for the Department of Defense could “become a device for enhancing a civilian enterprise.”¹⁵ In order to effectively make internal decisions as well as represent their profession positively, military officers must possess communication skills. General Douglas MacArthur’s career is recognized famously for being a representative of the military and is considered the first War Department press officer.¹⁶ Public affairs officers are trained in effective communication skills because they know that “success or failure of his particular organization depends in part on representational skills” in dealing with both military and civilian audiences.¹⁷ Rear Admiral John Kirby, press secretary for the department of defense, echoes the representative quality of military professionals by saying that a military spokesman “can speak credibly to operations and military engagements around the world” and that due to their experience in the military profession is “qualified to speak very specifically to operations and is competent to do that.”¹⁸

Even though the Constitution describes the hierarchy of civilian and military leadership, the structure also ensures that military and political affairs will be overlapped. Huntington argues the structure of the two entities can be described as either a “coordinate scheme” or a “vertical pattern.”¹⁹ In a coordinate scheme, the military and its administrative functions are

immediately below the President. The secretary is limited to “nonmilitary administrative duties”²⁰ and the military chief has direct control of its forces under the President. This allows the military chief to have direct access to the President and by default involves him in political issues. The vertical pattern allows for the military chief and secretary to have identical responsibilities where the former is in charge of all activities and planning under the department under the secretary and the latter is “given a place in the military chain of command.”²¹ This type of civilian military relationship eliminates the military chief’s direct access to the President but also diminishes the secretary’s role in the department that is run by the military chief.

By having a military spokesman for the Secretary of Defense, gives face value to the subordinate role of the military to civilian leadership as well as the direct access that the military chief has with the President. Rear Admiral Kirby said that his role as department of defense spokesman under the civilian director of public affairs who is appointed demonstrates that “civilian authority and political appointees have primacy” over the military.²² Even as military leaders take on assignments high in the government chain of command such as the Joint Chiefs of Staff and department of defense spokesman, these leaders remain subordinate to civilian leadership through the enforcement of regulations “in offering advice and in stating dissenting opinions with regard to national defense policies.”²³ Rear Admiral Kirby would agree with Janowitz’s statement that the people whose “unconventional careers have involved them in politico-military assignments,” like his role as Department of Defense spokesman, “display the most sustained political consciousness.”²⁴ Even by exhibiting political consciousness, however,

personnel assigned within the strategic military leadership including the public affairs officers have had to understand their role in internal and external politics. Today, military activities are conducted in every region of the world and have an effect on internal politics in the way it “influences legislative and administrative decisions regarding national security policies” and externally how its activities effect the “international balance of power and the behavior of foreign states.”²⁵

In the past, the perception of the military and its leaders by civilian society has not been significant because for the most part the population preferred to “remain uninformed”²⁶ about military matters and operations. Overall, the population believes that officers are disciplined professionals who either obey orders or command and give orders. But after World War II and the Korean War, the military became more representative of society and the population showed concern for the treatment and care of service members. In order to keep the support of society and maintain morale within the ranks, commanders learned that they must justify their orders and explain their objectives to their subordinates because those subordinates were not just going to blindly obey them.²⁷ Also with the rise of the information age and social media, society has become more interested in military operations and day to day routines. This is the reason why the military recognizes the “importance of its public relations”²⁸ to help provide this information and context to the public. Not only should a military professional be competent in his military skills and be managers of war, but also be able to “explain his goals” to his subordinates and public and “relate his organization” to civilian leadership and the population.²⁹ This is similar to

the ideal that civilian leaders including the executive and legislative branches have professional skills and are experts at relating their organization to the public. From this perspective, a person could understand why a military spokesman is in the position to speak not only for high ranking military leader decisions but for top civilian leadership decisions.

The professional standards of the United States military forces have been in practice for decades and are folded into every community within each service to include the public affairs (PA) community. The PA community across all branches of the military have several responsibilities but the most basic and important obligation is to communicate with the American people and as a national interest, communicate with the international public. By communicating to the public, military public affairs officers (PAOs) are able to inform them of ongoing operations, help develop informed perceptions about those operations and help facilitate national, strategic and operational objectives.³⁰ PAOs use accurate information and imagery to distribute to the public but must balance operations security (OPSEC) to ensure protection of the current and future missions and of the American and coalition forces. With all of the resources where information is shared today on the internet and social media, and the military's job to release accurate and timely information combined with the concern for OPSEC can sometimes cause friction between the media and the military. Sometimes media release military information from unofficial sources sooner than PAOs can and it's difficult for the public to understand why the delay on the military's release especially over an emotional event. In 2007, Secretary of Defense Robert Gates, spoke at the U.S. Naval Academy graduation and said, "I want to encourage you always to remember the importance of the two pillars of our freedom under the Constitution: the

Congress and the press. Both surely try our patience from time to time, but they are the surest guarantees of the liberty of the American people.”³¹ The military has come a long way in informing the public as a result of lessons learned of the failures during the Vietnam War.

