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**THE AMERICAN CIVIL-MILITARY RELATIONSHIP:
A DELICATE BALANCE**

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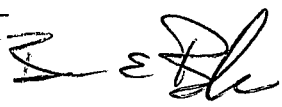
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Executive Summary

Title: The American Civil-Military Relationship: A Delicate Balance

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Thesis: An effective civil-military relationship represents a critical component of the American governmental system and requires mutual understanding, uncensored debate, and institutional trust to produce a coherent national strategy and to project the will of the American people.

Discussion: Within the framework of the U.S. Constitution, the Founding Fathers permitted the creation of a standing army and divided political control over the standing army between the branches of government. The separation of powers between the executive and legislative branches of government created a unique model for the American civil-military relationship and required the military leadership to confront the challenge of serving two competing sources of civilian control. Throughout American political history, the civil-military relationship defined within the Constitutional framework carefully preserved the concept of civilian control over the military. The adaptive American civil-military model successfully confronted evolutionary challenges, including the creation of a permanent military establishment, the emergence of a professional officer corps, and the increasing political influence of the military establishment. The American relationship demonstrated a continuous struggle between the civilian and military leadership to shape the national strategic decision-making process. Periods of dominance or breakdowns in the civil-military relationship resulted in national strategic failures.

The civilian leaders within the Bush administration and the nation's senior military leadership share blame for the breakdown of communication, traditional responsibilities, and mutual respect. To ensure a functional civil-military relationship, the military leadership must retain the ability to express a dissenting opinion while preserving the sanctity of civilian control. The resignation of a senior military officer constitutes the most powerful and appropriate method of dissent available within a functioning civil-military relationship. A resignation underscores an officer's inability to support a governmental policy or strategy, while preserving the principle of civilian control. A senior military officer's resignation, in response to a perceived policy failure or strategic miscalculation, can have a huge impact on the democratic debate. As the most powerful expression of dissent against civilian authority, the decision to resign requires conscientious consideration, judicious application, and a cause worthy of the sacrifice.

The success or failure of the principles of civilian control and American democracy depends on the military's faithful adherence to the framework outlined within the U.S. Constitution. Respect for the democratic process and loyalty to the civilian leadership must be ingrained and reinforced at all levels of military service. Avenues for dissent to an unresponsive or flawed civilian authority exist, but must be pursued within the Constitutional and legal framework in order to preserve civilian control.

Conclusion: Vigorous debate, institutional trust, and mutual respect allow political and military leaders to mitigate dramatic shifts in cycle of competition for power and political influence. A healthy American civil-military relationship significantly enhances the nation's ability to construct a coherent national strategy and more importantly, to project the collective will of the American people.

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A Standing Army, however necessary it may be at some times, is always dangerous to the Liberties of the people.... Such a Power should be watched with a jealous Eye.¹

Samuel Adams, 1776

The principle of civilian control over the military represents a fundamental pillar of the American system of government. Within the framework of the U.S. Constitution, the Founding Fathers permitted the creation of a standing army and divided political control over the standing army between the branches of government. The separation of powers between the executive and legislative branches of government created a unique model for the American civil-military relationship and required the military leadership to confront the challenge of serving two competing sources of civilian control.

Throughout American political history, the civil-military relationship defined within the Constitutional framework carefully preserved the concept of civilian control over the military. The adaptive American civil-military model successfully confronted evolutionary challenges, including the creation of a permanent military establishment, the emergence of a professional officer corps, and the increasing political influence of the military establishment. The American relationship demonstrated a continuous struggle between the civilian and military leadership to shape the national strategic decision-making process. Periods of dominance or breakdowns in the civil-military relationship resulted in national strategic failures. An effective civil-military relationship represents a critical component of the American governmental system and requires mutual understanding, uncensored debate, and institutional trust to produce a coherent national strategy and to project the will of the American people.

The Constitutional Framework of the American Civil-Military Relationship:

The Founding Fathers codified political control of the military within the framework of Constitutional provisions designating a separation of powers between the executive and

legislative branches of governments. The Framers sought to prevent the concentration of civilian control of military power within any portion of the political establishment as a safeguard against threats to individual liberty or the democratic process. In the 18th century mindset, political officials in control of military power presented the gravest threat to liberty and democracy. The concept of military leadership exerting excessive political influence on the democratic state seemed unlikely based on the citizen soldier paradigm that dominated American political thought.²

The Framers established important political controls over the emerging American military within the executive and legislative branches of government. Under the Constitution, the chief executive or President assumes the power of "Commander in Chief of the army and navy of the United States, and of the militia of the several States, when called into the actual service of the United States."³ As the Commander in Chief, the president maintained the ability to command American forces into battle, a power President Washington exercised in early in American history during the 1794 Whiskey Rebellion. During this early test of federal authority President Washington directly commanded a militia army assembled to suppress rebellious elements in western Pennsylvania resisting the payment of a federal whiskey tax.⁴ Executive powers under the Constitution also included the ability to nominate senior military leaders for important positions based on the advice and consent of the Senate.

The Founders also imposed a significant portion of the controls over the military within the legislative branch. The legislative branch possessed the power to declare war, raise and support armies, and "to provide for calling forth the militia to execute the laws of the union, suppress insurrections and repel invasions."⁵ The power to declare war ensured the legislative branch, representing the will of the people, the right to authorize war without impinging on the President's authority to control the conduct of war. This unique facet of the American civil-

military relationship provided two important functions within the framework of Constitutional government. First, the Constitution confirmed civilian control of the military. Second, the requirement of executive and legislative consent before the application of military power codified important Constitutional safeguards consistent with the separation of powers. The power to control appropriations to the national military establishment rested with the legislative branch and the Founders mitigated the fears of a standing army by invoking a two-year limit on the money. Finally, the Congress assumed the power to investigate and oversee the military leadership and conduct of armed forces in foreign and domestic contingencies.⁶

As the founding document of American government, the Constitution provided a basic framework for the emerging national military establishment. The existence of a functional Constitution system prevented the emerging standing army from wresting control of the United States through the separation of powers. A rebellious standing army could only replace the instruments of governmental power and in the process destroy the constitutional system. The Anti-Federalist George Mason warned during the Constitutional debates, "The purse and the sword ought never to get into the same hands whether legislative or executive."⁷ The Constitution cemented the principle of civilian control of the military and divided military control between the executive and legislative branches of the federal government.

The final version of the Constitution, which emerged from the 1787 Convention, represented a nationalist victory for the young Federalist political party in respect to the creation of a military force.⁸ The opponents of the Constitution's ratification feared unforeseen future challenges to the new system of government. Anti-Federalist critics, including Elbridge Gerry, outlined several issues not addressed in the Constitution that could threaten future civil-military relations and ultimately the foundations of the Constitutional government. First, would the Constitutional structure support the existence of a large national military establishment? Second,

would the emergence of a national military establishment allow the military to influence domestic and foreign policy. Finally, could the constitution protect the democratic process from a standing military unwilling to support the elected government or implement domestic and foreign policy decisions?⁹

Modern Civil-Military Relationship Theories:

In 1957, Samuel Huntington published *The Soldier and the State* which proposed a theory on the ideal tenets and structures of the modern American civil-military relationship. Huntington argued governmental institutions generally dominated the early American civil-military relationship.¹⁰ Sharing institutional characteristics similar to the British system, the U.S. Constitution divided power and influence over the military establishment between the executive and legislative branches. Huntington's modern civil-military model centers on objective control of the military and focuses on the emergence of a professional military class.¹¹ The theory asserts modern warfare renders the Founding Fathers conception of the "citizen soldier" obsolete. Modern warfare requires the full attention of a professional force educated, trained, and experienced in the science of war. As a political instrument of the state, the professional military maintained the authority to conduct warfare without the meddling influence of politicians at the operational and tactical level. Politically sterile and neutral, a professional military supported the legitimate political authority and surrendered any potential political influence.¹²

Morris Janowitz and other civil military theorists dispute the utility of Huntington's theory of objective control and conclude that increasing technological innovations diminished the military's status as a distinct social group.¹³ The blurring of lines between civilian and military elements of society prevented the military from assuming an apolitical position on important issues. These technological innovations also created a civilian leadership dependent

on professional military advice in order to select an appropriate strategy or weapon for application during a conflict.¹⁴

Finally, *Supreme Command*, by Eliot Cohen constructs a more recent civil-military model, which argues civil leadership must maintain the dominate role in determining overall national military strategy, guiding military decision-making, influencing weapon design, and at times delving into tactics.¹⁵ Cohen's thesis conducts four case studies, including President Lincoln's leadership during the Civil War, which support the concept that strong civil control and direct guidance into the military decision-making process produce a coherent and effective national strategy.¹⁶

Roosevelt and Marshall: Vigorous Debate within the American Civil-Military Relationship:

The civil-military relationship during World War II demonstrated the importance of a vigorous democratic debate in the formulation of a coherent national strategy.