The Vietnam War is historically viewed as a public affairs failure and was the catalyst for reforming the public affairs community and creating joint doctrine for public affairs. During the war, there were more professional journalists on the ground reporting than any war previous and more Americans had access to televisions and papers to keep updated on the war. The military tried to hide the nature of the conflict and relied on excessive classification in order to not give reporters information. With Americans back home believing they were losing the war and the way reporters were being treated on the ground, the military and their relations with the media were severely damaged and very tense. President Richard Nixon’s administration also hurt the relations between the White House and the media by threatening media outlets that were not sympathetic to the administration and military point of views about the war with Internal Revenue Service audits or possible legal action from the Federal Communications Commission.³² As a result of this behavior of the civilian leadership and military with the media during the Vietnam War, most military professionals have “held a negative view of the American media” due to the fact that the conduct of that war was “taken out of the hands of the military leaders and placed in those of TV journalists.”³³ The question became for both the military as

well as politicians if they could actually be “treated fairly and objectively” in the media. This is why a military public affairs officer is so important to the military and civilian leadership because they are held to a professional ethic and provide credibility and trust to their audiences.

Another example of a military failure between its leaders and the media was Operation Urgent Fury in Grenada in October 1983. The media was left out of the planning for Urgent Fury in Grenada and was barred from operations during the first two days. The media pressured the Reagan administration to fix relations between the military and the media. As a result, in November 1983 the Sidle Commission was stood up by General John W. Veasey, Jr., Chairman of the Joint Chiefs of Staff, to review the media planning issues. The chairman appointed retired Major General Winant Sidle to head the committee which ultimately determined the rights of reporters and photographers to report on combat due to the Constitution’s guarantee of freedom of the press. The commission also recommended several provision requirements that the Defense Department take on to include planning for news coverage while military operations were being planned and to create press pools of reporters to protect both operational security and the safety of journalists. In addition, the report recommended establishing a set of ground rules for reporters, “regular meetings between media representatives and Pentagon officials, and programs to facilitate increased understanding between the military and the media.”³⁴ This report help establish the professional relationship that military officers should have with the media when discussing military matters. Secretary of Defense Robert Gates confirmed the

recommendations laid out in the Sidle Commission when he told Naval Academy graduates in 2007 that the press is “a critically important guarantor of our freedom” and “is not the enemy” and to “treat it as such is self-defeating.”³⁵

In December 1989, the media pool that was directed by the Sidle Commission was tested for the first time during the invasion of U.S. forces into Panama in Operation Just Cause. The pool was not considered a success due to the reporters being sequestered during the first few days of the operation due to not having access to operate in the country and concerns for their safety when they should have been provided support by local military commanders. By the time the reporters were able to operate, most of the conflict was over. As a result, the Department of Defense requested an analysis of the media operations in Panama. Fred Hoffman, former Associated Press Pentagon correspondent and deputy Pentagon press spokesman, led the study and released the Hoffman report with three main recommendations. He recommended that the Secretary of Defense require all operational commanders to support the national media pool, that combatant commanders should be responsible for a public affairs plan in support of operations, and commanders would not use safety concerns to prevent media from covering combat operations.³⁶ The recommendations in the Hoffman report were accepted and adopted into the joint public affairs doctrine and media relations with military professionals have steadily improved over time.