In the tradition of the Founding Fathers, the apolitical military leadership of the 1930's and 1940's operated within a defined framework of roles and responsibilities. General George Marshall and the U.S. military presented a unified voice to the President and American public, supported the decisions of the commander-in-chief, and conveyed dissent through private counsel and internal mechanisms. General Marshall and the military leadership also ardently defended the right and responsibility of the military leadership to question and debate the evolving strategic policy with the Chief Executive.¹⁷

President Roosevelt encouraged debate on the critical strategic issues during World War II. General Marshall and the military leadership provided an important and balanced perspective to the President throughout the national security decision-making process. During General Marshall's appointment to the position of Chief of Staff, by President Roosevelt, Marshall respectfully requested the right to express his opinions to the President and "that it would often

be unpleasant.”¹⁸ President Roosevelt readily agreed with General Marshall establishing an atmosphere of vigorous debate, which defined the development of national strategy during the Roosevelt Administration and World War II.

The civil-military decision-making process over Operation Torch in 1942 provides a constructive model of a properly functioning civil-military relationship. American political and military leadership both understood the strategic imperative of establishing a second front in the European theater against Germany. Under the leadership of General Marshall, the American military proposed a 1942 cross-channel invasion directly into Europe as the surest method to defeat Germany and relieve Russian allies. Despite serious misgivings, the political savvy British leadership quickly accepted Marshall's cross-channel plan in order insure America's military priority remained within the European theater.¹⁹

President Roosevelt's strategic focus reflected considerable political pressure from European allies to commit American forces to the European theater. The British leadership quickly convinced President Roosevelt of the futility of the proposed 1942 cross-channel invasion. Citing the American military's lack of combat experience, low levels of preparedness and lack of appropriate invasion technology the British Parliament ultimately rejected a 1942 cross-channel invasion. In response, President Roosevelt rejected the “best military advice” of General Marshall and other American military advisors and ordered the invasion of North Africa instead.²⁰ Despite President Roosevelt's rejection of General Marshall's professional advice, the military acknowledged the President's inherent responsibility to control national strategy and vigorously pursued the revised North Africa invasion option.

The operational and tactical difficulties of Operation Torch ultimately demonstrated the validity of President Roosevelt's national strategic decision. First, the American military lacked sufficient quantities of landing craft to mass the overwhelming force required to invade Europe.

Second, uncertain and evolving relationships with British and French allies produced significant confusion during the North Africa campaign. Finally, the crucible of battle against the Germans quickly revealed technological deficiencies in American armor, inadequate leadership in several American units, and the lack of combat experience of the average American soldier. The lower stakes of the North Africa campaign allowed the American military to garner valuable combat experience, promote battle-tested leadership, refine allied working relationships, and pursue essential invasion technologies, which would precipitate the successful invasion of Europe in 1944.²¹

The civil-military model of the Roosevelt Administration and the World War II years offers valuable insight into the importance of strategic debate and mutual respect between the nations political and military leadership. First, President Roosevelt firmly established his position as the commander-in-chief and exercised his authority in a manner that reduced friction with the military leadership. The President limited interference into the military operational and tactical decision-making process but on several occasions, including Operation Torch, exercised the prerogative of civilian authority. Second, President Roosevelt provided an open environment and easy access for the military leadership to address important issues. Finally, the civil-military debates of the Roosevelt Administration remained private ensuring both civil and military leaders projected a united voice to the American public and international community.²²

President Roosevelt and America's military leadership maximized the potential of the American civil-military relationship to produce a coherent national strategy.

Clinton Administration: Breakdown of Trust within the Civil-Military Relationship:

The 1992-1993 transition period between the George H.W. Bush and William Clinton Presidential administrations represented a unique period in American civil-military relations. In many respects, American military leaders enjoyed a degree of political power, influence, and

social respect uncommon in American political history. The successful execution of the 1991 Persian Gulf War resurrected the military's credibility with an American public still haunted by the mistakes of the Vietnam conflict. Dynamic, professional, and successful senior military leaders like General Colin Powell and General Schwarzkopf reaffirmed the American public's confidence and respect for the military. However, the 1992 election of President Clinton into the role of Commander in Chief quickly produced a series of civil military relationship challenges with long-term implications for the nation

President Clinton assumed the role of President and Commander in Chief with no military experience or credibility. A combination of factors quickly turned the leaders of the American military establishment against the president-elect. First, Clinton's avoidance of military service during the Vietnam War alienated large portions of the military. Second, President Clinton's staff quickly alienated the military leadership demonstrating a lack of respect and open displays of contempt.²³ Third, President Clinton pursued aggressive and substantive cuts to the military's budget. These budget cuts threatened the existing force structure and directly challenged the military leadership's recent gains in national political influence. The military leadership viewed the dramatic defense cuts initiated by the Clinton administration as arbitrary and undertaken without a factual assessment of future mission requirements.²⁴

President Clinton and his administration refused to heed the advice of the Chairman of Joint Chiefs of Staff Colin Powell and other senior military leaders. Determined to address the issue of homosexuals in the military immediately, President Clinton ignored Chairman Powell's advice "Don't make the gay issue the first horse out of the gate with the armed forces."²⁵ Clinton's initiatives resulted in a "Don't ask, Don't tell" policy largely viewed as policy failure. The homosexual debate perpetuated the preconceived notions between President Clinton and the

military establishment and ultimately undermined the fragile bonds of trust, which must exist in a successful civil military relationship.