Through the understanding of the civilian leadership and military hierarchy outlined in the U.S. Constitution, the standards and ethics instilled in the professionalization of military personnel, and the roles of a public affairs officer, it is clear that there are many guidelines and responsibilities that military members especially PAOs, who are the conduits between the military and the public, must follow to remain loyal to their oath. Secretary Gates told newly commissioned officers that “as the Founding Fathers wisely understood, the Congress and a free press, as with a non-political military, assure a free country.”³⁷ He further stated that “as officers, you will have a responsibility to communicate to those below you that the American military must be non-political and recognize the obligation we owe the Congress to be honest and true in our reporting to them.”³⁸ The Navy’s public affairs tactics manual enforces the military professionalism principles by stating that PAOs will use “strategic awareness along with common sense to support organizational goals rather than personal goals, and “while individuals will speak on topics in their area of expertise, they must ensure their individual messages align with and complement organizational messages, rather than compete with them.”³⁹ For the first time in history, the Department of Defense’s spokesman is an active duty flag officer which challenges the principles of a military professional as well as the traditional civil-military hierarchy defined in the Constitution.

Rear Admiral Kirby has been a stand out public affairs officer in the Navy. He was Chairman of the Joint Chiefs of Staff Michael Mullen’s public affairs officer for years, deputy assistant for the Secretary of Defense media operations, and the head of U.S Navy’s Chief of

Information Office where he was commander of all Navy public affairs personnel. He is also very well respected by the Pentagon press corps and has spent many years developing relationships with the various media outlets, reporters and journalists. Janowitz declares that “interpersonal skill is of the essence for those who must operate in the ever-changing environment of the higher levels of military administration” and that based on his research it is most important at the Office of the Secretary of Defense due to its complexity and contacts with multiple agencies.⁴⁰ Rear Admiral Kirby believes that what gave him the advantage among other press secretary candidates is his well-known interpersonal skills and long term relationships that he has with the media. The military has always valued oral briefings in order to get information to personnel quickly, to allow leaders to negotiate, and make decisions. Because oral briefings are a “rapid and flexible device for upward communication” and “serve to bypass any single person who might block” this upward flow of information, the Department of Defense spokesman conducts daily press briefings with the Pentagon press corps to discuss current military operations and answer the media’s questions.⁴¹ Due to the existing relationships that Rear Admiral Kirby has with the press corps, there is a trust between the two organizations and credibility is established between the two.

There are advantages and disadvantages to having a military officer serve as the civilian-led Department of Defense spokesman but either way for the last 14 months this new visible dynamic has operated outside of joint public affairs doctrine and is not normal for civilian and military relations. One interesting aspect by having a military officer represent the Department

of Defense and speak on the department's decisions is the instant credibility it provides the department because the American public has trust in its military members. The defense department is able to get better support from American citizens when they see on television and read in the news information that comes from a military professional vice a civilian leader that has been appointed to the position by the current White House administration. No matter what political party a citizen affiliates themselves with, when they see a military officer providing information from the Department of Defense, politics are immediately removed from the situation. On the negative side, the military spokesman could be perceived as aligning themselves with the civilian led military department and the White House administration.

Specific to the latter situation described, recently the Department of Defense military spokesman was called an "idiot" and accused of "spouting lies from the White House" from a well-known Senator who does not currently side with the sitting president.⁴² All of a sudden, an officer who is mandated and instilled to remain apolitical has been directly associated with and aligned with the political party in charge. How are public affairs officers supposed to balance their role as military professionals when directly representing decisions made from the civilian leadership? Rear Admiral Kirby says, "it is a balance that I have to strike every day but it hasn't been a big issue due to the relationship I have with the press corps." The press corps understands that the military spokesman cannot cross the line and talk about political issues and they normally do not push the issue. Rear Admiral Kirby says, "the line that I can't cross is so bold and black that I can't miss it, so when I get a question that could cause me to stray into politics, I

just come back to what I know I can speak to which is military operations and execution of policy”⁴³ decisions. When interviewing for the job as spokesman for the defense department, the admiral told Secretary Hagel that a disadvantage in hiring him is that he “can’t defend politics and can’t be seen as an administration spokesman” which means he “can’t be as aggressive from the podium and engaging in political debates or representing the Obama administration”⁴⁴ when faced with administration critics. These debates could be argued on the podium from a civilian press secretary however.