The military establishment shares a portion of the blame for the failures of the civil-military relationship during the Clinton administration. After the successes of the first Persian Gulf War, the military experienced tremendous popularity with the American public. The professional military achieved a level of political influence unforeseen by the Founding Fathers and rarely matched in American history. In the fall of 1992, President-elect Clinton proposed a new and more assertive policy of humanitarian intervention, which was based on frustrations with the current policies in Somalia and Bosnia. In response, Chairman of the Joint Chiefs of Staff Colin Powell published an important essay in *The New York Times* and *Foreign Affairs Journal*. The famous article, "U.S. Forces: Challenges Ahead," outlined a restrictive criteria for the introduction of American forces into potential combat scenarios which later became known as the "Powell Doctrine."²⁶ The military establishment concerned with the potential expansion of military activity into non-combatant missions and empowered by a growing national level of political influence, openly expressed dissent toward the policy statements of the incoming Commander in Chief in a manner uncommon in the American civil-military relationship.

The failing civil-military relationship during the Clinton administration resulted in a fragmented and incoherent national military strategy and foreign policy. The Kosovo conflict of 1999 provides an example of how military leadership used indirect methods and political influence to oppose the strategy of the Commander-in-Chief. The President, Secretary of State, and National Security Advisor ordered the use of limited air strikes and ground operations in order to control the atrocities of Serbian President Slobodan Milosevic despite repeated recommendations against ground operations from the JCS.²⁷ As a result, the Pentagon exerted indirect political influence via press leaks highlighting the military's objection to the President's

Kosovo strategy. In a more direct and potentially dangerous approach, the military delayed the deployment of Apache attack helicopters despite repeated requests from General Wesley Clark.²⁸ These events clearly indicated a balance shift in the American civil-military relationship. The military establishment, possessing a high level of credibility with the American population, exploited its political influence in order to oppose President Clinton's interventionist policies and ultimately to exert the military's will into the national strategy.

At the conclusion of the Clinton Administration, the American civil-military relationship was at a dangerous impasse. The President and the administration hesitated to make policy decisions that would challenge the military leadership and ultimately sought to avoid any political conflict with the military establishment. Conversely, the military displayed a visible lack of confidence in the Commander-in-Chief and attempted to exert political influence via the Congress and American people at large. The lack of respect and mistrust demonstrated by both civil and military leaders eroded the effectiveness of the democratic process and ultimately weakened America's domestic and international strategies.

The Bush Administration: Assertion of Civilian Control:

The presidential election of George W. Bush in 2000 ushered American civil-military relations into an unexpected period of divisive debates, which resulted in a realignment of traditional power relationships. Following eight years of civil military tension during the Clinton Administration, President Bush campaigned on a platform that sought to restore the military's trust and confidence in the civilian leadership. The President promised resources, financial support, and most importantly careful scrutiny prior to the application of military force or commitments to international support missions. In a speech to the Citadel in September, 1999 George Bush outlined an aggressive plan for the future of the American military in his administration. In response to the incoherent and poorly defined application of military power

under the Clinton Administration Bush stated, "I will replace diffuse commitments with focused ones. I will replace uncertain missions with well-defined objectives. This will preserve the resources of American power and will."²⁹

The same speech indirectly addressed the failures of the current civil-military relationship, as well as the need to push the military towards the future to set the stage for the difficult process of transformation. Governor Bush stated, "I will begin an immediate, comprehensive review of our military- the structure of its forces, the state of its strategy, the priorities of its procurement- conducted by a leadership team under the Secretary of Defense."³⁰ Following the victorious Presidential election, President Bush and the new Secretary of Defense Donald Rumsfeld undertook the ambitious task of military transformation.

The Secretary of Defense Donald Rumsfeld, operating with a clear mandate from President Bush, embarked on an aggressive and revolutionary "transformation" of the military establishment. The basic impetus for military reform centered on two basic principles. First, America's armed forces trained, organized, and procured new weapon systems based on conventional Cold War era threats. In addition, military doctrine and strategy reflected a fixation on these outdated threats. Secretary Rumsfeld pursued reforms designed to create a leaner, more efficient fighting force capable of exploiting the United States technological superiority. Second, Rumsfeld acknowledged the potential of surprise attacks on the United States by non-state actors or terrorist groups.³¹ Secretary Rumsfeld labored to improve the military's capability to prevent or quickly and efficiently respond to these surprise attacks.