As much professional restraint that Admiral Kirby has demonstrated answering the media’s questions, social media has exploded concerning his position in the department of defense. Twitter handle “Fake Fake Kirby”@zorching was created to poke fun and provide satire based on daily interactions between Rear Admiral Kirby and the media. Rear Admiral Kirby’s civilian public affairs supervisor, Brent Colburn, also had a fake Twitter handle created for him named @bossofkyrby. Daily tweets made fun of this unique relationship between the Secretary of Defense and his civilian and military PAOs. For example, Rear Admiral Kirby was described as a “little minion in uniform,” boasted as being “finally in charge of the press, and complimented when the personal insult from Senator John McCain made national news and was discussed among several national news outlets.”⁴⁵⁴⁶

Another disadvantage for the military spokesman is that they cannot defend themselves when taking insults particularly from politicians. Reporters asked Rear Admiral Kirby for a response to the critique from Senator McCain and he declined to comment. Being an active-duty

military officer gives “him an edge in talking about operations” but it also “limits his ability to mix it up with administration critics, especially individual members of Congress.”⁴⁷ Admiral Kirby said that everyone is “entitled to their opinions and when you take a job like this you have to have thick skin.”⁴⁸ Since taking the job as press secretary, the admiral said he has received vile, nasty comments on Twitter, Facebook and negative emails but he said that is part of the job. He said that you “have to separate yourself personally from the professional side of the job and when people disagree with you, don’t like you and think inaccurate and unfortunate things you must focus on the job and on doing it right.”⁴⁹

Another challenge that presents itself when a military member speaks for the civilian led military department is the criticism from reporters that the civilian leader is hiding behind the military spokesman to speak about unpopular decisions. For instance, Secretary Chuck Hagel has been accused of using his spokesman too much in front of the camera and at press conferences instead of doing the appearance himself as well as using Twitter too often to announce major military operations like the “first American airstrikes in Iraq” to defeat ISIL.⁵⁰ Part of the public affairs mission is to provide media interaction by having subject matter experts prepared to address the media in a “positive, correct and effective manner.”⁵¹ PAOs are taught that it is always better to have the subject matter expert as the briefer than the spokesman, but if you do need to be the spokesman you should not “discuss political or foreign policy matters.”⁵²

If the role of the civilian leadership is to “determine the ends of national policy and allocate resources” and the “job of the military is to apply the resources to the achievement of the goal” as strategy, then the military is “the servant of statesmanship” and having a military spokesman for the Department of Defense is contradictory to this.⁵³

Not only have politicians and reporters expressed concern over Rear Admiral Kirby’s role as defense department spokesman, but also former military officers. J. D. Gordon, a former Pentagon spokesman and retired Navy PAO, wrote that “uniformed military officers serving as the public face for White House actions significantly weaken our armed forces.”⁵⁴ He continued that “it’s disheartening to see uniformed military officers lending their trusted credibility to back political decisions.”⁵⁵ His opinions are severe judgements but they do support the need for a serious conversation to the underlying problem of this significant change in the role of a military professional as a civilian-led department spokesman. Admiral Kirby admits that “there are people uncomfortable that a military person is in this role and I understand that discomfort and when I found out I was being considered for the job I was uncomfortable with it,” but he made himself a promise that he “would never let [himself] cross the line” and discuss political issues and views.⁵⁶ He said this vow to himself also blends into his role behind the cameras as Secretary Hagel’s public affairs officer. He states that because it is inappropriate for him to comment on political issues to reporters, he also does not give the secretary “political based advise or political views.”⁵⁷

Recently many reporters have been discussing the role of the military spokesman and commissioned officers serving in administration positions questioning their agenda as either being “useful idiots” or “good officers” obeying the President’s orders and “covering for political decisions that are severely damaging to national security.”⁵⁸ The idea that this debate is even being discussed is contrary to military professionalism and the hierarchy of civilian and military relations. Some articles have suggested that senior officers should resign due to current policy decisions in order to “coerce civilians into aligning with military preferences, rather than having the military implement the strategies selected by the civilians.”⁵⁹ This action would definitely “undermine military professionalism” because it would make civilian leaders “politicize the process of selecting senior military officers”⁶⁰ and select them based on the probability of being sympathetic to the administration instead of being capable for the job.

One specific instance recently where it appears the spokesman came off as military “window dressing”⁶¹ or representing the administration’s decision is during a response to the Army Sgt. Bowe Bergdahl case. Bergdahl was captured in Afghanistan in the summer of 2009 and was freed almost five years later after the U.S. government exchanged for him five men who were being held in Guantanamo Bay, Cuba U.S. military prison. The exchange resulted in harsh criticism since some members of Bergdahl’s unit revealed he was a deserter as well as some members of Congress stating that the President overextended his authority and the United States’ long standing stance that it does not negotiate with terrorists. Some people believe this exchange will lead to more Americans being taken captive in order to negotiate. While the Army has

completed an investigation into Bergdahl's military performance and the circumstances of his captivity, the U.S. Government Accountability Office, Congress' independent investigative arm, determined that the Defense Department broke federal law by not giving Congress the appropriate notice prior to the personnel exchange and used appropriated funds to carry out the transfer which were not allotted for that purpose.⁶² To further complicate this situation, the military spokesman went on the record to say that the administration believed "it was necessary and appropriate to forgo 30 days' notice" out of concern for Bergdahl's life to complete the transfer and that the belief was that the transfer was done lawfully.⁶³ This demonstrates a problem because the military spokesman is representing the Department of Defense and the administration when he is subordinate in position as well as a military professional when both civilian led departments have been found guilty of breaking the federal law. Rear Admiral Kirby said he was concerned about representing the administration on this issue but ultimately knowing that all leadership, military and civilian, was supportive of the decision and advised that it was legal, he believed it was appropriate to comment.⁶⁴

If by having a military spokesman for the Department of Defense is what the department and the President want to become the new standard to better civilian and military affairs, then not only does the Constitution need to be reinterpreted towards this hierarchy, but military professional doctrine and studies need to be reformed and joint public affairs doctrine and service specific tactics manuals should be updated. Rear Admiral Kirby disagrees and says that most PAOs are "not going to have to do this job and be thrust into this environment" because he

is “an anomaly” and his role as the military spokesman should not “be considered the ideal or model” for military professionals to copy.⁶⁵ He says that the military does not need “to do anything to change the way we train or prepare PAOs with respect to [his] experience” as the top spokesman.⁶⁶ As the former Chief of Information Officer for the Navy, Rear Admiral Kirby says the PAOs core responsibilities outlined in their doctrine should stay the same and the priority is still to get accurate, understandable information that is important to disseminate delivered to the public.

Not all civilian and military leaders have the same assessment of Rear Admiral Kirby’s position over the last year and half. On February 18, 2015, one day after taking office of the Secretary of Defense, Ashton Carter asked Rear Admiral Kirby to resign from his position and announced he will replace his job with a civilian press secretary due to his “reservations about having a uniformed officer represent” the department as he alluded to in his Senate confirmation hearing.⁶⁷ In the hearing, Secretary Carter stated that even though “military leaders possess wide and deep expertise,” the law of the country “prescribes the chain of command” and he will “be a stickler for the chain of command.”⁶⁸ After the announcement, Rear Admiral Kirby responded by saying that the new secretary does not only want to consider “just who the individual is, but what that individual represents, and whether it’s appropriate or not to have a person in uniform” in the position of press secretary.⁶⁹

There has been an evolution in public affairs since the Vietnam War and with social media and the information age consuming so much of society's lives, it is even more crucial that military public affairs stay relevant and transparent considering the media's access to military operations today. After Rear Admiral Kirby stepped down from his position as press secretary on March 6, he said that the relationship between the military and the media is very healthy but that he is concerned for the future. He does not think the military and media will "return to the days of mutual mistrust," but that he thinks the "muscle memory that built up in dealing with the media and the media dealing with us could atrophy."⁷⁰ The military public affairs officers and media should have a good, close relationship that promotes respect, trust and credibility, but not be so close as to be deemed inappropriate. After analyzing the role of the military officer as the spokesman for the Department of Defense within the bounds of the U.S. Constitution, regulations and doctrine, this new relationship can be defined as inappropriate and problematic. Over the last 14 months several critics, military and civilian alike, have expressed their concern that a uniform spokesperson, who is considered to be a credible agent, had crossed the line and was being used by the White House and Department of Defense officials to defend their policies. Even though the current Secretary of Defense has returned the press secretary's position to a civilian, a dangerous precedent has been set that may lead to a future military spokesman who may not demonstrate political restraint as well as the last uniformed spokesman did and as a result, civil-military relations could potentially be blurred and possibly degrade.