As the first step in implementing the "transformation" of the American military, Secretary Rumsfeld sought to restore the traditional balance of power within the American civil-military relationship by reasserting the prerogative of civilian control. As a former Secretary of Defense under President Ford, Donald Rumsfeld possessed an intimate understanding of the

military establishment and was aware of its rising political influence and power. Rumsfeld distrusted the advice of the established senior military leadership and doubted their ability to implement the sweeping reforms the President's transformation required. As a result, Rumsfeld operated with a finite group of civilian decision-makers within the Pentagon and relied heavily on civilian advisors and staff to make critical decisions on military doctrine, strategy, force structures, and weapons. Finally, Rumsfeld's methods undermined the political influence of the senior military leadership whom he viewed as a threat to the ultimate success of transformation.

A significant portion of Rumsfeld's impact on the decline of the American civil military relationship occurred because of his determination to control the makeup of the nation's senior military leadership. In Secretary Rumsfeld's view, the existing Chairman and other members of the Joint Chiefs of Staff remained too entrenched in the paradigms of the cold war to understand or implement the sweeping reforms required by the President's military transformation. Rumsfeld departed with historical precedent within the Defense Department and personally screened all nominations for three and four star rank. Military leaders, including Lt Gen Ronald Keyes, who did not fit the Rumsfeld mold failed to advance.³²

Rumsfeld's reliance on civilian experts, staffers, and agencies undercut the Joint Chiefs primary and legal responsibilities to provide military advice to the civilian leadership. At one point Rumsfeld even challenged the Chairman of the Joint Chief's legal responsibility to provide military advice to President Bush arguing that all advice to the President should go via the Secretary of Defense.³³ Distrustful of the existing military leadership Rumsfeld ignored their advice, undercut their political influence, marginalized dissent, and ultimately nominated like-minded individuals into key leadership positions within the Pentagon. By late 2001, Secretary Rumsfeld clearly reasserted the primacy of civilian control within the American civil-military relationship.

The September 11 terrorist attacks and subsequent War in Afghanistan briefly suspended the rising civil-military tension as the Office of the Secretary of Defense and the senior military leadership focused on combat operations, inter-agency cooperation, and legislation. Important principles of democratic warfare including unity of cause against a discernable enemy, support of the democratic majority, defined political will, stated political objectives, and superb military professionalism propelled the United States and coalition forces to a rapid, initial victory in Afghanistan. Focused on conducting a limited war against a non-state actor al'Qaeda, the U.S. fought a small scale, high-tech, rapid, and decisive conflict that quickly deposed the Taliban government and replaced it with a pro American democracy.

Throughout the conflict, Secretary Rumsfeld dominated the planning, asserted the prerogative of civilian control, and strictly controlled the military advice presented to the Commander-in-Chief. Responding to President Bush's questions during an Afghan war planning conference General Franks, Commander of Central Command, stated "Sir, I think exactly what my secretary thinks, what he's ever thought, what he will ever think, or whatever he thought he might think".³⁴ Initially, the Afghan war represented a resounding victory in the view of many of Americans and perhaps more importantly provided validation of Secretary Rumsfeld's military transformation and domineering leadership style.

The quick and decisive military success during the post 9/11 campaign in Afghanistan seemed to validate the military transformation initiatives ordered by President Bush and Secretary Rumsfeld. Secretary Rumsfeld, Paul Wolfowitz, and other civilian leaders within the Defense Department believed the Afghan conflict represented the new model of modern warfare. U.S. forces comprised of smaller units, special forces, local militias, precision weapons, and technology quickly drove the Taliban government into hiding and allowed the U.S backed President Karzai to assume power over the fragile Afghan state.

Fresh off the success of the Afghanistan campaign, Rumsfeld dominated the planning process for the invasion of Iraq and sought to again apply the principles of military transformation and the new model of warfare. Existing Iraq War Plans, including Operations Plan 1003-98, crafted under the direction of Marine General Anthony Zinni, called for 500,000 troops to secure Iraq and a gradual build-up of combat power.³⁵ Rumsfeld micromanaged the development of the Iraq war plans and focused primarily on political concerns, including a lack of coalition support, Arab aversion to large U.S. forces in the region, and a questionable democratic will. Working closely with the CENTCOM commander General Franks, Rumsfeld pressured planners to avoid an overwhelming commitment of forces on the scale of the first Gulf War.³⁶ Based on the principles of the Powell Doctrine, which were successfully implemented against Iraq in the first Gulf War, General Franks' draft war plans called for approximately 250,000 troops.³⁷ Rumsfeld rejected these plans, disputed the advice of many senior military leaders and argued for a significantly smaller force structure.

The degradation of the American civil-military relationship during the first two years of the Bush administration dramatically influenced the development of an Iraq War plan and inhibited the formulation of a coherent national strategy integrating all the elements of national power. Under the leadership of Donald Rumsfeld, the opinions and recommendations of a significant portion of the senior American military leadership were discounted in order to support Rumsfeld's ideas on the Iraq war plan. Rumsfeld's complete dominance of the war planning process stifled the majority of dissenting opinions within the Pentagon, failed to include input from other pivotal governmental agencies, and resulted a flawed Iraq war strategy.³⁸

Secretary Rumsfeld marginalized the input of the Joint Chiefs of Staff during the Iraq war planning process by largely excluding their participation. Rumsfeld's direct working relationship with CENTCOM commander General Franks allowed him to shape the planning

process, force requirements, and deployment schedules for the Iraq war without the Joint Chiefs participation. Distrustful of the technical advice provided by some military planners and cognizant that the military had adjusted plans in the past to influence civilian decision-makers, Rumsfeld monitored technical details including specific deployment cycles to Iraq.³⁹

Ultimately, Rumsfeld's complete dominance of the planning cycle prevented the infusion of dissenting viewpoints into the Iraq planning process. First, Secretary Rumsfeld discounted important advice on force structure requirements from experienced career military officers in order to perpetuate the new model of war. Second, the emphasis on a small force structure, speed, and U.S. technological superiority served to validate Rumsfeld's model and the transformation process. Finally, Rumsfeld's overarching control of the war planning process excluded valuable input and advice from the Joint Chiefs of Staff. The military establishment, under strict civilian control of Secretary Rumsfeld, presented President Bush with a military strategy dominated by the civilian leadership in the Pentagon. The administration's mistrust of the dissenting opinions among members of the nation's senior military leadership and acquiescence to Secretary Rumsfeld's civilian perspective produced a flawed national strategy in Iraq conflict.⁴⁰

Options for Dissent within the American Civil-Military Relationship:

The strategic miscalculations and systemic planning failures of the 2003 Iraq War reflected the dysfunctional state of the American civil-military relationship. The civilian leaders within the Bush administration and the nation's senior military leadership share blame for the breakdown of communication, traditional responsibilities, and mutual respect. Consumed by the "transformation process" and Rumsfeld's new model of warfare, the civilian leadership excluded decades of war-fighting experience and sage advice from the military during the planning phase of the Iraq War. Rumsfeld's domineering style produced a one-sided debate within the

Pentagon, excluded the valuable input of the Joint Chiefs, and isolated military leaders opposed to his viewpoint. In response, America's senior military leadership failed to adequately challenge the planning assumptions of the civilian leadership, or instead chose an improper method to express dissent. The inaction of the military leadership, who understood the failures of the Administration's decision-making process in Iraq, underscored a disturbing breakdown within the American civil-military relationship.

General Shinseki's testimony before the Senate Armed Services Committee produced significant tension within the civil-military relationship and exposed this internal tension produced to the American public, as well as the international community. Under the domineering guidance of Secretary of Defense Rumsfeld, CENTCOM Commander General Franks outlined an Iraq war plan based on the Rumsfeld doctrine, which relied on small numbers of troops, speed, technology, and firepower to obtain a decisive victory. Despite the overwhelming initial success of Rumsfeld's doctrine during the Afghan conflict, the Iraq war plan engendered significant conflict between the military leadership. General Shinseki's force level estimates during public testimony contrasted sharply with the planning estimates of Central Command and Secretary Rumsfeld. General Shinseki's statements exposed an important rift and significant difference of opinion between the army Chief of Staff and Rumsfeld's Iraq planning estimates when he stated, "something in the order of several hundred thousand soldiers" would be required for post-war Iraq.⁴¹

To ensure a functional civil-military relationship, the military leadership must retain the ability to express a dissenting opinion while preserving the sanctity of civilian control. General Shinseki's dissenting opinion on the force's size estimation was a realistic planning figure supported by the Powell doctrine and thirty-eight years of military experience. In response, the public testimony earned the General a sharp public rebuke from Paul Wolfowitz, the U.S.

Deputy Secretary of Defense, who labeled the general's professional estimate as "wildly off the mark."⁴² In voicing his dissenting opinion, General Shinseki was merely complying with his legal responsibility under the 1986 Goldwater-Nichols Act, to provide independent professional advice to Congress. Shinseki's estimates later proved more accurate than force estimates supported by Secretary Rumsfeld. However, the General's decision to express a dissenting opinion in a public forum underscored a divisive policy debate between the civilian and military leadership to American allies, enemies, and most importantly the public. The prevailing perceptions of the American people, which emerged from the public civil-military rift, included the realizations that civilian leadership discounted dissenting military opinions during Iraq war planning and misled the Congress about the emerging Iraq strategy. Ultimately, the public civil-military rift weakened America's strategic position. By requesting, a closed session with Congress General Shinseki could have fulfilled his legal responsibilities to Congress, expressed his dissenting opinion to the Congress, and preserved the sanctity of the civil-military relationship.