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- ¹ Department of Defense, *Public Affairs*, Joint Publication 3-61 (Washington, DC: Department of Defense, August 25, 2010), vii.
- ² Department of Defense, Joint Publication 3-61, vii.
- ³ Department of Defense, Joint Publication 3-61, vii.
- ⁴ Morris Janowitz, *The Professional Soldier: A Social and Political Portrait* (New York: The Free Press, 1960), 233.
- ⁵ Shannon O'Reilly, "Veteran Unemployment: Causes, Consequences and Remedies" (master's thesis, Johns Hopkins University, 2014), 33-38.
- ⁶ U.S. Const. art. I, § 8.
- ⁷ U.S. Const. art. 2, § 2.
- ⁸ 5 U.S. Code § 3331 - Oath of office for commissioned officers.
- ⁹ Samuel Huntington, *Soldier and the State: The Theory and Politics of Civil Military Relations* (Cambridge MA: Harvard University Press, 1957), 180.
- ¹⁰ Huntington, *Soldier and the State*, 181.
- ¹¹ Huntington, *Soldier and the State*, 181.
- ¹² Huntington, *Soldier and the State*, 183.
- ¹³ Huntington, *Soldier and the State*, 183.
- ¹⁴ Huntington, *Soldier and the State*, 181.
- ¹⁵ Janowitz, *Professional Soldier*, 11.
- ¹⁶ Janowitz, *Professional Soldier*, 72.
- ¹⁷ Janowitz, *Professional Soldier*, 74.
- ¹⁸ RADM John Kirby (press secretary for the Department of Defense), interview by LCDR Hayley Sims, January 22, 2015.
- ¹⁹ Huntington, *Soldier and the State*, 188.
- ²⁰ Huntington, *Soldier and the State*, 188.
- ²¹ Huntington, *Soldier and the State*, 188.
- ²² RADM John Kirby interview.
- ²³ Janowitz, *Professional Soldier*, 234.
- ²⁴ Janowitz, *Professional Soldier*, 235.
- ²⁵ Janowitz, *Professional Soldier*, 12.
- ²⁶ Janowitz, *Professional Soldier*, 3.
- ²⁷ Janowitz, *Professional Soldier*, 40.
- ²⁸ Janowitz, *Professional Soldier*, 5.
- ²⁹ Janowitz, *Professional Soldier*, 10.
- ³⁰ Department of Defense, Joint Publication 3-61, Ch. 1.
- ³¹ United States Naval Academy Commencement, remarks as delivered by Secretary of Defense Robert M. Gates, Annapolis, Maryland, Friday, May 25, 2007 <http://www.defense.gov/speeches/speech.aspx?speechid=1154>.
- ³² William M. Hammond, *Public Affairs: The Military and the Media 1968-1973* (Washington DC: United States Army Center of Military History, 1996).
- ³³ Sam C. Sarkesian, "Soldiers, Scholars, and the Media," *Parameters*, September 1987.
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- ³⁵ USNA 2007 Commencement.
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- ³⁷ USNA 2007 Commencement.
- ³⁸ USNA 2007 Commencement.
- ³⁹ U.S. Department of the Navy, *Public Affairs Tactics Manual*, CHINFO Instruction 5720.8A, June 10, 2011, 24.
- ⁴⁰ Janowitz, *Professional Soldier*, 70.
- ⁴¹ Janowitz, *Professional Soldier*, 71.
- ⁴² Dan Lamothe, "Pentagon spokesman Rear Adm. John Kirby called 'idiot' by Sen. John McCain," *Washington Post*, Oct. 22, 2014, <http://www.washingtonpost.com/news/checkpoint/wp/2014/10/22/pentagon-spokesman-rear-adm-john-kirby-called-idiot-by-sen-john-mccain/>.
- ⁴³ RADM John Kirby interview.
- ⁴⁴ RADM John Kirby interview.

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- ⁴⁵ Twitter @bossofkirby Nov. 25, 2014, <https://twitter.com/bossofkirby>.
- ⁴⁶ Twitter @zorching, June 6, 2014, <https://twitter.com/zorching>.
- ⁴⁷ Philip Ewing, "The Pentagon's Two-Star Message Man," *Politico*, Nov. 2, 2014, <http://www.politico.com/story/2014/11/john-kirby-pentagon-112423.html>.
- ⁴⁸ RADM John Kirby interview.
- ⁴⁹ RADM John Kirby interview.
- ⁵⁰ Ewing, "The Pentagon's Two-Star."
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- ⁵² U.S. Department of the Navy, *Public Affairs Tactics Manual*, 84.
- ⁵³ Huntington, *Soldier and the State*, 262.
- ⁵⁴ J.D. Gordon, "McCain's insult sparks debate over Obama's military officers," *The Hill*, Oct. 28, 2014, <http://thehill.com/blogs/congress-blog/the-administration/221979-mccains-insult-sparks-debate-over-obamas-military>.
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