The timely resignation of Marine Lieutenant General Newbold represents a difficult, powerful, and appropriate dissenting response within the construct of a functioning civil-military relationship. While serving as the director of operations for the Joint Chiefs of Staff during the build-up to the Iraq war, General Newbold viewed the planning process firsthand. General Newbold described some of the administration's policy failures stating "some of the missteps include: the distortion of intelligence in the buildup to the war, McNamara-like micromanagement that kept our forces from having enough resources to do the job, and alienation of allies who could have helped in a more robust way rebuild Iraq."⁴³ General Newbold stated his objections to the war and subsequent plan within the military family.

Finally, Newbold “retired from the military four months before the invasion, in part because of my opposition to those who had used 9/11’s tragedy to hijack our security policy”.⁴⁴

The resignation of a senior military officer constitutes the most powerful and appropriate method of dissent available within a functioning civil-military relationship. A resignation underscores an officer’s inability to support a governmental policy or strategy, while preserving the principle of civilian control. During the Vietnam conflict, the Joint Chiefs of Staff considered submitting resignations in response to President Johnson and Secretary McNamara’s war policies, micro-management of operational and tactical decisions, and the exclusion of military advice in the decision-making process. In retrospect, these resignations may have forced a national strategic shift resulting in an earlier withdraw from Vietnam or dramatic change in military strategy.

A senior military officer’s resignation, in response to a perceived policy failure or strategic miscalculation, can have a huge impact on the democratic debate. As the most powerful expression of dissent against civilian authority, the decision to resign requires conscientious consideration, judicious application, and a cause worthy of the sacrifice. In an emotional debate over budget allocations James Webb, the Secretary of the Navy, resigned his position. Secretary Webb’s resignation was a reasoned personal decision, in response to a leadership challenge, but may not have been worthy of this powerful tool of dissent.⁴⁵

Secretary Rumsfeld’s domination of the Pentagon during the buildup to the Iraq war prevented a productive debate and valuable expression of differing viewpoints essential in the strategic planning process. General Newbold argued “my sincere view is that the commitment of our forces to this fight was done with a casualness and swagger that are the special province of those who have never had to execute these missions.”⁴⁶ The resignation of other senior military leaders in the build-up to the Iraq War would have compelled a vigorous debate over the Bush

administration's Iraq strategy and potentially ensured the application of adequate military force to achieve the nations strategic goals in Iraq.

The military bears a significant burden to uphold a functional and productive civil-military relationship. The success or failure of the principles of civilian control and American democracy depends on the military's faithful adherence to the framework outlined within the U.S. Constitution. Respect for the democratic process and loyalty to the civilian leadership must be ingrained and reinforced at all levels of military service. Avenues for dissent to an unresponsive or flawed civilian authority exist, but must be pursued within the Constitutional and legal framework in order to preserve civilian control. The military establishment must avoid the temptation to view warrior values and service culture as superior to the democratic state they defend. The risk of the military establishment assuming the role of the "good shepherd for the state" represents a realistic and lurking threat to American democracy.⁴⁷ Conversely, the nations political leadership must foster the democratic process, encourage a vigorous policy debate, and establish open avenues of communication with the military leadership in order to improve the national strategic decision-making process.

Under the leadership of Defense Secretary Gates, the American civil-military relationship reflects a more balanced approach. Secretary Gates maintains strong control over the Defense Department and seeks to include the professional advice and operational experience of the military leadership within the national security decision-making process. The close relationship of President Bush and General Petraeus during the latest stages of the Iraq conflict underscores the importance of mutual trust and respect between parties. The President's strategic vision for the conflict against global terror remains unwavering and General Petraeus continues to provide unbiased military advice to both the chief executive and congressional leadership. Finally, the legislative branch remains active in the strategic policy debate by conducting frequent visits to

the Iraq and Afghanistan war zones and integrating professional military advice into the decision-making process. These civil-military improvements may relate to the recent positive developments in Iraq and may represent progress toward the achievement of American strategic objectives in the region.

The gradual rise of the military's political influence within the national strategic debate represents a manifestation of the Anti-Federalists worst fears regarding the creation of a professional standing army. Two hundred-thirty years after the intense debates of the Constitutional Convention, the American military establishment represents a powerful interest group capable of exerting tremendous influence on American domestic and foreign policy decisions. Despite evolutionary challenges and the tremendous growth of the American military establishment, the Constitutional framework remains viable and the principle of civilian control remains secure. The historical trends in the American civil-military model indicate that periods of extreme political dominance are more likely to produce a flawed national strategy.⁴⁸ Vigorous debate, institutional trust, and mutual respect allow political and military leaders to mitigate dramatic shifts in cycle of competition for power and political influence. A healthy American civil-military relationship significantly enhances the nation's ability to construct a coherent national strategy and more importantly, to project the collective will of the American people.

Appendix A

Revolutionary Foundations of the American Civil-Military Relationship:

The principles and precedents invoked during the formative experience of American Revolution created the templates for the current structures of the American civil-military relationship. The Continental Congress immediately exerted the prerogative of civilian control over the military, a tradition validated by two centuries of English politics and the early American colonial experience. A conglomeration of merchants, farmers, lawyers, and leading citizens from the 13 colonies, the Continental Congress appointed Virginia delegate George Washington as the commander in chief of all Continental forces and announced a plan to organize the Continental army.⁴⁹

The selection of George Washington as Commander in Chief of the Continental Army reflected the tenuous political situation of the early American Revolution. The Continental Congress, seeking to solidify the fragile political bonds between the New England colonies and Southern colonies, selected a Virginia delegate to command a burgeoning military force consisting largely of New England soldiers. The stress and hardships of revolutionary conflict quickly revealed the prescient wisdom of Washington's appointment into the senior military leadership position. General Washington created an atmosphere of trust between the Continental Army and Continental Congress throughout the Revolutionary War because he possessed not only military experience, but also considerable legislative experience.⁵⁰ As a member of the Virginia House of Burgesses, he understood the inner workings and frustrations of the legislative process. Despite Congressional micromanagement, perilously few resources, overt challenges to his military strategy, and lack of pay for his troops General Washington continued to demand loyal support to the legislative body.

Washington's integrity, intimate understanding of the legislative process, and ultimately, his belief in the rightful intentions of Congress cemented a tradition of trust and military restraint within the American civil-military relationship. During the Newburgh Conspiracy in 1783, American Army officers threatened disobedience unless the Congress resolved pay, pension, and supply problems plaguing the soldiers. A model of restraint, General Washington rejected the temptation of military insubordination and dissuaded potentially mutinous officers during an impassioned speech emphasizing the shared bonds of military service and finite resources of the American Congress.⁵¹

The military experience during the Revolutionary War of a significant portion of the members of the Continental Congress and the eventual delegates to the Constitutional Conventions influenced America's early efforts to establish a lasting and working civil-military relationship. First, the delegates to the legislature risked their lives, families' safety, and personal property in the pursuit of American independence from Great Britain. Second, the Continental Congress established American independence as the definitive political objective of the conflict and the Continental Army served as the Congressional instrument to secure this objective. This unshakeable commitment to a definitive political objective facilitated an efficient and productive civil-military interchange. Third, Congressional members witnessed British and French professional military prowess during the Revolution and viewed firsthand the inherent problems of a militia force. As a result, American Congressional delegates crafted political decisions on the establishment and management of a permanent military force during the Constitutional convention on the basis of personal experiences and genuine understanding. In fact, of the estimated 342 delegates who served in the Continental Congress 134 served in the Continental Army or state militia.⁵²

Notes

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⁴ Richard, H. Kohn, Eagle and Sword (New York: The Free Press, 1975), 158-170.

⁵ The Declaration of Independence and The Constitution of the United States, 15.

⁶ Ibid, 15.

⁷ James Madison, The Complete Madison (New York: Harper & Brothers, 1953), 194.

⁸ Richard, H. Kohn, Eagle and Sword (New York: The Free Press, 1975), 76-79.

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¹⁰ Huntington, 81.

¹¹ Ibid, 83.

¹² Ibid, 85.

¹³ Dale R. Herspring, The Pentagon and the Presidency (Lawrence, KS: University Press, 2005), 8.

¹⁴ Morris Janowitz, Military Conflict: Essays in the Institutional Analysis of War and Peace (New York: Sage, 1975), 62.

¹⁵ Michael Desch, "Bush and the Generals," Foreign Affairs, May/June 2007, Vol.86 Issue 3, 97-108.

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- ²¹ Ibid., 31-34.
- ²² Ibid., 44-51.
- ²³ Ibid., 336.
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- ²⁵ Colin Powell, My American Journey (New York: Random House, 1995), 564.
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- ²⁹ George, W. Bush. Speech to the Citadel, "A Period of Consequences", 23 September 1999.
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- ³³ Ibid, 382.
- ³⁴ Bob Woodward, Bush at War. (New York: Simon & Schuster, 2002), 251.
- ³⁵ Bernard Trainor, Michael, R Gordon, Cobra II (New York: Pantheon Books, 2006), 26-30.
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⁵² Stevenson, 19.

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